



Welcome to the new year edition of the AMA's Very Influential Physician (VIP) Insider. Read on for details about these topics:

- AMA launches new advocacy webinar series, "AMA Advocacy Insights"
- 2022 House Overview: Still a GOP Advantage, but Redistricting Looks Like a Wash
- AMA announces federal advocacy agenda for 2022
- Idiosyncrasies of Senate races could play to Dems' advantage

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### **AMA launches new advocacy webinar series**

The AMA recently announced a new advocacy webinar series titled; "AMA Advocacy Insights." The series will cover key advocacy issues from the federal and state levels impacting patients and physicians—such as telehealth, Medicare payment, the overdose epidemic, public health, surprise billing, prior authorization, and more.

Registration is open for the first webinar in this new series, "[Implementing the No Surprises Act](#)," on January 20 at Noon Central Time. Please see a full description of the webinar and a link to register below.

### **"Implementing the No Surprises Act"**

**Moderator:** Bobby Mukkamala, MD, chair, AMA Board of Trustees

**Featured speakers:** Joel S. Ario, managing director, Manatt Health, Michael S. Kolber, partner, Manatt Health

[Register to join](#) the AMA for a webinar on Thursday, January 20 at Noon Central Time, "Implementing the No Surprises Act." The No Surprises Act, which aims to protect patients from the financial impact of surprise medical billing, became law on January 1. Learn what physicians need to do immediately to comply with the new law. Our experts will also address enforcement challenges and the interaction between state and federal surprise billing requirements.

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### **Wasserman: Redistricting is a "wash"**

By [Punchbowl News](#)

We're big fans of the Cook Political Report with Amy Walter. Their analysis of House, Senate and gubernatorial races is second to none. So we jump at every opportunity to give Punchbowl News readers a sneak peek at their content. You should absolutely, positively subscribe to the [Cook Political Report with Amy Walter](#) – especially in an election year.

[Dave Wasserman](#), their House race ace, has a smart look at the landscape for the lower chamber which might surprise you given Republicans were expecting a huge boost from redistricting.

Here are some excerpts from the piece, "[Still a GOP Advantage, but Redistricting Looks Like a Wash.](#)"

The surprising good news for Democrats: on the current trajectory, there will be a few more Biden-won districts after redistricting than there are now — producing a congressional map slightly less biased in the GOP's favor than the last decade's. The bad news for Democrats: if President Biden's approval ratings are still mired in the low-to-mid 40s in November, that won't be enough to save their razor-thin House majority (currently 221 to 212 seats).

A Cook Political Report with Amy Walter analysis finds that in the completed states, Biden would have carried 161 of 293 districts over Donald Trump in 2020, an uptick from 157 of 292 districts in those states under the current lines (nationwide, Biden carried 224 of 435 seats). And if Democrats were to aggressively gerrymander New York or courts strike down GOP-drawn maps in North Carolina and/or Ohio, the outlook would get even better for Democrats.

However, the partisan distribution of seats before/after redistricting is only one way to gauge the process. Because Democrats currently possess the lion's share of marginal seats, estimating the practical effect of new lines in 2022 still points towards a wash or a slight GOP gain.

### ***The 2022 House Landscape***

House Democrats' math problem boils down to this: even though there will be more Biden-won seats than there are now, dozens will have only voted for him by narrow margins and will be very tenuous for Democrats if Biden's approval rating is still languishing below 45 percent.

In 2018, Democrats didn't flip a single GOP seat that had given President Trump more than 55 percent of the vote in 2016. But they still managed to gain 40 seats because Trump's approval rating was at 42 percent. Today, there are 48 House Democrats sitting in seats where Biden took less than 55 percent in 2020, and that number is likely to remain in a similar range after redistricting. Republicans only need to gain five seats for the majority.

Democrats have modestly outpaced redistricting expectations, and the next decade's House map is on pace to be slightly less biased towards the GOP than the last one's. But the new maps carry as much short-term risk as long-term upside.

Democrats began the cycle with virtually no margin for error, and the drag from Biden's disapproval — inextricably linked to retirements and GOP recruitment/fundraising — long ago overtook redistricting as the leading threat to Democrats' majority. Their only hope of holding on involves not only key map battles in New York, North Carolina and Ohio breaking their way but the president's approval rating rebounding much closer to 50 percent.

The far more dramatic effect of 2022 redistricting: a rise in the number of hyper-partisan seats at the expense of competitive ones. So far in completed states, the number of single-digit Biden and Trump seats has declined from 62 to 46 (a 26 percent drop). That means a House even less responsive to shifts in public opinion, with more ideological "cul-de-sac" districts where candidates' only electoral incentive is to play to a primary base.

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### **AMA's federal advocacy agenda for 2022**

For physicians following federal policy issues, the closing days of 2021 were extraordinarily busy. Following a robust grassroots advocacy campaign that engaged patients and physicians, the AMA and its Federation partners were able to mitigate significant Medicare physician payment cuts that had been scheduled to take effect on Jan. 1. Must-pass bills to raise the nation's debt limit and continue funding the federal government passed after much debate, yet an enormous legislative package containing major features of President Biden's health and social policy agenda remains

stalled. New rules are taking effect to protect privately insured patients from surprise medical bills but disagreements over key features of the independent dispute resolution process are being challenged in court by the AMA and others. Then, of course, there was COVID-19.

