



Health Policy Briefing

July 8, 2024

President Signs Parkinson’s Bill into Law

The *Dr. Emmanuel Bilirakis and Honorable Jennifer Wexton National Plan to End Parkinson’s Act* (H.R. 2365) was signed into law by President Biden last week. The bill requires the U.S. Department of Health and Human Services (HHS) to carry out a project to address Parkinson’s disease and other related conditions. HHS is charged with implementing a national plan to coordinate and guide efforts to prevent, diagnose, treat, and cure the disease. The legislation also establishes a council of federal and nonfederal stakeholders to advise and make recommendations on the prevention and treatment of Parkinson’s. The legislation is named in honor of Rep. Bilirakis’ (R-Fla.) brother, Dr. Emmanuel Bilirakis who passed away earlier this year after battling the disease, and Rep. Wexton (D-Va.) who last fall announced her diagnosis of Progressive Supra-nuclear Palsy, type-p (PSP-P), a form of Atypical Parkinsonism and plans to retire at the end of this Congress.

Cassidy Urges Agency Compliance with Chevron Decision

Senate Health, Education, Labor, and Pensions (HELP) Committee Ranking Member Bill Cassidy, M.D. (R-La.) has sent letters to federal agencies under his panel’s jurisdiction regarding their plans for complying with the Supreme Court’s overturning of the *Chevron* deference. “For too long, Chevron deference allowed unelected bureaucrats, insulated from political accountability, to exercise power that exceeds their authority. Such unfettered power is a perversion of the Constitution,” Cassidy wrote. “The Supreme Court’s decision helps return the role of legislating back to the people’s elected representatives.” Cassidy specifically highlights the Food and Drug Administration’s (FDA) laboratory developed test rule, the U.S. Department of Health and Human Services’ (HHS) implementation of the *No Surprises Act*, and HHS’ proposed march-in rights framework as deserving further scrutiny in light of the high court’s recent decision. His letter to HHS can be found [here](#) and his letter to the FDA can be found [here](#). He has requested the Agencies respond to his specific questions by July 19, 2024.

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GOP Committee Chairs Investigate ACA Plan Fraud

Republican leadership of the House Energy and Commerce, Ways and Means, and Judiciary committees are [asking](#) that the HHS Office of the Inspector General and the Government Accountability Office investigate the scope of improper enrollment in the *Affordable Care Act* (ACA) marketplace as well as improperly paid subsidies. The request follows a new report from Paragon Health Institute estimating that four to five million people are improperly enrolled in fully subsidized ACA plans at a cost of \$15 to \$26 billion per year to taxpayers. “Runaway deficits and debt are threatening to breach historic levels in the next decade, and, by 2054, the cost of simply servicing our national debt will more than double relative to gross domestic product,” the lawmakers write. “Given this grave situation, it is critical that the federal government safeguard increasingly scarce resources to ensure that every dollar spent goes as far as possible to improve Americans’ wellbeing.”

Biden, Sanders Pen Drug Pricing Op-Ed

Senate HELP Committee Chairman Bernie Sanders (I-Vt.) joined President Biden last week in penning a USA Today [Op-ed](#) calling on pharmaceutical companies to lower prescription drug prices. The piece specifically urges Novo Nordisk and Eli Lilly to reduce the “unconscionably high prices” of weight-loss and diabetes medications. Biden and Sanders highlight their ongoing work on legislation to increase the number of prescription drugs subject to the *Inflation Reduction Act’s* Medicare drug price negotiation program to at least 50 a year. “If Novo Nordisk and other pharmaceutical companies refuse to substantially lower prescription drug prices in our country and end their greed, we will do everything within our power to end it for them,” they write.

Judge Partially Blocks FTC’s Ban on Noncompete Agreements

A U.S. district court judge has temporarily restricted the Federal Trade Commission (FTC) from implementing a ban on employment contracts containing noncompete clauses. The regulation was set to go into effect in September prior to the federal judge’s decision that the agency lacks the appropriate authority for such a rule. The order only currently applies to the plaintiffs in the case - including tax services firm Ryan, the Business Roundtable, the U.S. Chamber of Commerce, and two Texas business groups – but Judge Ada E. Brown has stated her plans to issue a broader ruling by the end of August. In response, a spokesman for the agency stated that the FTC stands by its “clear authority, supported by statute and precedent, to issue this rule,” and that the agency “will keep fighting to free hardworking Americans from unlawful noncompetes, which reduce innovation, inhibit economic growth, trap workers, and undermine Americans’ economic liberty.”

Congressional Retirements and Resignations

The state of Virginia has certified the victory of former Navy SEAL John McGuire over incumbent Bob Good (R-Va.) in the primary race for the 5th congressional district by a margin of less than 400 votes. Good was first elected to Congress in 2020. He currently chairs the House Freedom Caucus and serves on the Budget and Education and Labor committees. Good has stated that he will seek a recount.

A running list of members of Congress who are retiring or seeking other office can be found below.

