

Reconciliation Update

The House Energy and Commerce Committee voted to advance its portion of the GOP budget reconciliation package in a 30-24 party line vote last week. During the marathon markup, which began on Tuesday and did not conclude until Wednesday afternoon, Republicans voted down dozens of amendments from Democrats to block individual provisions of the measure containing the spending and savings directives from the fiscal year 2025 budget resolution adopted by Congress in early April. Democrats warned that the legislation will result in millions of vulnerable Americans losing their health insurance coverage, citing a May 7 estimate from the Congressional Budget Office that the number of uninsured people will increase by 8.6 million if the bill becomes law. While Republicans defended the measure as a means to address Medicaid fraud, waste, and abuse and support the overall solvency of the program.

Energy and Commerce's legislative text proposes work requirements for certain Medicaid beneficiaries, new limits on provider taxes, penalties for states who allow Medicaid coverage of undocumented immigrants, cost-sharing requirements for Medicaid enrollees, and more frequent enrollee eligibility checks. It would also repeal regulations from the Biden administration on Medicaid enrollment and nursing home staffing. The legislation does not address the 2.83% Medicare physician cut that went into effect on January 1, but includes a mechanism to link the Medicare physician fee schedule conversion factor to an annual inflationary update: in 2026, physicians would receive an update of 75% of the Medicare Economic Index (MEI); in 2027 and each subsequent year, physicians would receive 10% of MEI. It would also eliminate the current Merit-based Incentive Payment System (MIPS) and alternative payment model (APM) differential payment updates.

The House Ways and Means Committee also advanced its portion of the reconciliation package last week. The health provisions in the package include provisions to limit Medicare coverage to citizens and aliens meeting specific conditions, expand health savings accounts to additional individuals, as well as repeal the excise tax on indoor tanning services. The measure was advanced in a 26-19 party line vote.

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Health Policy Briefing

May 19, 2025

Speaker Mike Johnson (R-La.) remains in negotiations with several fiscal hardliners who stalled House Budget Committee consideration of the reconciliation bill on Friday. Five conservative Republicans on the panel - Chip Roy (Texas), Ralph Norman (S.C.), Josh Brecheen (Okla.), Andrew Clyde (Ga.), and Lloyd Smucker (Pa.) - raised concerns that the package does not make deep enough cuts to government spending or significant enough reforms to how Medicaid is funded. Reports indicate that the lawmakers have specifically taken issue with the fact that proposed Medicaid work requirements would not go into effect until 2029, and that states are not required to immediately remove undocumented immigrants from accessing Medicaid. The Budget Committee must piece together the individual portions of the reconciliation bill advanced by each congressional committee before sending the full package to the House floor for consideration. The Budget Committee is currently scheduled to reconvene at 10 p.m. on Sunday.

The GOP aims to use the reconciliation package to advance President Donald Trump's domestic policy agenda, including tax cuts, energy policy, and border security, while trimming the budget deficit by at least \$1.5 trillion. Republican leadership had targeted this week for a vote on the full package on the House floor. The bill remains subject to consideration by the Senate, which is likely to make changes to the House bill before passing the measure. A number of GOP senators have already raised concerns about the Medicaid related aspects of the House package, with Sen. Josh Hawley (R-Mo.) characterizing the proposed Medicaid cuts as "both morally wrong and politically suicidal" in an op-ed last week.

Senate Finance Advances HHS Nominees

The Senate Finance Committee voted to advance the nominations of James O'Neill to be Deputy Secretary of the U.S. Department of Health and Human Services (HHS) by a vote of 14-13 and Gary Andres to be an Assistant Secretary of HHS by a vote of 19-8. Ranking Member Ron Wyden (D-Ore.) cited the nominees' endorsements of the current Republican effort to overhaul the Medicaid program via the budget reconciliation process as the reason for his opposition. The nominations now await a confirmation vote on the Senate floor.

