



H&K Health Dose: What to Expect in the 119th Congress – January 16, 2025

A weekly dose of healthcare policy news

The [119th Congress](#) is firmly under way, with committee assignments for new and returning members being finalized this week. One of the critical factors that will shape healthcare policy in the next administration is the appointment of leaders to key federal agencies. Members of healthcare committees of jurisdiction in the U.S. Senate are actively meeting with key individuals nominated to lead major federal health agencies. Nominees will meet with staff and committee members in preparation for courtesy and confirmation hearings. Of note, Robert F. Kennedy Jr.'s nomination to be Secretary of the U.S. Department of Health and Human Services (HHS) may be delayed beyond the last week of January 2025 due to process delays. Additional nominees to lead sub-agencies will be announced in the coming weeks, and attention will soon turn to President-Elect Donald Trump's inauguration on Jan. 20, 2025.

President-Elect Trump has unveiled plans to swiftly implement an ambitious policy agenda in his upcoming term. He and his transition team have committed to making "sealing the border" a top priority immediately after his inauguration and extending the tax cuts established under the Tax Cuts and Jobs Act (TCJA) within his first 100 days in office. While certain policy goals can be achieved through executive orders (EOs), critical components of his economic agenda will require legislative action.

We will closely monitor the development of key healthcare issues on Capitol Hill and within federal agencies. In the meantime, we outline some important items for stakeholders to watch in this week's Health Dose as we prepare for what promises to be a pivotal year in healthcare.

LEGISLATIVE UPDATES

Budget Reconciliation – One Big, Beautiful Bill?

With narrow majorities in both the U.S. House of Representatives and Senate, Republicans lack the votes needed to overcome a Senate filibuster. As a result, they have pledged to rely on budget reconciliation – a procedural tool that enables certain fiscal measures to pass with a simple majority – to advance President-Elect Trump's economic agenda. Budget reconciliation was introduced under the Congressional Budget and Impoundment Control Act of 1974, and it was designed to align federal revenues and expenditures. It begins with Congress passing a budget resolution with reconciliation instructions to specific committees. These instructions outline the changes necessary to meet budgetary goals, including specific dollar figure targets. Once the committees submit their proposals, they are combined into a single bill for consideration.

A provision is considered extraneous under the Byrd Rule if it:

- **Lacks Budgetary Impact:** Fails to affect federal spending or revenue or does not modify the terms under which these are determined
- **Violates Instructions:** Increases spending or decreases revenue beyond what the committee's reconciliation instructions allow
- **Falls Outside Committee Jurisdiction:** Addresses matters outside the proposing committee's purview
- **Has Incidental Budgetary Effects:** Features non-budgetary aspects that overshadow its fiscal impact
- **Increases Deficits Beyond the Budget Window:** Results in deficits beyond the timeframe covered by the reconciliation measure
- **Modifies Social Security:** Proposes changes to Social Security, explicitly excluded from reconciliation bills



Only one reconciliation bill can be passed per fiscal year (FY). Because Congress has not passed a reconciliation bill for FY 2025, Republicans have the option of passing two in the upcoming term. It remains uncertain whether health-related provisions will be included, but measures such as introducing work requirements for Medicaid eligibility, Medicaid per-capita caps or repealing the Medicare nurse staffing rule could reduce federal spending. These changes will likely qualify for reconciliation if Republicans choose to pursue them.

