

## Gun Bill Poised For Passage

### PBM Rebate Rule Delay Offsets Bill & Telepsych For Two-Years

- **Late yesterday, June 21, 2022, the Gun Reform bill cleared the initial vote in the Senate by a 64-to-34 margin.** Authored by Sen. John Cornyn (R-TX) and Christ Murphy (D-CT) the bill gained enough support from both parties to pass the initial vote. The bill contained many additions to mental health services offered to children and families, as well as some firearm restrictions that came as a surprise to some. The full text can be found [here](#).
- **Sen. Mitch McConnell (R-KY), along with 14 other Republicans, voted to advance the bipartisan bill.** 60 votes seem achievable. The limited House schedule means that time is tight for passage, as all want to count a win ahead of July 4 recess.
- **PBM Rebate Rule delay (one-year, \$21 B savings) pays for the Gun Reform package.** This saves about \$20.9 B over ten. It's a gimmick, since the Rebate Rule never got off the ground, but the projected increase in premiums means that a delay actually saves the government dollars. The Rebate Rule is not set to be implemented until 2026. The Rebate rule, finalized under the Trump administration, eliminates the safe harbor protections for rebates that drug makers negotiate with pharmacy benefit managers for favorable coverage terms unless those discounts are passed on to patients at the pharmacy counter.
- **Telepsych services would be covered, along with the following other provisions in mental health services.** Mental health reforms gained the most bipartisan support in the entire gun reform bill. Mental health has been the priority of GOP leaders, making it the bulk of the of the new legislation.
  - Improved access to telehealth services covered under Medicaid and CHIP. This will include flexibility to expand access to covered services via telehealth without needing additional approval to do so. This will also include best practices and guidance on how to expand telehealth services for mental health purposes.
  - Reauthorization of the Pediatric Mental Health Care Access program. This will expand teleconsults into emergency department and schools. \$31M for each of FY 2023 through 2027
  - An expansion of community mental health services demonstration program. The demonstration program is a program which assists families and youth with mental illness. These programs are said to receive \$40M for FY 2023.
  - Increased access to health care services in school-based settings. This will establish a technical assistance center which will take most of the administrative work out of the school's hands to increase access while also decreasing the burden. This will help with obtaining payments for medical services. This provision is allotted \$8M for FY 2022 in funds and \$50M in grants for FY 2022.
- **Although restrictions of firearms have been an area of disagreement between GOP leaders and Democrats, there are provisions.** The "boyfriend loophole" is in this bill, which was one policy the Democrats had to fight for. The provision protects domestic violence victims by prohibiting criminals convicted of misdemeanor crimes of domestic violence crime from purchasing firearms for 5 years.
- **Helping states implement red-flag laws.** These laws will allow authorities to temporarily confiscate guns from people deemed dangerous.

- **Increased background checks for people under 21.** This requires the National Instant Criminal Background Check System (NICS) to conduct enhanced reviews of people under 21 to see if they have a juvenile record which would disqualify them from purchasing firearms.
- **Updated definitions and increased grants.** This bill contains an updated definition of who is considered a dealer of firearms so that they are required, under law, to conduct background checks. There will also be increased grants for the implementation of State Crisis Intervention programs
- **NEXT STEPS:** The Senate is set up for a final vote on Gun Reform Friday, June 24. The House wants to clear the bill this week as well before they go on recess which starts at the end of this week and lasts until July 12. There is talk from a few GOP leaders that do not agree with the firearm restriction that have been written, but there has been tremendous support from the Republican party on the bill that passed the initial vote late night.