Democrats Warn Against Cuts to Scientific Agencies

Eleven Democrats in the House of Representatives have sent a letter to the Trump administration raising concerns about proposed funding cuts to the nation's scientific agencies, including the National Institutes of Health, the National Science Foundation, the National Oceanic and Atmospheric Administration, and the National Aeronautics and Space Administration. The President's proposed fiscal year 2026 budget includes steep cuts to each of these agencies. The letter, which was led by Rep. George Whitesides (D-Calif.), highlights the importance of research for medical innovation and underscores the importance of maintaining investments in scientific research to maintain the nation's competitiveness with China. "We urge your administration to follow the longstanding principle of bipartisan support for the scientific community and national leaders who have made science a national priority, embracing it as a driver of economic growth, public health, and environmental safety," the letter states.

President Signs Most-Favored-Nation Executive Order

President Donald Trump signed an [executive order](#) (E.O.) on Monday that aims to ensure that Americans pay no more for prescription drugs than the lowest price paid by other developed nations. The 'Most Favored Nation' (MFN) E.O. instructs the U.S. Department of Health and Human Services (HHS) Secretary to facilitate direct-to-consumer purchasing at these prices, and to communicate target prices to pharmaceutical manufacturers within 30 days. If manufacturers do not comply, further regulatory actions may be taken. Additionally, the Secretary of Commerce and the U.S. Trade Representative are tasked with addressing foreign practices that contribute to higher drug costs for American patients. The President attempted to institute an MFN policy in 2020 during his first administration, but the effort was struck down by a federal judge for failing to adhere to congressionally mandated rulemaking procedures. A fact sheet on the E.O. can be found [here](#).

Former President Biden Diagnosed With Aggressive Cancer

On Sunday, former President Biden's office announced that he has been diagnosed with prostate cancer which metastasized to the bone. Although he was given a Gleason score of 9 (on a scale of 1-10), demonstrating how aggressive the cancer is, his office said that "the cancer appears to be hormone-sensitive which allows for effective management.

Upcoming Congressional Hearings and Markups

Senate Appropriations Subcommittee on Labor, Health and Human Services, Education, and Related Agencies hearing "A Review of the President's Fiscal Year 2026 Budget Request for the Department of Health and Human Services;" 10:00 a.m.; May 20

House Oversight and Government Reform Subcommittee on Economic Growth, Energy Policy, and Regulatory Affairs hearing "Mandates, Meddling, and Mismanagement: The IRA's Threat to Energy and Medicine;" 10:00 a.m.; May 20

House Foreign Relations Committee review of the FY26 State Department Budget Request; 10:00 a.m.; May 20

Senate Appropriations Subcommittee on State, Foreign Operations, and Related Programs hearing "A Review of the President's Fiscal Year 2026 Budget Request for the U.S. Department of State;" 2:00 p.m.; May 20

House Energy and Commerce Subcommittee on Commerce, Manufacturing, and Trade hearing "AI Regulation and the Future of US Leadership;" 10:15 a.m.; May 21

House Education and Workforce Subcommittee on Higher Education and Workforce Development hearing "Restoring Excellence: The Case Against DEI;" 10:15 a.m.; May 21

House Veterans' Affairs Subcommittee on Economic Opportunity Oversight hearing "Pushing VA Forward: Review of VA's Adaptive Programs for Disabled Veterans;" 10:30 a.m.; May 21

House Appropriations Subcommittee on National Security, Department of States, and Related Programs Budget Hearing – Department of State and Related Programs; 2:00 p.m.; May 21

Senate Homeland Security and Governmental Affairs Permanent Subcommittee on Investigations hearing "The Corruption of Science and Federal Health Agencies: How Health Officials Downplayed and Hid Myocarditis and Other Adverse Events Associated with the COVID-19 Vaccines;" 2:00 p.m.; May 21

Senate Banking, Housing, and Urban Affairs hearing "Securing America: Key Authorities Under the Defense Production Act;" 10:00 a.m.; May 22

Senate Appropriations Subcommittee on Agriculture, Rural Development, Food and Drug Administration, and Related Agencies hearing "A Review of the President's Fiscal Year 2026 Budget Request for the Food and Drug Administration;" 10:30 a.m.; May 22