Government Funding and Health Package: Round Two

Republicans must also confront a looming March 14, 2025, deadline to extend government funding. There is still no agreement on topline numbers for FY 2025 funding levels. House Committee on Energy and Commerce Subcommittee on Health Chair Buddy Carter (R-Ga.) has signaled his desire to revisit and pass healthcare provisions that were included in, and then stripped out of, a larger December 2024 Continuing Resolution (CR). Programs and policies that were rolled back include, but are not limited to:

- **Medicare Physician Payments:** A 2.8 percent reduction in the Physician Fee Schedule (PFS) conversion factor (CF) which took effect on Jan. 1, 2025. The CF will decrease from \$33.29 to \$32.35. A provision to provide a 2.5 percent increase to the CF was excluded.
- **Medicare Advanced Alternative Payment Model Bonus Extension:** Payments were not extended for the 2027 payment period. Incentive payments remain at 1.88 percent for 2026, reduced from 3.5 percent in 2025 and historically 5 percent.
- **Medicare Sequester Extension:** A proposed six-month extension of the 2 percent Medicare sequester was omitted.
- **Separate National Provider Identification (NPI) Number for Off-Campus Hospital Outpatient Departments (HOPDs):** A requirement for off-campus HOPDs to bill services using a separate NPI number was excluded.
- **Pharmacy Benefit Manager (PBM) Reform:**
 - A ban on spread pricing in Medicaid and a requirement that retail and specialty pharmacies comply with National Average Drug Acquisition Cost (NADAC) survey reporting, to ensure more accurate reimbursements at the acquisition cost for drugs
 - Requirements for prescription drug plan sponsors and PBMs under Medicare Part D to allow any pharmacy meeting reasonable contractual terms to join the plan's network
 - Part D delinking
 - Oversight and transparency provisions
 - An Employee Retirement Income Security Act (ERISA) pass-through requirement
- **Reauthorization of the Rare Pediatric Priority Review Voucher (PRV) Program for five years**
- **Medicare Multi-Cancer Early Detection (MCED) Screening Coverage**
- **Extension of the Telehealth Safe Harbor:** Permit high-deductible health plan (HDHP) sponsors to reimburse telehealth and remote care services on a pre-deductible or first dollar coverage basis to participants with a health savings account (HSA).
- **The Accelerating Kids Access to Care Act:** A bill that will help speed the ability of children with complex medical conditions to seek specialty care at out-of-state centers of excellence.

The CR recently passed by Congress and signed into law by President Joe Biden includes several extensions and funding provisions that address expiring programs and payment adjustments. This included but is not limited to:

- **Medicaid Disproportionate Share Hospitals (DSH):** Medicaid DSH cuts have been eliminated through April 1, 2025.
- **Medicare Dependent Hospital (MDH) and Low Volume Adjustment (LVA) Programs:** These programs are extended through March 31, 2025.
- **Add-on Payment for Ambulance Services:** The program is extended through March 31, 2025.
- **Work Geographic Practice Cost Index (GPCI) Floor (calculation of MFPS payments):** The program is extended through March 31, 2025.
- **Medicare Acute Hospital Care at Home Waivers:** The program is extended through March 31, 2025.



- **Medicare Telehealth Coverage Waivers:** Extensions through March 31, 2025 include:
 - Removing geographic and originating site requirements
 - Expanding the types of practitioners eligible to furnish telehealth
 - Extending telehealth services for Federally Qualified Health Centers (FQHCs) and rural health centers
 - Delaying the in-person requirement for Medicare mental health services
 - Allowing audio-only telehealth
 - Permitting telehealth to conduct face-to-face encounters prior to hospice eligibility recertification
- **Community Health Centers (CHCs):** \$1.05 billion in funding is provided through March 31, 2025.
- **Teaching Health Centers Graduate Medical Education (THCGME):** \$43.2 million in funding is allocated through March 31, 2025.
- **Medicare Pay-As-You-Go (PAYGO) Sequester:** Prevents a 4 percent mandatory Medicare payment reduction by "wiping clean" the pay as you go (PAYGO) scorecard.
- **Disaster Relief Funding:** \$29 billion in additional disaster relief funding to:
 - Support Federal Emergency Management Agency (FEMA) in obligating claims for hospitals and others related to the COVID-19 public health emergency
 - Address damages from the 2024 hurricanes
- **Medicare Improvement Fund Reduction:** Includes a \$1.96 billion reduction in the Medicare improvement fund to offset costs.

