



Health Policy Briefing

April 28, 2025

RFK Jr. to Testify Before HELP in May

Secretary of the U.S. Department of Health and Human Services (HHS) Robert F. Kennedy Jr. will testify before the Senate Health, Education, Labor, and Pensions (HELP) Committee in mid-May. A date has yet to be set for the hearing. HELP Committee Chair Bill Cassidy, MD (R-La.) and Ranking Member Bernie Sanders (I-Vt.) sent a request for the Secretary to appear before the Committee on April 10 to discuss the recent HHS reductions in force and proposed reorganization, but the Secretary did not formally respond to the initial request. An HHS spokesperson has framed next month's hearing as a part of the normal proceedings surrounding the President's budget proposal. It will be Kennedy's first time before Congress since overseeing a major restructuring of the department. HHS staff recently told the House Energy and Commerce Committee that the Secretary may not be able to speak about the recent HHS reduction-in-force until 60 days after personnel dismissals.

Cassidy Releases Report on 340B Reform

Senate HELP Committee Chair Bill Cassidy, MD (R-La.) has released a [report](#) detailing the findings of a years' long investigation into the 340B drug pricing program. "This investigation underscores that there are transparency and oversight concerns that prevent 340B discounts from translating to better access or lower costs for patients. Congress needs to act to bring much-needed reform to the 340B program," said Sen. Cassidy. Potential reforms suggested by the report include:

- Requiring covered entities to provide detailed annual reporting on how 340B revenue is used to ensure direct savings for patients;
- Addressing potential logistical challenges caused by increased administrative complexity;
- Investigating the types of financial benefits contract pharmacies and third-party administrators receive for administering the 340B program;
- Requiring transparency and data reporting for entities supporting participants in the 340B program; and
- Providing clear guidelines to ensure that manufacturer discounts actually benefit 340B-eligible patients, including examining legislative changes to the definition of eligible patient and contract pharmacies' use of the inventory replenishment model.

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Carter Launches American-Made Medicines Caucus

Rep. Buddy Carter, BSPHarm (R-Ga.), alongside Reps. Claudia Tenney (R-N.Y.) and Gus Bilirakis (R-Fla.), launched the American-Made Medicines Caucus last week. The group will focus on promoting policies to onshore and friendshore pharmaceutical manufacturing, strengthen U.S. economic and national security interests, and reduce America's reliance on adversarial countries for essential medications. "China determines whether we have the pharmaceutical products we need in the United States to keep our citizens healthy," Rep. Carter stated in the press release announcing the caucus. "That is a terrifying reality, one we must address before the next public health crisis."

President Pledges to Veto Cuts to Medicare, Medicaid

President Donald Trump stated in an interview last week that he would veto legislation that includes cuts to the Social Security, Medicare, or Medicaid programs. Congressional Republicans are currently drafting a budget reconciliation package to advance the President's domestic policy agenda, including tax cuts, energy policy, and border security, while trimming the budget deficit by at least \$1.5 trillion. This includes \$880 billion in savings over the next decade from the House Energy and Commerce Committee, which is expected to necessitate cuts to the Medicaid program. President Trump indicated that he would be open to policies that reduce Medicaid waste, fraud, and abuse. House GOP leadership is aiming to enact the budget reconciliation bill by the end of May, while Senate Republicans have discussed completing the process by August. House committees are scheduled to begin marking up reconciliation packages this week. The House Energy and Commerce Committee expects to markup its package next week.

Durbin Announces Decision to Retire

Senate Minority Whip Dick Durbin (D-Ill.) has announced his decision to not run for re-election next year. Sen. Durbin was first elected to the Senate in 1996 after serving for 14 years in the House of Representatives. He has held the number two leadership post in the chamber for more than 20 years, and currently serves as the ranking member of the Judiciary Committee. Durbin is one of nine current lawmakers who has spent more than half their life in Congress.

SCOTUS Calls for New Briefs Following *Braidwood* Oral Arguments

The U.S. Supreme Court heard oral arguments last week in *Kennedy v. Braidwood Management*. The case will decide the constitutionality of the Affordable Care Act's (ACA) preventive services mandate and requirements for no-cost access to services as it relates to the U.S. Preventive Services Task Force (USPSTF). The Supreme Court appeal follows a lower court ruling that the USPSTF is unconstitutional because its members wield power that resembles legislative authority without being appointed by the President and confirmed by the Senate. The Trump White House has aligned itself with its Biden administration predecessors in defending the preventive services requirement and USPSTF; however, the new administration goes further in its arguments regarding the authority of the HHS secretary. The Biden administration previously argued that USPSTF's authority derives from the HHS secretary, who retains a supervisory role over the task force. The Trump administration further argues that the HHS secretary has full authority over USPSTF, including final say over its membership, recommendations, and course of studies. A majority of the Supreme Court appeared skeptical of the plaintiff's challenge to the law last week. The Court ordered more briefings after arguments on Friday, asking the parties to discuss the HHS secretary's authority to appoint the members of the Task Force. A ruling in the case is expected by the end of June.