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Recently Introduced Health Legislation

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H.R.3316 — To amend the Public Health Service Act to provide for a national outreach and education strategy and research to improve behavioral health among the Asian American, Native Hawaiian, and Pacific Islander population, while addressing stigma against behavioral health treatment among such population. Sponsor: Chu, Judy [Rep.-D-CA-28]; Committees: House - Energy and Commerce

H.R.3320 — To amend title XIX of the Social Security Act to increase Federal Medicaid funding for States that provide intensive community-based services for adults with serious mental illness, and for other purposes. Sponsor: Goldman, Daniel S. [Rep.-D-NY-10]; Committees: House - Energy and Commerce

H.R.3321 — To amend title XIX of the Social Security Act to phase out the enhanced Federal match applicable to medical assistance provided to low-income adults. Sponsor: Roy, Chip [Rep.-R-TX-21]; Committees: House - Energy and Commerce

S.Res.215 — A resolution expressing support for the designation of the week of May 12, 2025, through May 16, 2025 as “Veterans Affairs Research Week” to celebrate the research, innovation, and significant contributions of the Department of Veterans Affairs to improving the lives of countless veterans, people in the United States, and individuals around the world; Sponsor: Duckworth, Tammy [Sen.-D-IL]; Committees: Senate - Veterans’ Affairs

S.Res.217 — A resolution expressing the sense of the Senate that Secretary of Health and Human Services Robert Fitzgerald Kennedy Jr. does not have the confidence of the Senate or of the American people to faithfully carry out the duties of his office; Sponsor: Alsobrooks, Angela D. [Sen.-D-MD]; Committees: Senate – Finance

S.1709 — A bill to amend the Public Health Service Act to establish direct care registered nurse-to-patient staffing ratio requirements in hospitals, and for other purposes; Sponsor: Padilla, Alex [Sen.-D-CA]; Committees: Senate - Health, Education, Labor, and Pensions

S.1716 — A bill to amend title XXVII of the Public Health Service Act to improve health care coverage under vision plans, and for other purposes; Sponsor: Cramer, Kevin [Sen.-R-ND]; Committees: Senate - Health, Education, Labor, and Pensions

S.1717 — A bill to amend title XVIII of the Social Security Act to ensure prompt coverage of breakthrough devices under the Medicare program, and for other purposes; Sponsor: Young, Todd [Sen.-R-IN]; Committees: Senate – Finance

S.1719 — A bill to amend the Internal Revenue Code of 1986 to provide for the treatment of direct primary care service arrangements as medical care, to provide that such arrangements do not disqualify deductible health savings account contributions, and for other purposes; Sponsor: Cassidy, Bill [Sen.-R-LA]; Committees: Senate – Finance

S.1720 — A bill to amend title XIX of the Social Security Act to remove the Medicaid coverage exclusion for inmates in custody pending disposition of charges, and for other purposes; Sponsor: Cassidy, Bill [Sen.-R-LA]; Committees: Senate – Finance

S.1726 — A bill to amend title 38, United States Code, to clarify that the Department of Veterans Affairs definition of “medical services” includes medically necessary automobile adaptations, and for other purposes; Sponsor: Tuberville, Tommy [Sen.-R-AL]; Committees: Senate - Veterans’ Affairs

H.Res.407 — Supporting the designation of May 10, 2025, as “National Asian American, Native Hawaiian, and Pacific Islander Mental Health Day”; Sponsor: Chu, Judy [Rep.-D-CA-28]; Committees: House - Energy and Commerce

H.R.3327 — To amend the Internal Revenue Code of 1986 to increase the amount excluded from gross income by reason of distributions from governmental retirement plans for health and long-term care insurance for public safety officers; Sponsor: Bacon, Don [Rep.-R-NE-2]; Committees: House - Ways and Means

H.R.3333 — To require the National Advisory Council on Nurse Education and Practice to examine and report on the growing nursing shortage across the United States, and for other purposes; Sponsor: Costa, Jim [Rep.-D-CA-21]; Committees: House - Energy and Commerce

