

Impact Health Policy Weekly

Framing the week

Congress is back in session and has until September 30 to address fiscal year 2026 appropriations and the [expiring package of health care extenders](#). The House Appropriations Committee will [mark up](#) the Department of Health and Human Services (HHS) bill today, which includes a 6 percent budget cut (\$7 billion decrease) for the Department, well below the President's requested budget decrease of \$31.3 billion. At the end of July, the Senate Appropriations Committee [advanced](#) its version of the HHS funding bill, which included level funding for the department.

The largest question that remains will be whether Congress can avert a shutdown. Last week, Democrat leaders, Sen. Schumer (D-NY) and Rep. Jeffries (D-NY) [sent a letter](#) to Republican leadership calling on the party to resolve government funding in a bipartisan way, while "addressing the healthcare crisis Republicans have triggered in America." However, with only 14 legislative days to come to bipartisan agreement, the potential for a shutdown is growing. If an agreement is reached, lawmakers remain split on how long the Continuing Resolution (CR) will be. Some Republicans are in favor of pursuing a short-term CR, including Senate Appropriations Chair Susan Collins (R-ME), to allow time to put together a larger funding package at the end of the year, while other Republicans would prefer full-year CR at current funding levels.

RFK Jr. to Testify Before Senate Finance; Vaccine Policy Likely to be Highlighted

HHS Secretary Robert Kennedy Jr. is [scheduled to testify](#) before the Senate Finance Committee on Thursday to speak to the President's health care agenda. This comes amid the firing of Center for Disease Control and Prevention (CDC) Director Susan Monarez and the resignation of other key personnel. The Secretary is likely to face scrutiny for his handling of the situation, as well as his stance on vaccine policy, particularly as his hand-appointed Advisory Committee on Immunization Practices (ACIP) is [scheduled](#) to meet later this month to discuss COVID-19 vaccines recommendations. The Administration's Make American Health Again agenda is also likely to be heavily featured throughout the hearing.

Regulatory Update

The Office of Management and Budget (OMB) completed reviewing the following:

- **Prescription Drugs: Non-Opioid Analgesics.** An FDA [notice](#) titled, "Development of Non-Opioid Analgesics for Chronic Pain, Draft Guidance for Industry; Availability."

OMB is also reviewing the following:

- **Medicare:**
 - **CY 2026 Medicare Advantage/Part D Policy.** Final CY 2026 policy and technical changes to the [Medicare Advantage, Medicare Prescription Drug Benefit, and Medicare Cost Plan Programs, and PACE](#)
- **Medicaid:**

- **Gender-Affirming Care.**
 - A [proposed rule](#) titled, “Medicaid Program; Prohibition on Federal Medicaid Funding for Sex Trait Modification Procedures Furnished to Children and Youth.”
 - A [proposed rule](#) titled, “Medicare and Medicaid Programs; Hospital Condition of Participation: Limiting Participation Based on the Performance of Sex Trait Modification Procedures on Children.”
- **Immigration Status.** A [final rule](#) titled, “Medicaid Eligibility Changes Under the Affordable Care Act of 2010; Giving States Freedom to Use Immigration Information to Determine State Residency for Medicaid Eligibility.” The final rule is part of the Trump administration’s efforts to [increase federal oversight](#) on states using Federal Medicaid funding for the health care of undocumented immigrants.
- **State Directed Payments.** A [proposed rule](#) titled, “Medicaid Managed Care-State Directed Payments.” The proposed rule appears intended to advance a [presidential memorandum](#) released on June 6, which directs HHS to “eliminate waste, fraud, and abuse in Medicaid, including by ensuring Medicaid payments rates are not higher than Medicare, to the extent permitted by applicable law.”
- **Prescription Drugs:**
 - **Labels.** A [notice](#) from the Food and Drug Administration titled, “Safety Labeling Changes--Implementation of Section 505(o)(4) of the Federal Food, Drug, and Cosmetic Act; Draft Guidance for Industry; Availability.”
 - **Investigational Drugs.** An FDA [notice](#) titled, “Expanded Access to Investigational Drugs for Treatment Use: Questions and Answers; Guidance for Industry; Availability.”
- **Nutrition:**
 - **Head Start.** A [notice](#) from the Administration for Children and Families titled, “Publish Request for Information: Nutrition Services in Head Start Program.”