Healthcare in the 119th Congress

With Republicans leading both the House and Senate, health committees are set to pursue new agendas, likely aligning with the Trump Administration's "Make America Healthy Again" (MAHA) theme, particularly in areas like addressing chronic diseases. These committee agendas could focus on reforms to federal public health programs, advancing innovative healthcare technologies, modernizing Medicare payment models for physicians and providers, and supporting rural healthcare initiatives.

Other key areas of focus are expected to include:

- Price transparency
- No Surprises Act implementation
- Medicare Advantage (expansion and regulation)
- Affordable Care Act (ACA) (reemergence of limited benefit insurance coverage)
- Drug pricing (expansion of drug pricing lists)
- 340B Program (likely to be part of the PBM debate)
- Opioid epidemic funding or new restrictions
- Artificial Intelligence (AI) Regulation
- Rural Emergency Hospital Program modifications (e.g., swing beds, etc.)
- U.S. Department of Government Efficiency (DOGE) recommendations

2025 Congressional Schedule

[Holland & Knight's 2025 Congressional calendar](#) is available to view online.



Health Committees of Jurisdiction Guide

Mindful of slim Republican majorities with an increasingly deferential base, health priorities will likely adhere to the direction of Trump Administration leadership, including agency heads. However, the leadership of health committees of jurisdiction will play a notable role with their authority to bring legislation before a committee. Below is an inclusive list of the members of key healthcare committees of jurisdiction.

Senate

The Senate has five returning members with health professional backgrounds serving in the 119th Congress, all of whom are Republicans. Four are Doctors of Medicine (MD), and one is a Doctor of Optometry (OD). There have been no new additions to this cohort.

Committee/ Subcommittee	Republicans	Democrats
Finance Committee	Chair: Sen. Mike Crapo (R-Idaho) Sen. Chuck Grassley (R-Iowa) Sen. John Cornyn (R-Texas) Sen. John Thune (R-S.D.) Sen. Tim Scott (R-S.C.) Sen. Bill Cassidy (R-La.) Sen. James Lankford (R-Okla.) Sen. Steve Daines (R-Mont.) Sen. Todd Young (R-Ind.) Sen. John Barrasso (R-Wyo.) Sen. Ron Johnson (R-Wis.) Sen. Thom Tillis (R-N.C.) Sen. Marsha Blackburn (R-Tenn.) Sen. Roger Marshall (R-Kan.)	Ranking Member: Sen. Ron Wyden (D-Ore.) Sen. Maria Cantwell (D-Wash.) Sen. Michael Bennet (D-Colo.) Sen. Mark Warner (D-Va.) Sen. Sheldon Whitehouse (D-R.I.) Sen. Maggie Hassan (D-N.H.) Sen. Catherine Cortez Masto (D-Nev.) Sen. Elizabeth Warren (D-Mass.) Sen. Bernie Sanders (D-Vt.) Sen. Tina Smith (D-Minn.) Sen. Ben Ray Lujan (D-N.M.) Sen. Raphael Warnock (D-Ga.) Sen. Peter Welch (D-Vt.)
Health, Education, Labor and Pensions Committee	Chair: Sen. Bill Cassidy (R-La.) Sen. Rand Paul (R-Ky.) Sen. Susan Collins (R-Maine) Sen. Lisa Murkowski (R-Ark.) Sen. Markwayne Mullin (R-Okla.) Sen. Roger Marshall (R-Kan.) Sen. Tommy Tuberville (R-Ala.) Sen. Tim Scott (R-S.C.) Sen. Josh Hawley (R-Mo.) Sen. Jim Banks (R-Ind.) Sen. Mike Crapo (R-Idaho) Sen. Marsha Blackburn (R-Tenn.)	Ranking Member: Sen. Bernie Sanders (I-Vt.) Sen. Patty Murray (D-Wash.) Sen. Tammy Baldwin (D-Wis.) Sen. Chris Murphy (D-Conn.) Sen. Tim Kaine (D-Va.) Sen. Maggie Hassan (D-N.H.) Sen. John Hickenlooper (D-Colo.) Sen. Ed Markey (D-Mass.) Sen. Andy Kim (D-N.J.) Sen. Lisa Blunt Rochester (D-Del.) Sen. Angela Alsobrooks (D-Md.)

