



## Health Policy Briefing

February 9, 2026

### Partial Shutdown Ends with Most Federal Agencies Funded Through Sept. 30

Congress approved a spending package (H.R. 7148) on Tuesday to end the partial government shutdown that had commenced January 31, completing the fiscal year (FY) 2026 appropriations process for nearly all federal agencies. The \$1.2 trillion funding package was passed in a bipartisan 217-214 vote. The bill included funding for Defense, Financial Services, Labor-Health and Human Services-Education, National Security-State, and Transportation-Housing and Urban Development through September 30, along with funding for the Department of Homeland Security (DHS) through February 13. The agreement provides lawmakers with additional time to negotiate reforms to the DHS bill in light of recent events in Minneapolis involving Immigration and Customs Enforcement.

The package contains nearly \$117 billion in discretionary funding for the U.S. Department of Health and Human Services (HHS), in line with FY 2025 funding levels and rejecting the deeper cuts to HHS proposed by the President's budget request. The legislation also includes provisions to reform the pharmacy benefit manager industry and extensions of key health care programs, such as the Medicare dependent hospital program, Medicare telehealth flexibilities, the Acute Hospital Care at Home waiver, and virtual cardiopulmonary rehabilitation services. The package also contains approximately \$16 billion in congressionally directed spending, with health care related earmarks set to receive \$986 million.

### Cassidy Probes 340B Prime Vendor Apexus

Senate Health, Education, Labor, and Pensions Committee Chair Bill Cassidy, MD is [requesting](#) details about the business and revenue generation practices of 340B drug pricing program prime vendor Apexus. The letter is the latest step in Sen. Cassidy's investigation into the 340B program. Apexus has held an exclusive contract with the Health Resources and Services Administration as the sole 340B prime vendor since 2004. The letter highlights the rapid growth of the 340B program since that time, raising questions about where revenue is generated and whether it is being used for the original intent of the program. Cassidy poses questions to the company regarding its revenue and compensation structure, "share back" practices, organizational structure and internal access controls for 340B data, relationship with parent company Vizient, engagement with regulators, and role in increasing 340B utilization.

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## Latest Congressional Retirements

Rep. Barry Loudermilk (R-Ga.) announced that he will not seek reelection this year. Rep. Loudermilk has served in Congress for more than a decade. He currently sits on the House Finance Services Committee and the Committee on House Administration. Rep. Mark Amodei (R-Nev.) also announced his plans to retire at the end of his term. Rep. Amodei has served in Congress since 2011. He is a senior member of the House Appropriations Committee. The House of Representatives Press Gallery casualty list tallying members who are retiring or seeking other office can be found [here](#).

## Christian Menefee Sworn in to House of Representatives

Texas Democrat Christian Menefee was sworn in to the House of Representatives last week. Menefee recently won a special election to represent Texas' 18th congressional district, a seat that has been vacant since Sylvester Turner died in March 2025. He campaigned on a progressive platform that included support for the establishment of a Medicare for All single-payer health care system. Rep. Menefee's swearing in brings the balance of power in the House to 218 Republicans and 214 Democrats.

## New GAO Report on FDA Staffing Struggles

The Government Accountability Office (GAO) has released a new [report](#) detailing the Food and Drug Administration's (FDA) struggle to recruit, retain, and train staff, and the subsequent impact on the agency's ability to conduct inspections. The staffing issues have arisen despite an increase in FDA funding from 2008 through 2024, money largely stemming from user fees paid by regulated industries. Nevertheless, GAO reports that in 2024, for example, FDA was not able to complete as many drug inspections as it had in prior years. The agency has also faced challenges managing other resources, such as its information technology systems for collecting safety and quality complaints.

## GAO to Review ACIP's Hep B Vaccine Recommendation Change

The GAO has agreed to conduct a review of the recent Advisory Committee on Immunization Practices (ACIP) decision to no longer recommend a universal hepatitis B birth dose vaccine. The agency stated that it will examine "matters relating to public-health, economic, and equity impacts" in its acceptance [letter](#) to lawmakers. The GAO report was requested by Reps. Judy Chu (D-Calif.), Kim Schrier, MD (D-Wash.), and 108 other Democratic lawmakers who argue that ACIP's decision was "rooted in reckless conspiracy theories, not science."

## Moolenaar Highlights Chinese Control of U.S. Medical Technology

Rep. John Moolenaar (R-Mich.) has sent a [letter](#) to Treasury Secretary Scott Bessent regarding a Chinese pharmaceutical company's investment in FastWave Medical, a U.S. developer of laser-based intravascular lithotripsy technology. Rep. Moolenaar chairs the House Select Committee on the Chinese Communist Party. He expresses concerns related to national security and urges the Committee on Foreign Investment in the United States, led by Secretary Bessent, to take immediate action. "Grand Pharma's predatory investment in FastWave jeopardizes dozens of U.S. engineering and manufacturing jobs, undermines the availability of this life-saving technology for American patients, and weakens U.S. competitiveness in medical innovation," Moolenaar's letter states.