As 2022 begins, sharp partisan divisions will continue to influence what federal policymakers can accomplish, amplified by the upcoming midterm elections and a potential change in party control in both the House and Senate. As a result, prospects for passage of sweeping or controversial legislation are slim. Yet, organized medicine laid strong groundwork last year for action in 2022 on legislative proposals that would have a significant and positive impact on patients and their physicians.

For example, a positive outcome of the extraordinary grassroots advocacy on Medicare issues is that policymakers have become more attuned to some of the fundamental flaws of the current physician payment system. Key legislators have been seeking additional information and are interested in working on more long-lasting solutions that will stabilize the system. The AMA and Federation groups initiated a close examination of problems with the law and will be working with these and other legislators to fully examine medicine's concerns and develop solutions over the course of the year.

[Read more](#)

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## **Idiosyncrasies of Senate races could play to Dems' advantage**

By [Charlie Cook](#)

Three things make the midterm elections next November so pivotal. The first is how wafer-thin the Democratic majorities are in the Senate and the House. It's a reflection on just how evenly divided the country is as a whole.

The second is the volatility that exists today in our national elections. According to Gallup, President Biden's job ratings at this point in his presidency are the [second-worst of any elected incumbent in the post-World War II era](#), ahead only of Donald Trump's. Biden has a very real chance of becoming the fifth consecutive president to preside over the loss of both the Senate and the House while in office. In fact, in seven of the last eight elections (four midterms and four presidential years), party control of the presidency, the Senate, the House or some combination thereof have flipped—a pattern unprecedented in American political history.

The third is how consequential a change in party control of the government can be. The days of Democrats being a center-left party while Republicans were center-right, leading to substantial policy overlap between the two, are over. Today there are few major issue areas where there is any agreement at all. Party control flipping back and forth has turned public-policy development into a ping-pong game, ricocheting from the far left to the far right and back with a distressing degree of regularity.

At this point it would seem to take divine intervention, Republican self-destruction, or both to save the House Democratic majority. With every seat up simultaneously before voters every two years, the House is an amazingly accurate barometer of the prevailing political mood—something quite remarkable given how few congressional districts are actually competitive in any given election. Just as the nation's founders intended, the synchronization between the swings of the electorate and where the parties stand in the House is breathtaking.

With only a third of the chamber's seats up in any election, the Senate is a different ball game, its dynamics far more idiosyncratic than those in the House. When a party has an unusually strong election one year, capturing a large number of Senate seats from the opposition party, it usually

means that six years later, when that class of Senate seats is next up, that party may find itself defending seats that God may not have intended for that party to ever win.

Fewer races overall (and fewer still of the competitive variety) also means that unique circumstances and events in a single state can have a huge effect on which party is gaining or losing Senate seats, or for that matter, capturing, losing, or holding a majority. That is how Presidents Nixon and Reagan could win 49-state reelection victories while their party had a net loss of two Senate seats the same night, and how Democrats could score a net gain of 40 seats in the House in 2018 while suffering a net loss of one Senate seat that same night. A year ago, Democrats lost 11 seats in the House while gaining three Senate seats. Bottom line: House and Senate results are hardly synchronized.

Of the nine Senate races currently thought of as competitive, the Democratic nominee is clear in seven. Mark Kelly of Arizona, Raphael Warnock of Georgia, Maggie Hassan of New Hampshire, and Catherine Cortez Masto of Nevada are incumbents. In Florida, Rep. Val Demings is strongly favored to win the right to challenge GOP Sen. Marco Rubio. In Ohio, Rep. Tim Ryan will likely capture the Democratic nod. Finally, Cheri Beasley looks to be in the driver's seat in North Carolina, where Sen. Richard Burr is not seeking reelection. The picture is far murkier in Pennsylvania, for the open seat currently held by Sen. Pat Toomey.

Conversely, while it certainly looks likely that Heisman Trophy winner Herschel Walker will be the GOP nominee against Warnock in Georgia and former state Attorney General Adam Laxalt will take on Cortez Masto in Nevada, it remains unclear who the GOP nominees will be against the vulnerable Kelly and Hassan, or in the three open seats.

With the likely matchups determined in only three of those nine states at the moment, neither side has a natural advantage. Who will face whom in those other six, which party will nominate strong candidates or more-problematic ones, matters a huge amount.

Neither party is losing a lot of sleep worrying about the open seat in Alabama, where Sen. Richard Shelby is retiring, or the one in Vermont, where Sen. Patrick Leahy is not seeking reelection. The former is safely Republican, the latter safely in Democratic hands. A tenth race is not yet considered competitive, but both sides are warily eyeing Missouri. Republicans are nervous about whether the current front-runner for their party's nomination, former Gov. Eric Greitens, is sufficiently damaged from a [scandal that forced his resignation](#). While several Democrats are seeking their party's nomination, some in the party are increasingly intrigued by [Lucas Kuncie](#), a former Marine who served in both Iraq and Afghanistan as a Judge Advocate and a Yale graduate with law degrees from both the University of Missouri and Columbia University.

So Democrats' hopes in the Senate remain alive, but they could use some help from former President Trump and his party faithful. Trump could split the party badly in his efforts to purge the GOP of any elected officials who have not pledged and exhibited sufficient fealty to him. GOP primary voters could also nominate exotic candidates who can't win swing districts and states, much as they did during the tea-party movement in 2010 and 2012.

It has been a long time since many Democrats went to church, but given their challenge in the House this year, a little prayer might be helpful for them—and probably would not do them any harm in the Senate, either.