House

Six new health professionals will serve in the 119th Congress:

- Rep. Sheri Biggs (R-S.C.): Family and Mental Health Nurse Practitioner
- Rep. Herb Conaway (D-N.J.): Internal Medicine Physician
- Rep. Maxine Dexter (D-Ore.): Pulmonary and Critical Care Physician
- Rep. Mike Kennedy (R-Utah): Family Physician
- Rep. Kelly Morrison (D-Minn.): Obstetrician-Gynecology
- Rep. Bob Onder (R-Mo.): Allergist-Immunologist



There are now 27 representatives in the House with health professional backgrounds, 17 of which are MDs. Of the 17 physicians, 11 are Republicans and six are Democrats.

Committee/ Subcommittee	Republicans	Democrats
House Energy and Commerce Committee (Full Roster)	Chair: Rep. Brett Guthrie (R-Ky.) Rep. Robert E. Latta (R-Ohio) Rep. H. Morgan Griffith (R-Va.) Rep. Gus M. Bilirakis (R-Fla.) Rep. Richard Hudson (R-N.C.) Rep. Earl L. "Buddy" Carter (R-Ga.) Rep. Gary J. Palmer (R-Ala.) Rep. Neal P. Dunn (R-Fla.) Rep. Dan Crenshaw (R-Texas) Rep. John Joyce (R-Pa.) Rep. Randy K. Weber (R-Texas) Rep. Rick W. Allen (R-Ga.) Rep. Troy Balderson (R-Ohio) Rep. Russ Fulcher (R-Idaho) Rep. August Pfluger (R-Texas) Rep. Diana Harshbarger (R-Tenn.) Rep. Mariannette Miller-Meeks (R-Iowa) Rep. Kat Cammack (R-Fla.) Rep. Jay Obernolte (R-Calif.) Rep. John James (R-Mich.) Rep. Gabe Evans (R-Colo.) Rep. Erin Houchin (R-Ind.) Rep. Russell Fry (R-S.C.) Rep. Laurel Lee (R-Fla.) Rep. Craig Goldman (R-Texas) Rep. Tom Kean (R-N.J.) Rep. Julie Fedorchak (R-N.D.) Rep. Nick Langworthy (R-N.Y.) Rep. Mike Rulli (R-Ohio) Rep. Cliff Bentz (R-Ore.)	