SENATE	
Stabenow (D), MI	Braun (R), IN
Cardin (D), MD	Romney (R), UT
Carper (D), DE	
Butler (D), CA	
Manchin (D), WV	
Sinema (I), AZ	
HOUSE OF REPRESENTATIVES	
Porter (D), CA	Mooney (R), WV
Lee (D), CA	Banks (R), IN
Gallego (D), AZ	Bishop (R), NC
Schiff (D), CA	Lesko (R), AZ
Slotkin (D), MI	Granger (R), TX
Allred (D), TX	Buck (R), CO (effective March 22, 2024)
Trone (D), MD	Burgess, MD (R), TX
Blunt Rochester (D), DE	Wenstrup, DPM (R), OH
Napolitano (D), CA	McHenry (R), NC
Wexton (D), VA	Johnson (R), OH (effective Jan. 21, 2024)
Kim, Andy (D), NJ	Ferguson, IV, DMD, PC (R), GA
Jackson, Jeff (D), NC	Curtis (R), UT
Sarbanes (D), MD	Luetkemeyer (R), MO
Blumenauer (D), OR	Lamborn (R), CO
Kilmer (D), WA	Bucshon, MD (R), IN
Spanberger (D), VA	Pence (R), IN
Kildee (D), MI	Duncan (R), SC
Phillips (D), MN	Armstrong (R), ND
Cardenas (D), CA	McMorris Rodgers (R), WA
Eshoo (D), CA	Gallagher (R), WI (effective April 19, 2024)
Manning (D), NC	LaTurner (R), KS
Nickel (D), NC	Graves (R), LA
Ruppersberger (D), MD	
Sablan (D), MP	
Kuster (D), NH	
Bowman (D), NY	

Upcoming Congressional Hearings and Markups

House Appropriations Committee markup of *FY 2025 Labor, Health and Human Services, Education, and Related Agencies Act*; 9:00 a.m.; July 10

Senate Appropriations Committee markup of *Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act, 2025; Military Construction, Veterans Affairs, and Related Agencies Appropriations Act, 2025; and Legislative Branch Appropriations Act, 2025*; 9:30 a.m.; July 11

Senate Health, Education, Labor, and Pensions Committee hearing “What Can Congress Do to End the Medical Debt Crisis in America?” 10:00 a.m.; July 11

Senate Special Committee on Aging hearing “Health Care Transparency: Lowering Costs and Empowering Patients;” 10:00 a.m.; July 11

Senate Commerce, Science, and Transportation Committee hearing to examine the need to protect American’s privacy and the AI Accelerant;” 10:00 a.m.; July 11

Senate Homeland Security and Government Affairs hearing to examine the U.S. taxpayer funded high-risk virus research; 10:30 a.m.; July 11

House Ways and Means Committee field hearing “Access to Health Care in America: Unleashing Medical Innovation and Economic Prosperity;” Salt Lake City, UT; 10:00 a.m.; July 12

Senate HELP Committee hearing “Why Is Novo Nordisk Charging Americans with Diabetes and Obesity Outrageously High Prices for Ozempic and Wegovy?” 10:00 a.m.; September 24

Recently Introduced Health Legislation

H.Res.1330 — Supporting the goals and ideals of Alzheimer’s and Brain Awareness Month; Sponsor: Barragán, Nanette Diaz [Rep.-D-CA-44]; Committees: House - Energy and Commerce

H.R.8881 — To amend title 38, United States Code, to permanently authorize the performance of Department of Veterans Affairs disability examinations by non-Department physicians pursuant to contracts, and for other purposes. Sponsor: Ciscomani, Juan [Rep.-R-AZ-6]; Committees: House - Veterans’ Affairs

H.R.8882 — To amend the Internal Revenue Code of 1986 to treat amounts paid for private umbilical cord blood, or umbilical cord tissue, banking services as medical care expenses; Sponsor: Arrington, Jodey C. [Rep.-R-TX-19]; Committees: House - Ways and Means

H.R.8889 — To provide for the sunset of rules upheld based on Chevron deference; Sponsor: Green, Mark E. [Rep.-R-TN-7]; Committees: House - Judiciary; Oversight and Accountability; Rules

H.R.8901 — To amend the Public Health Service Act to provide for the designation of institutions of higher education as Centers of Excellence in Cannabis Research, and for other purposes; Sponsor: Peters, Scott H. [Rep.-D-CA-50]; Committees: House - Energy and Commerce; Judiciary

H.R.8905 — To direct the Secretary of Health and Human Services to conduct a study and submit to Congress a report on neonatal abstinence syndrome, and for other purposes; Sponsor: McMorris Rodgers, Cathy [Rep.-R-WA-5]; Committees: House - Energy and Commerce

H.J.Res.181 — Providing for congressional disapproval under chapter 8 of title 5, United States Code, of the rule submitted by the Department of Labor relating to “Definition of ‘Employer’-Association Health Plans”; Sponsor: Walberg, Tim [Rep.-R-MI-5]; Committees: House - Education and the Workforce