Upcoming Congressional Hearings and Markups

House Veterans' Affairs Subcommittee on Oversight and Investigations hearing "Answering the Call: Examining VA's Mental Health Policies;" 10:00 a.m.; April 29

House Education and Workforce Committee markup of Committee Print to Comply with Reconciliation Directives Included in H.Con.Res 14, Section 2001(B)(3), H.Res. 344; 10:15 a.m.; April 29

Senate Veterans' Affairs Committee hearing "Bridging the Gap: Enhancing Outreach to Support Veterans' Mental Health;" 10:30 a.m.; April 29

House Veterans' Affairs Subcommittee on Health hearing "Dignity Denied: The Case for Reform at State Veterans Homes;" 2:15 p.m.; April 29

House Energy and Commerce Committee markup to consider: H.R. 2483, SUPPORT for Patients and Communities Reauthorization Act of 2025; H.R. 1520, Charlotte Woodward Organ Transplant Discrimination Prevention Act; H.R. 2319, Women and Lung Cancer Research and Preventive Services Act of 2025; H.R. 1669, To amend the Public Health Service Act to reauthorize the Stop, Observe, Ask, and Respond (SOAR) to Health and Wellness Training Program; H.R. 1082, Shandra Eisenga Human Cell and Tissue Product Safety Act; H.R. 2484, Seniors' Access to Critical Medications Act; 10:15 a.m., April 29

House Veterans' Affairs Subcommittee on Oversight and Investigations hearing "Answering the Call: Examining VA's Mental Health Policies;" 10:00 a.m.; April 30

House Education & Workforce Subcommittee on Health, Employment, Labor, and Pensions hearing "Investing for the Future: Honoring ERISA's Promise to Participants;" 10:15 a.m.; April 30

Senate Appropriations Committee hearing "Biomedical Research: Keeping America's Edge in Innovation;" 10:30 a.m.; April 30

Recently Introduced Health Legislation

H.Res.342 — Recognizing the history of the drug diethylstilbestrol and the harm it has caused, and for other purposes; Sponsor: McGovern, James P. [Rep.-D-MA-2]; Committees: House - Energy and Commerce

H.Res.344 — Of inquiry requesting the President, and directing the Secretary of Health and Human Services, to transmit respectively, to the House of Representatives certain documents relating to the elimination of the Administration for Community Living; Sponsor: Bonamici, Suzanne [Rep.-D-OR-1]; Committees: House - Education and Workforce

H.Res.345 — Expressing support for designation of the month of April 2025 as "Parkinsons Awareness Month"; Sponsor: Bell, Wesley [Rep.-D-MO-1]; Committees: House - Energy and Commerce

H.R.3000 — To address the worsening long-term care workforce crisis and increase access to and affordability of long-term care; Sponsor: Fitzpatrick, Brian K. [Rep.-R-PA-1]; Committees: House - Education and Workforce; Energy and Commerce

H.R.3006 — To amend title XVIII of the Social Security Act to limit the coinsurance amount for certain services furnished in an ambulatory surgical center; Sponsor: Kelly, Mike [Rep.-R-PA-16]; Committees: House - Energy and Commerce; Ways and Means

H.R.3010 — To amend the Internal Revenue Code of 1986 to deny the deduction for advertising and promotional expenses for certain drugs; Sponsor: Murphy, Gregory F. [Rep.-R-NC-3]; Committees: House - Ways and Means

H.R.3017 —To direct the Assistant Secretary for Planning and Evaluation of the Department of Health and Human Services to conduct an annual study on health care competition and consolidation at the State level; Sponsor: Spartz, Victoria [Rep.-R-IN-5]; Committees: House - Energy and Commerce

H.R.3018 —To amend the Pension Funding Equity Act of 2004 to repeal the antitrust exemption applicable to graduate medical resident matching programs; Sponsor: Spartz, Victoria [Rep.-R-IN-5]; Committees: House – Judiciary

H.R.3019 —To amend the Internal Revenue Code of 1986 to establish new community benefit standards for tax-exempt hospital organizations, and for other purposes; Sponsor: Spartz, Victoria [Rep.-R-IN-5]; Committees: House - Ways and Means

H.R.3020 —To require the Government Accountability Office to evaluate the effects of anticompetitive contracting clauses in contracts between health insurers and health care providers and to determine actions taken by the Federal Trade Commission and the Department of Justice relating to the use of such clauses in such contracts and to assess their ability to effectively enforce the Federal antitrust laws with respect to such use; Sponsor: Spartz, Victoria [Rep.-R-IN-5]; Committees: House - Energy and Commerce; Judiciary

H.R.3021 —To eliminate the inpatient-only service list; Sponsor: Spartz, Victoria [Rep.-R-IN-5]; Committees: House - Energy and Commerce; Ways and Means

H.R.3022 — To amend title XVIII of the Social Security Act to repeal the Obamacare ban on provider-owned hospitals, and for other purposes; Sponsor: Spartz, Victoria [Rep.-R-IN-5]; Committees: House - Energy and Commerce; Ways and Means

H.R.3023 —To amend title XVIII of the Social Security Act and title XXVII of the Public Health Service Act to address incorrect billing by off-campus hospital locations, and for other purposes; Sponsor: Spartz, Victoria [Rep.-R-IN-5]; Committees: House - Energy and Commerce; Ways and Means

H.R.3025 —To amend title 10, United States Code, to provide for the coverage of assisted reproductive services under the TRICARE program, and for other purposes; Sponsor: Strickland, Marilyn [Rep.-D-WA-10]; Committees: House - Armed Services

H.R.3027 — To amend title 38, United States Code, to establish a counseling program for certain survivors of veterans who die by suicide; Sponsor: Van Drew, Jefferson [Rep.-R-NJ-2]; Committees: House - Veterans' Affairs