Ranking Member: Rep. Frank Pallone (D-N.J.) Rep. Diana DeGette (D-Colo.) Rep. Janice D. Schakowsky (D-Ill.) Rep. Doris O. Matsui (D-Calif.) Rep. Kathy Castor (D-Fla.) Rep. Paul Tonko (D-N.Y.) Rep. Yvette D. Clarke (D-N.Y.) Rep. Raul Ruiz (D-Calif.) Rep. Scott H. Peters (D-Calif.) Rep. Debbie Dingell (D-Mich.) Rep. Marc A. Veasey (D-Texas) Rep. Robin L. Kelly (D-Ill.) Rep. Nanette Diaz Barragán (D-Calif.) Rep. Darren Soto (D-Fla.) Rep. Kim Schrier (D-Wash.) Rep. Lori Trahan (D-Mass.) Rep. Lizzie Fletcher (D-Texas) Rep. Alexandria Ocasio-Cortez (D-N.Y.) Rep. Jake Auchincloss (D-Mass.) Rep. Troy Carter (D-La.) Rep. Robert Menendez (D-N.J.) Rep. Kevin Mullin (D-Calif.) Rep. Greg Landsman (D-Ohio) Rep. Jennifer McClellan (D-Va.)
Health Subcommittee	Chair: Rep. Carter (R-Ga.) Vice Chair: Rep. Dunn (R-Fla.) Rep. Griffith (R-Va.) Rep. Bilirakis (R-Fla.) Rep. Crenshaw (R-Texas) Rep. Joyce (R-Pa.) Rep. Balderson (R-Ohio) Rep. Harshbarger (R-Tenn.) Rep. Miller-Meeks (R-Iowa) Rep. Cammack (R-Fla.) Rep. Obernolte (R-Calif.) Rep. James (R-Minn.) Rep. Bentz (R-Ore.) Rep. Houchin (R-Ind.) Rep. Langworthy (R-N.Y.) Rep. Kean (R-N.J.) Rep. Rulli (R-Ohio) Rep. Guthrie (R-Ky.), Ex-Officio	Ranking Member: Rep. DeGette (D-Colo.) Rep. Ruiz (D-Calif.) Rep. Dingell (D-Minn.) Rep. Kelly (D-Ill.) Rep. Barragán (D-Calif.) Rep. Schrier (D-Wash.) Rep. Trahan (D-Mass.) Rep. Veasey (D-Texas) Rep. Fletcher (D-Texas) Rep. Ocasio-Cortez (D-N.Y.) Rep. Auchincloss (D-Mass.) Rep. Carter (D-La.) Rep. Landsman (D-Ohio) Rep. Pallone (D-N.J.), Ex-Officio



