

Impact Health Policy Weekly

Framing the Week

Big Picture. The Senate is back for a four-week session, with budget reconciliation on immigration enforcement at the top of Republicans' to-do list. In a [Dear Colleague Letter](#), Senate Democratic Leader Chuck Schumer (NY) announced Senate Democrats' plan "to kill the slush fund" [[DOJ's Anti-Weaponization Fund](#)], including through forced amendment votes during voter-a-rama, which could start on Thursday.

The House is back for a two-week session and is [scheduled to vote](#) on an array of bills, including the FY 2027 Ag-Rural-FDA appropriations bill and a pair of fraud-focused bills related to TANF and FAFSA that must first go through the [House Rules Committee](#).

Other legislation in the works: FISA reauthorization due June 12, farm bill, and housing legislation.

Health Policy to Watch

1. **The interim final rule implementing Medicaid work requirements cleared OMB review on Friday**, which means we could see the guidance today in the Federal Register at 4:15pm ET. It is statutorily due today. The [guidance](#) is anticipated to include a more restrictive definition of medical frailty than the one CMS has conveyed to states, as well as limitations on – or even prohibitions against – self-attestation.
2. **Fraud, waste, and abuse in Medicaid** continues to be a priority for House Republicans. On Wednesday, the Task Force on Defending Constitutional Rights and Exposing Institutional Abuses will hold an [oversight hearing](#) to examine Ohio's Medicaid Home and Community-Based Services waiver program.
3. **Treasury Secretary Scott Bessent** will likely be questioned about the expiration of enhanced premium tax credits and its impact on Marketplace coverage by Democrats at the [Senate Finance Committee](#) and [Ways and Means Committee](#) hearings this week. According to [CMS' latest report](#), 1.2 million fewer consumers signed up for coverage during the open enrollment period in 2026 than in 2025.
4. **Generics, biosimilars, and patent rights** will be the focus of a [House Judiciary](#) subcommittee hearing on Thursday. Addressing "patent thickets" is a bipartisan, bicameral priority. The [ETHIC Act](#) and the [Skinny Labels, Big Savings Act](#) have attracted support from across the political spectrum, with both progressive and conservative cosponsors.

5. **Senate Democrats have until July 13** to force a vote on a Congressional Review Act [resolution to disapprove the WISeR Model](#) that tests the use of technology, such as artificial intelligence, for prior authorization in Traditional Medicare.

Regulatory Update

Completed OMB Review

- **Medicaid Work Requirements.** [Interim Final Rule](#): Establishing State Community Engagement Requirements for Certain Individuals Under Section 1902(xx) of the Social
- **Drug and Device Manufacturers.** [Notice](#): Drug and Device Manufacturer Communications With Payors, Formulary Committees, and Similar Entities--Questions and Answers; Revised Draft Guidance for Industry; Availability

Recently Arrived at OMB

- **340B.** [Prerule](#): Notice Regarding 340B Rebate Model Pilot Program
- **Short-Term Insurance.** [Proposed Rule](#): Short-Term, Limited-Duration Insurance

Pending OMB Review

Coverage and Payment:

- **Medicaid Tax Waivers.** [Proposed Rule](#): Amending the Indirect Hold Harmless Threshold of Health Care-Related Taxes
- Security Act
- **Managed Care.** [Proposed Rule](#): Strengthening the Integrity of Medicaid and CHIP Managed Care, Financing, and Access to Care
- **Medicare.** Proposed Rules: CY 2027 policy changes and payment rates for [hospital outpatient departments, physicians, home health providers, and ESRD facilities](#)
- **Marketplace.** [Proposed Rule](#): Exchange Pre-Enrollment Eligibility Verification
- **ERISA.** [Proposed Rule](#): Default Electronic Disclosures by Group Health Plans Under ERISA
- **Essential Health Benefits.** [Notice](#): Request for Information: Comprehensive Review of the Essential Health Benefits Framework and Typical Employer Standard
- **Drug Price Negotiation.** [Proposed Rule](#): Medicare Drug Price Negotiation Program

Nutrition

- **Work Requirements.** [Proposed Rule](#): Supplemental Nutrition Assistance Program: Modification to Work Requirements for Able-Bodied Adults
- **Categorical Eligibility.** [Proposed Rule](#): Supplemental Nutrition Assistance Program: Reforming Categorical Eligibility
- **Cost Sharing.** [Proposed Rule](#): Supplemental Nutrition Assistance Program: Changes in Federal-State Administrative Cost Sharing
- **WIC.** [Final Rule](#): Special Supplemental Nutrition Program for Women, Infants and Children (WIC): WIC Online Ordering and Transactions and Food Delivery Revisions to Meet the Needs of a Modern, Data-Driven Program