H.R.3365 — To amend title XIX of the Social Security Act to provide States with the option to provide coordinated care through a pregnancy medical home for high-risk pregnant women, and for other purposes; Sponsor: Nunn, Zachary [Rep.-R-IA-3]; Committees: House - Energy and Commerce

H.R.3375 — To require that the retail list price for certain prescription drugs and biological products may not exceed the average retail list price for the drug or biological product among certain nations; Sponsor: Van Drew, Jefferson [Rep.-R-NJ-2]; Committees: House - Energy and Commerce

S.Res.230 — A resolution supporting the goals and ideals of National Hospital Week, to be observed from May 11 through May 17, 2025; Sponsor: Barrasso, John [Sen.-R-WY]; Submitted in the Senate, considered, and agreed to without amendment and with a preamble by Unanimous Consent.

S.1753 — A bill to require the Secretary of Health and Human Services to establish reference prices for prescription drugs for purposes of Federal health programs, and for other purposes; Sponsor: Merkley, Jeff [Sen.-D-OR]; Committees: Senate - Health, Education, Labor, and Pensions

S.1756 — A bill to amend the Public Health Service Act to prohibit discrimination against health care entities that do not participate in abortion, and to strengthen implementation and enforcement of Federal conscience laws; Sponsor: Lankford, James [Sen.-R-OK]; Committees: Senate - Health, Education, Labor, and Pensions

S.1767 — A bill to require the Secretary of Health and Human Services to issue regulations to ensure due process rights for physicians before any termination, restriction, or reduction of the professional activity of such physicians or staff privileges of such physicians; Sponsor: Marshall, Roger [Sen.-R-KS]; Committees: Senate - Health, Education, Labor, and Pensions

H.R.3389 — To direct the Director of the Office of Community Oriented Policing Services of the Department of Justice to establish a training course relating to Alzheimer's disease and similar forms of dementia; Sponsor: Buchanan, Vern [Rep.-R-FL-16]; Committees: House - Judiciary

H.R.3391 — To require the Secretary of Health and Human Services to establish reference prices for prescription drugs for purposes of Federal health programs, and for other purposes; Sponsor: Dingell, Debbie [Rep.-D-MI-6]; Committees: House - Energy and Commerce; Ways and Means; Armed Services; Veterans' Affairs; Oversight and Government Reform; Natural Resources

H.R.3400 — To amend title 38, United States Code, to authorize the Secretary of Veterans Affairs to assign physicians of the Department of Veterans Affairs to temporarily serve as traveling physicians in the territories and possessions of the United States, and for other purposes; Sponsor: King-Hinds, Kimberlyn [Del.-R-MP-At Large]; Committees: House - Veterans' Affairs

H.R.3409 — To amend the Public Health Service Act to expand and improve health care services by health centers and the National Health Service Corps for individuals with a developmental disability, and for other purposes; Sponsor: Moulton, Seth [Rep.-D-MA-6]; Committees: House - Energy and Commerce

H.R.3411 — To amend the Public Health Service Act to prohibit discrimination against health care entities that do not participate in abortion, and to strengthen implementation and enforcement of Federal conscience laws; Sponsor: Pfluger, August [Rep.-R-TX-11]; Committees: House - Energy and Commerce

H.R.3413 — To require the Secretary of Health and Human Services to issue regulations to ensure due process rights for physicians before any termination, restriction, or reduction of the professional activity of such physicians or staff privileges of such physicians; Sponsor: Ruiz, Raul [Rep.-D-CA-25]; Committees: House - Energy and Commerce

H.R.3415 — To amend the Public Health Service Act to establish direct care registered nurse-to-patient staffing ratio requirements in hospitals, and for other purposes; Sponsor: Schakowsky, Janice D. [Rep.-D-IL-9]; Committees: House - Energy and Commerce; Ways and Means

H.R.3419 — To amend the Public Health Service Act to reauthorize the telehealth network and telehealth resource centers grant programs; Sponsor: Valadao, David G. [Rep.-R-CA-22]; Committees: House - Energy and Commerce

S.Res.232 — A resolution designating May 2025 as “National Brain Tumor Awareness Month”; Sponsor: Daines, Steve [Sen.-R-MT]; Submitted in the Senate, considered, and agreed to without amendment and with a preamble by Unanimous Consent.