<p>Oversight and Investigations Subcommittee</p>	<p>Chair: Rep. Palmer (R-Ala.) Vice Chair: Rep. Balderson (R-Ohio) Rep. Griffith (R-Va.) Rep. Dunn (R-Fla.) Rep. Crenshaw (R-Texas) Rep. Weber (R-Texas) Rep. Allen (R-Ga.) Rep. Fulcher (R-Idaho) Rep. Rulli (R-Ohio) Rep. Guthrie (KY), Ex-Officio</p>	<p>Ranking Member: Rep. Clarke (D-N.Y.) Rep. DeGette (D-Colo.) Rep. Tonko (D-N.Y.) Rep. Trahan (D-Mass.) Rep. Fletcher (D-Texas) Rep. Ocasio-Cortez (D-N.Y.) Rep. Mullin (D-Calif.) Rep. Pallone (D-N.J.), Ex-Officio</p>
<p>House Ways and Means Committee</p>	<p>Chair: Rep. Jason Smith (R-Mo.) Rep. Vern Buchanan (R-Fla.) Rep. Adrian Smith (R-NE) Rep. Mike Kelly (R-PA) Rep. David Schweikert (R-Ariz.) Rep. Darin LaHood (R-Ill.) Rep. Jodey Arrington (R-Texas) Rep. Ron Estes (R-Kan.) Rep. Lloyd Smucker (R-Pa.) Rep. Kevin Hern (R-Okla.) Rep. Carol Miller (R-W.Va.) Rep. Greg Murphy (R-N.C.) Rep. David Kustoff (R-Tenn.) Rep. Brian Fitzpatrick (R-Pa.) Rep. Greg Steube (R-Fla.) Rep. Claudia Tenney (R-N.Y.) Rep. Michelle Fischbach (R-Minn.) Rep. Blake Moore (R-Utah) Rep. Beth Van Duyne (R-Texas) Rep. Randy Feenstra (R-Iowa) Rep. Nicole Malliotakis (R-N.Y.) Rep. Mike Carey (R-Ohio) Rep. Aaron Bean (R-Fla.) Rep. Max Miller (R-Ohio) Rep. Nathaniel Moran (R-Texas) Rep. Rudy Yakym (R-Ind.)</p>	<p>Ranking Member: Rep. Richard Neal (D-N.J.) Rep. Lloyd Doggett (D-Texas) Rep. Mike Thompson (D-Calif.) Rep. John B. Larson (D-Conn.) Rep. Danny K. Davis (D-Ill.) Rep. Linda T. Sánchez (D-Calif.) Rep. Terri A. Sewell (D-Ala.) Rep. Suzan DelBene (D-Wash.) Rep. Judy Chu (D-Calif.) Rep. Gwen Moore (D-Wis.) Rep. Don Beyer (D-Va.) Rep. Dwight Evans (D-Pa.) Rep. Brad Schneider (D-Ill.) Rep. Jimmy Panetta (D-Calif.) Rep. Jimmy Gomez (D-Calif.) Rep. Steven Horsford (D-Nev.) Rep. Brendan Boyle (D-Pa.) Rep. Stacey Plaskett (D-VI) Rep. Tom Suozzi (D-N.Y.)</p>
<p>Health Subcommittee</p>	<p>Chair: Rep. Buchanan (R-Fla.) Rep. Smith (R-Neb.) Rep. Kelly (R-Pa.) Rep. Murphy (R-N.C.) Rep. Hern (R-Okla.) Rep. Miller (R-W.Va.) Rep. Fitzpatrick (R-Pa.) Rep. Tenney (R-N.Y.) Rep. Moore (Utah) Rep. Kustoff (R-Tenn) Rep. Steube (R-Fla.)</p>	<p>Ranking Member: Rep. Doggett (D-Texas) Rep. Thompson (D-Calif.) Rep. Chu (D-Calif.) Rep. Evans (D-Pa.) Rep. Davis (D-Ill.) Rep. Horsford (D-Nev.) Rep. Boyle (D-Pa.) Rep. Sánchez (D-Calif.)</p>
<p>Oversight Subcommittee</p>	<p>Chair: Rep. Schweikert (AZ) Rep. Fischbach (R-Minn.) Rep. Van Duyne (R-Texas) Rep. Malliotakis (R-N.Y.) Rep. Yakym (R-Ind.) Rep. Miller (R-Ohio) Rep. Bean (R-Fla.) Rep. Moran (R-Texas)</p>	<p>Ranking Member: Rep. Sewell (AL) Rep. Chu (D-Calif) Rep. DelBene (D-Wash.) Rep. Suozzi (D-N.Y.) Rep. Doggett (D-Texas)</p>