Other Issues

- **Pharmaceuticals.** [Notice](#): Oncology Pharmaceuticals: Streamlined Nonclinical Safety Studies for Biologics and Conjugated Products
- **Accrediting Organizations.** [Final Rule](#): Strengthening Oversight of Accrediting Organizations (AO), Burden Reduction, and Related Provisions
- **Immigration.** [Interim Final Rule](#): Unaccompanied Children Program Foundational Rule; Update to Include Proof of Identity and Income Verification Standards
- **Medication-Assisted Treatment.** [Final Rule](#): Implementation of the SUPPORT Act: Dispensing and Administering Controlled Substances for Medication-Assisted Treatment
- **HIPAA.** [Final Rule](#): HIPAA Privacy Rule: Changes to Support Coordinated Care and Individual Engagement and Reduce Regulatory Burdens
- **Discrimination.** [Final Rule](#): Rescinding Portions of Department of Health and Human Services Title VI Regulations to Conform More Closely with the Statutory Text and to Implement Executive Order 14281

This Week in Health Policy

An overview of upcoming events is included below. Events highlighted in **orange** are those that we will be covering in detail:

Tue. (6/2)

- **2:00pm – Hearing: President’s DHS Budget Request for FY 2027** – The Senate Appropriations Subcommittee on Homeland Security holds a hearing to examine the President’s proposed budget request for FY 2027 for the Department of Homeland Security (DHS). [Details.](#)

Wed. (6/3)

- **10:00am – Hearing: Gender Affirming Care** – The Senate Health, Education, Labor, and Pensions Committee holds a hearing to examine gender transition procedures on minors. [Details.](#)
- **10:00am – Hearing: Fraud in Medicaid Waiver Programs** – The House Oversight and Government Reform Committee holds the first hearing of the Task Force on Defending Constitutional Rights and Exposing Institutional Abuses to examine fraud in Ohio’s Medicaid Home and Community-Based Services (HCBS) waiver program. [Details.](#)
- **10:15am – Hearing: Federal Comprehensive Data Privacy** – The House Energy and Commerce Subcommittee on Commerce, Manufacturing, and Trade holds a hearing to examine [H.R. 8413](#), the SECURE Data Act, to establish a federal comprehensive privacy and data security law. [Details.](#)
- **2:00pm – Hearing: Denaturalization** – The Senate Judiciary Subcommittee on Constitution holds a hearing to examine protecting American citizenship, focusing on denaturalization and its constitutional limits. [Details.](#)

- **2:30pm – Hearing: COVID-19 Vaccines** – The Senate Homeland Security and Governmental Affairs Subcommittee on Investigations holds a hearing to examine COVID-19 injections and attacks on scientific publications. [Details.](#)
- **2:30pm – Hearing: Impact of Federal Benefit Cliffs on Small Businesses** – The Senate Small Business and Entrepreneurship Committee holds a hearing to examine the burden of federal benefits cliffs on small businesses and workers. [Details.](#)

Thurs. (6/4)

- **9:00am – Brown Discussion: Expanding Access to MOUDs** – The Brown University School of Public Health's Center for Advancing Health Policy through Research and the Congressional Addiction, Treatment, and Recovery Caucus holds a discussion with Rep. Paul Tonko (D-NY) on expanding access to medications for opioid use disorder (MOUDs). [Details.](#)
- **10:00am – Hearing: Medicines and IP** – The House Judiciary Subcommittee on Courts, Intellectual Property, Artificial Intelligence, and the Internet holds a hearing to examine how to balance robust patent rights with greater access to affordable medicines, like generics and biosimilars. [Details.](#)
- **10:00am – Hearing: USDA Priorities** – The House Agriculture Committee holds a hearing to examine the US Department of Agriculture (USDA) priorities with USDA Secretary Brooke Rollins. [Details.](#)
- **1:00pm – FDA Meeting: National Priority Voucher's Pilot Program** – The Food and Drug Administration (FDA) holds a meeting on the National Priority Voucher's Pilot Program (CNPV) to obtain feedback and perspectives regarding the CNPV Pilot Program. [Details.](#)
- **2:00pm – CMS Meeting: ACCESS Model Overview** – The Centers for Medicaid and Medicaid Services (CMS) holds a webinar for the Advancing Chronic Care with Effective, Scalable Solutions (ACCESS) Model that will provide an overview of the model and the roles of primary care practitioners (PCPs) and referring clinician. [Details.](#)

Fri. (6/5)

- **8:00am – Markup: Labor HHS FY 2027 Appropriations** – The House Appropriations Subcommittee on Labor, Health and Human Services, Education, and Related Agencies Committee holds a markup of the fiscal year (FY) 2027 appropriations bill for the Department of Health and Human Services (HHS) and related agencies. [Details.](#)

Additional Multi-Day Events

- **June 1-June 2 – CMS Meeting: Healthcare Common Procedure Coding System** – CMS holds the first biannual Healthcare Common Procedure Coding System (HCPCS) Level II public meeting of 2026 to discuss the CMS' preliminary coding, Medicare benefit category, and Medicare payment determinations, if applicable, for new revisions to the HCPCS Level II code set for non-drug and non-biological items and services. [Details.](#)

Featured Analysis

- **Reproductive Health Roundup** – In Policy Hub [here](#).
- **FDA Policy Roundup** – In Policy Hub [here](#).
- **Behavioral Health Roundup** – In Policy Hub [here](#).
- **Innovation Center Model Portfolio Overview** – In Policy Hub [here](#).