This Week in Health Policy

Mon. (9/1)

- **Holiday – Labor Day**

Tue. (9/2)

- **10:00am – AEI Discussion: IRA’s Impact on Biomedical Innovation** – The American Enterprise Institute for Public Policy Research (AEI) holds a discussion on “The Inflation Reduction Act’s Impact on Biomedical Investment and Innovation.” [Details.](#)
- **12:00am – AHP Discussion: Long-Term Services and Supports Policy Landscape** – The Alliance for Health Policy (AHP) holds a congressional briefing to examine the current policy landscape for Long-Term Services and Supports (LTSS). [Details.](#)

- **5:00pm – Markup: FY2026 Labor-HHS Appropriations Bill** – The House Appropriations Subcommittee on Labor, Health and Human Services, Education, and Related Agencies holds a markup of the fiscal year (FY) 2026 Labor-HHS-Education appropriations bill. [Details.](#)

Wed. (9/3)

- **10:00am – Hearing: Rural Small Business Broadband** – The House Small Business Committee holds a hearing titled “Wired for Growth: How Expanding Broadband Can Revitalize Rural Small Businesses.” [Details.](#)
- **10:00am – Hearing: EU Online Censorship/ Limiting Digital Innovation** – The House Judiciary Committee holds a hearing to examine European online laws, including the United Kingdom's (UK) Online Safety Act (OSA) and the European Union's (EU) Digital Services Act (DSA), and their potential threat to American free speech and innovation. [Details.](#)
- **10:15am – Hearing: Health Care System AI Integration** – The House Energy and Commerce Health Subcommittee holds a hearing to examine the impact of real-world artificial intelligence (AI) applications in the transformation of America’s health care systems. [Details.](#)
- **10:30am – Hearing: Protecting Older Workers** – The Senate Special Committee on Aging holds a hearing to examine protecting older Americans, focusing on leveling the playing field for older workers. [Details.](#)
- **1:00pm – Health Affairs Discussion: Opioid Crisis** – Health Affairs holds a virtual event where authors discuss their major findings and insights from Health Affairs’ September theme issue on opioids, including new policy proposals for addressing opioid misuse and addiction to the national dialogue around opioid use disorders. [Details.](#)

Thurs. (9/4)

- **10:00am – Hearing: President Trump’s 2026 Health Care Agenda** – The Senate Finance Committee holds a hearing to examine President Trump’s health care agenda for 2026 featuring testimony from the Department of Health and Human Services (HHS) Secretary Robert F. Kennedy Jr. [Details.](#)
- **Meeting: MedPAC** – The Medicare Payment Advisory Commission (MedPAC) meets to discuss Medicare issues and policy questions. [Details.](#)

Fri. (9/5)

- **Meeting: MedPAC** – MedPAC meets to discuss Medicare issues and policy questions. [Details.](#)

Featured Analysis

- **OBBA Medicaid Provisions and Timeline for Implementation** – In Policy Hub [here.](#)
- **Changes to ACA Premium Tax Credit Policy in 2026 and Beyond** - In Policy Hub [here.](#)
- **Supreme Court Decisions Reshape Medicaid, Gender-Affirming Care, and Judicial Power** – In Policy Hub [here.](#)

- **AI in Health and Governance Roundup: New Frameworks, Tools, and Oversight Challenges** – In Policy Hub [here](#).
- **Litigation Update: Legal Cases in Response to Trump Administration Executive Actions** – In Policy Hub Insight Bank [here](#).
- **100 Days of Disruption: Health Policy Under Trump 2.0** – In Policy Hub Insight Bank [here](#).

Regulatory Lookback

Fri. (8/29)

- **CMS** released the latest [enrollment figures](#) for Medicaid and CHIP from May 2025.
- **CMS** [released](#) the PY 2024 financial and quality results of MSSP ACOs. [Details](#).

Wed. (8/27)

- **HRSA** [launched](#) a new [public dashboard](#) to track when organ transplants occur outside of the standard list of matched patients. [Details](#).
- **The Secretaries of HHS and Education** [announced](#) an initiative to encourage medical education organizations to implement comprehensive nutrition education and training. [Details](#).

Tues. (8/26)

- **The NIH** has released a [new implementation plan](#) titled “Leading in Gold Standard Science.” [Details](#).

Comment & Application Deadlines

- **August 29:** CMS issued the CY 2026 home health prospective payment and rate update [proposed rule](#). [Details](#).
- **August 29:** CMS issued the CY 2026 ESRD PPS [proposed rule](#). [Details](#).
- **August 31:** HRSA released the [notice](#) of an application process for a voluntary 340B Rebate Model Pilot Program and request for comments. [Details](#).
- **September 2:** The USPSTF is requesting comments on a [draft recommendation statement and draft evidence review](#) on screening and behavioral counseling interventions for reducing unhealthy alcohol use in adults and adolescents. [Details](#).
- **September 11:** The FDA issued an [RFI](#) to begin its process of reviewing nutrition requirements in infant formulas. [Details](#).
- **September 12:** CMS released the CY 2026 Medicare PFS [proposed rule](#). [Details](#).
- **September 15:** CMS released the CY 2026 OPPS [proposed rule](#). Comments are due September 15. [Details](#).
- **September 15:** The DOJ [launched an initiative](#) to examine state laws that may significantly and negatively affect the national economy or interstate commerce. [Details](#).
- **September 19:** CMS announced the [Crushing Fraud Chili Cook-Off Competition](#), a research challenge designed to develop explainable AI and ML tools to combat Medicare fraud. [Details](#).
- **September 26:** The FTC issued an [RFI](#) seeking public comment on gender-affirming care (GAC) for minors. [Details](#).