## Grassley Urges More Timely Suicide-Related Followup Care

Sen. Chuck Grassley (R-Iowa) has [written](#) to the Centers for Medicare and Medicaid Services (CMS) urging Administrator Mehmet Oz, MD to address the findings contained in the Office of the Inspector General (OIG) report entitled, ***Most Children Enrolled in Medicaid Did Not Receive Timely Suicide-Related Followup Care***. The OIG discovered that in half of the 258,458 unique hospitalizations or child emergency department visits for suicidal ideations or behaviors in 2023, children did not receive a follow-up visit in the week following being discharged. He requests a response by February 28 detailing what steps CMS has taken in response to the report, whether CMS will require Medicaid programs to ensure children are seen for a follow-up within seven days of treatment for suicide ideations, whether there are systems in place for hospitals to communicate their need for additional assistance with these issues, and whether CMS plans to develop or promote training models for providers to recognize and manage suicidal risk among children while they await specialist care.

## Upcoming Congressional Hearings and Markups

House Veterans' Affairs Committee hearing "Opportunities with VHA Reorganization;" 10:15 a.m.; February 11

House Energy and Commerce Subcommittee on Health hearing "Lowering Health Care Costs for All Americans: An Examination of the Prescription Drug Supply Chain;" 10:15 a.m.; February 11

Senate Special Committee on Aging "Hearings to Examine How Washington's Rules Drove Physicians Out of Medicine;" 3:00 p.m.; February 11

Senate Veterans' Affairs Committee "Hearings to Examine Building a 21st Century VA Health Care System, Focusing on Assessing the Next Generation of VA's Community Care Network;" 4:00 p.m.; February 11

## Recently Introduced Health Legislation

H.R.7277 — To amend title XVIII of the Social Security Act to provide Medicare coverage of ambulance services that do not include transportation; Sponsor: Balint, Becca [Rep.-D-VT-At Large]; Committees: House - Energy and Commerce; Ways and Means

H.R.7279 — To provide for a wage differential program to support new nursing school faculty members; Sponsor: Bonamici, Suzanne [Rep.-D-OR-1]; Committees: House - Energy and Commerce

H.R.7286 — To amend the Internal Revenue Code of 1986 to revoke the tax-exempt status of organizations that provide, or provide funding for, abortion; Sponsor: Hageman, Harriet M. [Rep.-R-WY-At Large]; Committees: House - Ways and Means

H.R.7289 — To amend the Public Health Service Act to establish an advisory committee on training in community health centers, and for other purposes; Sponsor: Johnson, Julie [Rep.-D-TX-32]; Committees: House - Energy and Commerce

H.R.7291 — To direct the Secretary of Health and Human Services, acting through the Commissioner of Food and Drugs, to establish a board to review certain designations that a substance used in food is generally recognized as safe, with respect to the intended use of such substance, and for other purposes; Sponsor: Lawler, Michael [Rep.-R-NY-17]; Committees: House - Energy and Commerce

S.3758 — A bill to direct the Secretary of Veterans Affairs to make opioid overdose rescue medications available to veterans and their caregivers, and for other purposes; Sponsor: Shaheen, Jeanne [Sen.-D-NH]; Committees: Senate - Veterans' Affairs

S.3757 — A bill to amend the Higher Education Act of 1965 to establish fair and consistent eligibility requirements for graduate medical schools operating outside the United States and Canada; Sponsor: Durbin, Richard J. [Sen.-D-IL]; Committees: Senate - Health, Education, Labor, and Pensions

S.3762 — A bill to amend part C of title XVIII of the Social Security Act to provide for prior authorization reforms under the Medicare Advantage program; Sponsor: Whitehouse, Sheldon [Sen.-D-RI]; Committees: Senate - Finance

S.3763 — A bill to amend title XVIII of the Social Security Act to provide coverage of ALS-related services under the Medicare program for individuals diagnosed with amyotrophic lateral sclerosis, and for other purposes; Sponsor: Murkowski, Lisa [Sen.-R-AK]; Committees: Senate - Finance

S.3767 — A bill to amend the Indian Health Care Improvement Act to elevate the position of Director of the Indian Health Service within the Department of Health and Human Services to Assistant Secretary for Indian Health, and for other

purposes; Sponsor: Cortez Masto, Catherine [Sen.-D-NV]; Committees: Senate - Indian Affairs

H.R.7324 — To amend title XVIII of the Social Security Act to expand eligibility for incentives under the Medicare health professional shortage area bonus program to practitioners furnishing mental health and substance use disorder services; Sponsor: Budzinski, Nikki [Rep.-D-IL-13]; Committees: House - Energy and Commerce; Ways and Means

H.R.7335 — To require U.S. Immigration and Customs Enforcement and U.S. Customs and Border Protection to perform an initial health screening on detainees, and for other purposes; Sponsor: Ruiz, Raul [Rep.-D-CA-25]; Committees: House - Judiciary; Homeland Security