Regulatory Lookback

Fri. (5/29)

- **The Office of Management and Budget (OMB)** [issued](#) a sweeping proposed rule revising the government-wide Uniform Guidance governing Federal financial assistance, including grants, cooperative agreements, and other forms of Federal awards across agencies. [Details](#).
- **The Centers for Medicare & Medicaid Services (CMS), in collaboration with the Substance Abuse and Mental Health Services Administration (SAMHSA)**, [announced](#) that 10 new states will participate in the Certified Community Behavioral Health Clinic (CCBHC) Medicaid Demonstration Program. [Details](#).

Thurs. (5/28)

- **CMS** released a [final rule](#) updating policies for the Increasing Organ Transplant Access (IOTA) Model. [Details](#).

Litigation Highlights

- **Court Blocks Alabama Redistricting Map Citing Intentional Discrimination; State Appeals to Supreme Court:** In [Ala. State Conference of the NAACP v. Allen](#), on May 26, a three-judge district court blocked Alabama from using its 2023 congressional map, finding that it was “tainted by intentional race-based discrimination.” The court held that, even under the narrower interpretation of Section 2 of the Voting Rights Act under *Louisiana v. Callais*, the evidence of discriminatory intent was sufficient to bar use of the map in the 2026 elections. Alabama officials have appealed and are seeking Supreme Court intervention.
- **Court Temporarily Halts “Anti-Weaponization Fund” Pending Hearing:** In [Floyd v. Department of Justice](#), on May 28, a federal court ordered that the Administration cease all actions related to the creation and operation of the Anti-Weaponization Fund, including transferring funds, reviewing claims, or issuing disbursements. The order remains in effect pending a hearing scheduled for June 12 at 10 a.m.

For additional information regarding legal developments, please see our [litigation tracker](#).

Comment & Application Deadlines

- **May 17:** CMMI is [accepting applications](#) for the Long-term Enhanced ACO Design (LEAD) Model ([Impact summary](#)). [Details](#).
- **May 23:** The Agency for Healthcare Research and Quality (AHRQ) issued a formal request for nominations to fill upcoming vacancies on the U.S. Preventive Services Task Force. [Details](#).
- **May 26:** The Federal Trade Commission (FTC) and the Department of Justice (DOJ) [launched](#) a joint public inquiry regarding the effectiveness of the Hart-Scott-Rodino Antitrust Improvements Act's (HSR Act) premerger reporting requirements. [Details](#).
- **May 30:** The Food and Drug Administration (FDA) issued a request for information (RFI) on the use of digital health technologies (DHTs) in clinical investigations for drugs and biological products, seeking stakeholder feedback on opportunities and challenges related to the use of these tools in product development and regulatory review. [Details](#).
- **June 1:** CMS released the fiscal year (FY) 2027 inpatient rehabilitation facility (IRF) PPS proposed rule. [Details](#).
- **June 1:** CMS released the FY 2027 inpatient psychiatric facility (IPF) PPS [proposed rule](#). [Details](#).
- **June 1:** CMS released the FY 2026 skilled nursing facility (SNF) prospective payment system (PPS) proposed rule. [Details](#).
- **June 5:** CMS released the FY 2027 hospice payment rate update proposed rule. [Details](#).
- **June 3:** CMMI released a [NOFO](#) for the second cohort of the Innovation in Behavioral Health Model. [Details](#).
- CMS released the FY 2027 inpatient prospective payment system (IPPS) and long-term care hospital prospective payment system (LTCH PPS). [Details](#).
- **June 15:** CMS released a [proposed rule](#) to advance interoperability and improve prior authorization for prescription drugs. [Details](#).
- **June 25:** The Advanced Research Projects Agency for Health (ARPA-H) announced the Intelligent Generator of Research (IGoR) initiative to modernize how biomedical research is conducted by addressing persistent inefficiencies in speed, coordination, and reproducibility. [Details](#).
- **June 29:** The Food and Drug Administration (FDA) issued a notice proposing to exclude three widely used GLP-1 therapies – semaglutide, tirzepatide, and liraglutide – from the 503B Bulks List. [Details](#).
- **June 29:** The Housing and Urban Development Department (HUD) issued a proposed rule to replace references to “gender” and “gender identity” with “sex” in program language. [Details](#).
- **June 30:** FDA issued a Request for Information (RFI) seeking input on how obesity affects drug pharmacokinetics and pharmacodynamics during development. [Details](#).
- **July 10:** The Departments of Labor, Health and Human Services, and Treasury announced a proposed rule to allow employers to provide standalone fertility benefits. [Details](#).
- **July 13:** OMB issued a sweeping proposed rule revising the government-wide Uniform Guidance governing Federal financial assistance. [Details](#).
- **July 31:** The ACL announced the [launch of Phase 1](#) of the ACL Caregiver AI Prize Competition. [Details](#).