<p>House Appropriations Committee</p>	<p>Chair: Rep. Tom Cole (R-Okla.) Rep. Hal Rogers (R-Ky.) Rep. Robert Aderholt (R-Ala.) Rep. Mike Simpson (R-Idaho) Rep. John Carter (R-Texas) Rep. Ken Calvert (R-Calif.) Rep. Mario Diaz-Balart (R-Fla.) Rep. Steve Womack (R-Ark.) Rep. Chuck Fleischmann (R-Tenn.) Rep. David Joyce (R-Ohio) Rep. Andy Harris (R-Md.) Rep. Mark Amodei (R-Nev.) Rep. David Valadao (R-Calif.) Rep. Dan Newhouse (R-Wash.) Rep. John Moolenaar (R-Mich.) Rep. John Rutherford (R-Fla.) Rep. Ben Cline (R-Va.) Rep. Guy Reschenthaler (R-Pa.) Rep. Ashley Hinson (R-Iowa) Rep. Tony Gonzales (R-Texas) Rep. Julia Letlow (R-La.) Rep. Michael Cloud (R-Texas) Rep. Michael Guest (R-Miss.) Rep. Ryan Zinke (R-Mont.) Rep. Andrew Clyde (R-Ga.) Rep. Stephanie Bice (R-Okla.) Rep. Scott Franklin (R-Fla.) Rep. Jake Ellzey (R-Texas) Rep. Juan Ciscomani (R-Ariz.) Rep. Chuck Edwards (R-N.C.) Rep. Mark Alford (R-Mo.) Rep. Nick LaLota (R-N.Y.) Rep. Dale Strong (R-Ala.) Rep. Celeste Maloy (R-Utah) Rep. Riley Moore (R-W.Va.)</p>	<p>Ranking Member: Rep. Rosa DeLauro (D-Conn.) Rep. Steny Hoyer (D-Md.) Rep. Marcy Kaptur (D-Ohio) Rep. Sanford Bishop (D-Ga.) Rep. Betty McCollum (D-Minn.) Rep. Debbie Wasserman Schultz (D-Fla.) Rep. Henry Cuellar (D-Texas) Rep. Chellie Pingree (D-Maine) Rep. Mike Quigley (D-Ill.) Rep. Grace Meng (D-N.Y.) Rep. Mark Pocan (D-Wis.) Rep. Pete Aguilar (D-Calif.) Rep. Lois Frankel (D-Fla.) Rep. Bonnie Watson Coleman (D-N.J.) Rep. Norma Torres (D-Calif.) Rep. Ed Case (D-Hawaii) Rep. Adriano Espaillat (D-N.Y.) Rep. Josh Harder (D-Calif.) Rep. Lauren Underwood (D-Ill.) Rep. Susie Lee (D-Nev.) Rep. Joseph Morelle (D-N.Y.) Rep. James E. Clyburn (D-S.C.) Rep. Mike Levin (D-Calif.) Rep. Madeleine Dean (D-Pa.) Rep. Veronica Escobar (D-Texas) Rep. Frank Mrvan (D-Ind.) Rep. Marie Gluesenkamp Perez (D-Wash.) Rep. Glenn Ivey (D-Md.)</p>
<p>Agriculture, Rural Development, Food and Drug Administration and Related Agencies</p>	<p>Chair: Rep. Harris (R-Md.) Vice Chair: Rep. Franklin (R-Fla.) Rep. Aderholt (R-Ala.) Rep. Valadao (R-Calif.) Rep. Moolenaar (R-Minn.) Rep. Newhouse (R-Wash.) Rep. Letlow (R-La.) Rep. Cline (R-Va.) Rep. Hinson (R-Iowa)</p>	<p>Ranking Member: Rep. Bishop, Jr. (D-Ga.) Rep. Pingree (D-Maine) Rep. Underwood (D-Ill.) Rep. Gluesenkamp Perez (D-Wash.) Rep. Kaptur (D-Ohio) Rep. Wasserman Schultz (D-Fla.) Rep. DeLauro (D-Conn.), Ex-Officio</p>
<p>Labor, Health and Human Services, Education and Related Agencies</p>	<p>Chair: Rep. Aderholt (R-Ala.) Vice Chair: Rep. Letlow (R-La.) Rep. Simpson (R-Idaho) Rep. Harris (R-Md.) Rep. Fleischmann (R-Tenn.) Rep. Moolenaar (R-Minn.) Rep. Clyde (R-Ga.) Rep. Ellzey (R-Texas) Rep. Bice (R-Okla.) Rep. Moore (R-W.Va.)</p>	<p>Ranking Member: Rep. DeLauro (D-Conn.) Rep. Hoyer (D-Md.) Rep. Pocan (D-Wis.) Rep. Frankel (D-Fla.) Rep. Watson Coleman (D-N.J.) Rep. Harder (D-Calif.) Rep. Dean (D-Pa.)</p>