H.R.7336 — To amend title XVIII of the Social Security Act to provide coverage of ALS-related services under the Medicare program for individuals diagnosed with amyotrophic lateral sclerosis, and for other purposes; Sponsor: Schakowsky, Janice D. [Rep.-D-IL-9]; Committees: House - Energy and Commerce; Ways and Means

S.3771 — A bill to amend title 38, United States Code, to codify the requirements for appointment, qualifications, and pay for the therapeutic medical physicists of the Department of Veterans Affairs, and for other purposes; Sponsor: Kaine, Tim [Sen.-D-VA]; Committees: Senate - Veterans' Affairs

H.Res.1037 — Expressing support for the designation of February 4, 2026, as “National Cancer Prevention Day”; Sponsor: Dingell, Debbie [Rep.-D-MI-6]; Committees: House - Energy and Commerce

H.Res.1039 — Supporting the goals and ideals of “National Black HIV/AIDS Awareness Day”; Sponsor: Waters, Maxine [Rep.-D-CA-43]; Committees: House - Energy and Commerce

H.R.7351 — To amend the Immigration and Nationality Act to provide nonimmigrant status to nurses working in certain facilities; Sponsor: Beyer, Donald S. [Rep.-D-VA-8]; Committees: House – Judiciary

H.R.7352 — To amend the Public Health Service Act to establish a program to develop innovative antimicrobial drugs targeting the most challenging pathogens and most threatening infections, and for other purposes; Sponsor: Carter, Earl L. “Buddy” [Rep.-R-GA-1]; Committees: House - Energy and Commerce; Budget

H.R.7366 — To amend the Federal Food, Drug, and Cosmetic Act to clarify and affirm the preemptive authority of the Food and Drug Administration over dietary supplement regulation, and for other purposes; Sponsor: Langworthy, Nicholas A. [Rep.-R-NY-23]; Committees: House - Energy and Commerce

H.R.7385 — To direct the Secretary of Health and Human Services, acting through the Director of the Centers for Disease Control and Prevention, to establish a grant program related to pre-exposure prophylaxis, and for other purposes; Sponsor: Watson Coleman, Bonnie [Rep.-D-NJ-12]; Committees: House - Energy and Commerce

S.3783 — A bill to amend the Public Health Service Act to direct the Secretary of Health and Human Services, acting through the Assistant Secretary for Mental Health and Substance Use, to establish a Mental and Behavioral Health Career Promotion Grant Program, and for other purposes; Sponsor: Padilla, Alex [Sen.-D-CA]; Committees: Senate - Health, Education, Labor, and Pensions

S.3788 — A bill to amend the Federal Food, Drug, and Cosmetic Act to require drug labeling to include original manufacturer and supply chain information; Sponsor: Scott, Rick [Sen.-R-FL]; Committees: Senate - Banking, Housing, and Urban Affairs

S.3794 — A bill to amend the Federal Food, Drug, and Cosmetic Act to further regulate compounding pharmacies and outsourcing facilities, and for other purposes; Sponsor: Banks, Jim [Sen.-R-IN]; Committees: Senate - Health, Education, Labor, and Pensions

S.3797 — A bill to amend the Federal Food, Drug, and Cosmetic Act to establish new prohibited acts relating to dietary supplements; Sponsor: Durbin, Richard J. [Sen.-D-IL]; Committees: Senate - Health, Education, Labor, and Pensions

S.3799 — A bill to amend the Public Health Service Act to reauthorize the Healthy Start Initiative; Sponsor: Marshall, Roger [Sen.-R-KS]; Committees: Senate - Health, Education, Labor, and Pensions

H.R.7391 — To amend title III of the Public Health Service Act to ensure that Federally-qualified health centers are not required to pay more than the 340B ceiling price for covered outpatient drugs at the time of purchase; Sponsor: Bergman, Jack [Rep.-R-MI-1]; Committees: House - Energy and Commerce

H.R.7394 — To amend the Public Health Service Act to direct the Secretary of Health and Human Services, acting through the Assistant Secretary for Mental Health and Substance Use, to establish a Mental and Behavioral Health Career Promotion Grant Program, and for other purposes; Sponsor: Balint, Becca [Rep.-D-VT-At Large]; Committees: House - Energy and Commerce

H.R.7407 — To amend the Federal Food, Drug, and Cosmetic Act to establish new prohibited acts relating to dietary supplements; Sponsor: Pallone, Frank [Rep.-D-NJ-6]; Committees: House - Energy and Commerce

H.R.7409 — To amend title XVIII of the Social Security Act to limit the geographic reclassification of certain hospitals under the Medicare program; Sponsor: Taylor, David J. [Rep.-R-OH-2]; Committees: House - Ways and Means

H.R.7411 — To expand the telescreening mammography pilot program of the Department of Veterans Affairs, and for other purposes; Sponsor: Thompson, Glenn [Rep.-R-PA-15]; Committees: House - Veterans' Affairs