S.1774 — A bill to amend title 5, United States Code, to provide that certain treatments may not be covered under the health insurance program carried out under chapter 89 of that title, and for other purposes; Sponsor: Risch, James E. [Sen.-R-ID]; Committees: Senate - Homeland Security and Governmental Affairs

S.1776 — A bill to amend title XVIII of the Social Security Act to limit the coinsurance amount for certain services furnished in an ambulatory surgical center; Sponsor: Cassidy, Bill [Sen.-R-LA]; Committees: Senate – Finance

S.1782 — A bill to prohibit discrimination on the basis of mental or physical disability in cases of organ transplants; Sponsor: Moody, Ashley [Sen.-R-FL]; Committees: Senate - Health, Education, Labor, and Pensions

S.1784 — A bill to improve coordination of Federal efforts to identify and mitigate health and national security risks through maintaining a list of essential medicines, conducting a risk assessment of essential medicine supply chains, and creating a monitoring system to map essential medicine supply chains using data analytics; Sponsor: Peters, Gary C. [Sen.-D-MI]; Committees: Senate - Health, Education, Labor, and Pensions

S.1785 — A bill to amend the Internal Revenue Code of 1986 to deny the deduction for advertising and promotional expenses for certain drugs; Sponsor: Hawley, Josh [Sen.-R-MO]; Committees: Senate – Finance

S.1797 — A bill to amend title XVIII of the Social Security Act to improve access to mental health services under the Medicare program; Sponsor: Barrasso, John [Sen.-R-WY]; Committees: Senate – Finance

H.Res.416 — Expressing support for the goals and ideals of “National Hypertension Awareness Month”; Sponsor: Beatty, Joyce [Rep.-D-OH-3]; Committees: House - Energy and Commerce

H.Res.419 — Expressing support for the designation of May 17, 2025, as “DIPG Awareness Day” to raise awareness and encourage research into cures for diffuse intrinsic pontine glioma (DIPG) and pediatric cancers in general; Sponsor: Dingell, Debbie [Rep.-D-MI-6]; Committees: House - Energy and Commerce

H.R.3441 — To amend title 38, United States Code, to establish additional presumptions of service connection for certain diseases that occur in veterans who suffered toxic exposure while serving at Karshi Khanabad Air Base, Uzbekistan; Sponsor: Green, Mark E. [Rep.-R-TN-7]; Committees: House - Veterans’ Affairs

H.R.3443 — To amend title XI of the Social Security Act to create a model, and to direct the Medicare Payment Advisory Commission to carry out a study and report with respect to Medicare payment for emergency medical services; Sponsor: Hudson, Richard [Rep.-R-NC-9]; Committees: House - Energy and Commerce; Ways and Means

H.R.3467 — To amend title XVIII to reform the Medicare Advantage program; Sponsor: Schweikert, David [Rep.-R-AZ-1]; Committees: House - Ways and Means; Energy and Commerce

H.R.3468 — To require the Commissioner of Social Security, the Administrator of the Centers for Medicare and Medicaid Services, the Commissioner of Internal Revenue, the Secretary of Veterans Affairs, and the Secretary of Housing and Urban Development to certify to Congress that any planned staffing cuts or regional field office closures will not impact the provision of Congressionally-authorized services, and for other purposes; Sponsor: Sherrill, Mikie [Rep.-D-NJ-11]; Committees: House - Ways and Means; Energy and Commerce; Veterans' Affairs; Financial Services

H.R.3471 — To direct the Secretary of Health and Human Services to adjust certain training requirements for certified nursing assistants in nursing facilities and skilled nursing facilities; Sponsor: Van Orden, Derrick [Rep.-R-WI-3]; Committees: House - Ways and Means; Energy and Commerce