Trump Administration Outlook

Starting day one, the Trump Administration will issue a bevy of EOs and other policy announcements outlining new policy mandates and priorities for his administration, including those related to healthcare.

Predictions of what he may focus on within the health realm are detailed below. President-Elect Trump is also expected to issue policy announcements on new healthcare priorities relating to chronic disease and the MAHA initiative. Additionally, initial announcements may offer further details about the DOGE, a proposed presidential advisory commission focused on reducing federal spending and government size, and how this cost-cutting initiative might impact healthcare programs.

EOs

There are several items of interest of the incoming Trump Administration that could be established through a slew of EOs. A few potential contenders include EOs on essential medicines, chronic disease and AI. President-Elect Trump has announced his intention to reinstate an EO from August 2020 that focuses on the procurement of essential medicines. This policy prevented federal agencies from procuring essential medicines from trading partners as a way to bolster domestic manufacturing. However, healthcare entities should watch closely for its return with drug shortages remaining at high levels and supply chains continuing to experience shocks following the COVID-19 pandemic.

President-Elect Trump expressed plans to establish a special Presidential Commission to determine what is causing the decades-long increase in chronic illnesses, which could be established through an EO. President-Elect Trump is also expected to issue EOs regarding gender affirming care, including access to medications for children and even adults, as well as order studies regarding the impact of gender affirming care on the behaviors of patients.

President-Elect Trump has publicly discussed imposing a 60 percent tariff on all goods from China. Revoking China's Most Favored Nation status could result in tariffs from anywhere between 35 percent to 100 percent, including on medical products such as active pharmaceutical ingredients (APIs). President-Elect Trump is also expected to rescind EOs regarding AI, which may have immediate impacts on how AI is used in the clinical setting. President-Elect Trump has referred to President Biden's EO on the safe development and use of AI as akin to censorship, which may jeopardize projects underway at HHS to study AI's use in providing safe patient care or protecting against the creation of dangerous pathogens using gene synthesis.

Importantly, the U.S. Supreme Court's ruling in *Loper Bright Enterprises v. Raimondo* overturned longstanding deference given to administrative agencies in the rulemaking process. In practice, this change could increase the likelihood of court challenges to federal agency rulemaking or interpretations directed by an EO. This will be the first incoming administration following the *Loper Bright* Supreme Court decision.

Deregulatory Agenda – What Happens to Biden Administration Regulations?

The Trump Administration is expected to halt the consideration of all rules and regulations that remained pending during the final months of the Biden Administration. Early announcements regarding the rollback of regulations will be closely monitored. Typically, the president's chief of staff issues a regulatory freeze directive to executive departments and agencies, instructing them to withdraw rules submitted to the Office of the Federal Register (OFR) but not yet published. For rules that have been published but have not yet taken effect, their effective dates are often postponed by 60 days to allow for review. The pause or "regulatory freeze" will allow the incoming administration to review and determine whether the administration wants to revise, rescind or continue pursuing any pending regulation. This does not typically apply to rules required under statute or by judicial review. Several notable healthcare regulations are subject to additional scrutiny, including the nursing home staffing rule, Health Insurance Portability and Accountability Act (HIPAA) reproductive rights and Section 1557.

Under the Congressional Review Act (CRA), an incoming administration can review regulations published in the final months of the previous administration, dating back to Aug. 1, 2024, for this cycle. Rules will not be available for review under the CRA if they are published in the *Federal Register* and submitted to both the House and Senate before the lookback date. There are over 78 healthcare regulations up for potential review, with many speculating on which items may be evaluated. The [attached spreadsheet](#) highlights final regulations potentially available for congressional review.



Pending Regulations

Several regulations of interest to the healthcare sector remain pending and may be released prior to President Biden's departure from the White House. This includes rules on Healthcare System Resiliency and Modernization, Amendments to Rules Governing Organ Procurement Organizations, Independent Dispute Resolution (IDR) Operations Rule under the No Surprises Act, and the 2026 Medicare Advantage policy and technical rule. Notably, if these rules are released imminently, they would all be subject to the aforementioned review process. Additionally, statutorily, Centers for Medicare & Medicaid Services (CMS) must release the initial price applicability year (IPAY) 2027 list of 15 additional drugs for negotiation by Feb. 1, 2025, but it could be published anytime between Jan. 16, 2025, and Feb. 1, 2025.

Potential HHS Secretary Hearing Dates

Jan. 23, 2025

- Health, Education, Labor and Pensions (HELP) Committee: Robert F. Kennedy Jr. (HHS Secretary) (reported, but not posted)

Jan. 29, 2025

- Finance Committee: Robert F. Kennedy Jr. (HHS Secretary) (not confirmed, paperwork still in process)