

Impact Health Policy Weekly

Framing the Week

Big Picture. Congress is in recess and both chambers will resume on July 13. When lawmakers return, they will only have 14 legislative days before the August recess, and one month before midterm elections to advance several priorities. In this time, Republicans will attempt to pass the National Defense Authorization Act (NDAA), fiscal year 2027 appropriations, and advance a third reconciliation package focused on defense spending, combatting fraud, waste, and abuse, and addressing affordability, including health care.

Health Policy to Watch

1. **Health care messaging leading up the midterm elections.** Ahead of the anniversary of H.R.1, Senate Finance Committee Ranking Member Ron Wyden (D-OR) and House Energy and Commerce Ranking Member Frank Pallone (D-NJ) [highlighted several reports](#) on the impact of the Republicans' health care cuts on coverage, hospitals and essential workers, while Republicans remain focused on their fraud, waste, and abuse approach. Recently, House Budget Chair Jodey Arrington [released a statement](#) in reaction to the Department of Health and Human Services [announced](#) that over one million Affordable Care Act marketplace enrollees did not have a social security number.
2. **Hospital Reactions to Proposed Payment Cut for 340B-Acquired Drugs.** On Thursday, CMS [proposed](#) a payment of the average sales price (ASP) minus 33.4 percent for drugs acquired through the 340B Drug Pricing Program following a survey of hospital drug acquisition costs. Following its release, the [American Hospital Association](#) and [America's Essential Hospitals](#) expressed strong opposition to the proposal, citing that it uses a "flawed methodology that is based on data from less than a quarter of 340B covered entities" and would "make drugs less affordable for America's most vulnerable patients." The proposal is likely to be subject to a future lawsuit, as with the 2018 340B payment policy.

Reg Update

Recently Arrived at OMB

- Administrative Requirements. [Proposed Rule](#): Cutting Administrative Requirements for Excellence in Patient Care

All other pending regulations can be found [here](#).

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:

Thurs. (7/9)

- **1:00pm – US News Discussion: Cancer Care** – US News and World Reports holds a discussion on the future of collaborative cancer care, focusing on technological and therapeutic advancements driving the next decade of progress. [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](#).

Congressional Lookback

Thurs. (7/2)

- **Rep. Doggett (D-TX)** introduced [the Saving Medicare Enrollees from Deceptive Insurers and Creating Ample Resources for Everyone \(Saving MEDICARE\) Act](#). [Details.](#)

Wed. (7/1)

- **House Education and Workforce Subcommittee on HELP** convened a [hearing](#) on direct contracting between employers and health care providers. [Details.](#)
- **The House E&C Committee** held a [legislative hearing](#) examining a series of bipartisan proposals aimed at strengthening U.S. competitiveness across emerging technologies. [Details.](#)

Tues. (6/30)

- **The House Appropriations Financial Services and General Government Subcommittee** [convened](#) a hearing with Russell Vought, Director of OMB. [Details.](#)
- **Sen. Warner** released a [discussion draft](#) of the Artificial Intelligence Access, Gatekeeper Exchange, and Nondiscriminatory Transfer (AI AGENT) Act. [Details.](#)
- **A group of 31 House Democrats led by Rep. DelBene** [sent another letter](#) to the CMS requesting information on the implementation of the [WiSeR Model](#). [Details.](#)

Regulatory Lookback

Thurs. (7/2)

- CMS released the CY 2027 OPPS and ASC payment system [proposed rule](#). Comments are due September 2. [Details.](#)

Wed. (7/1)

- **CMS** issued the CY 2027 Home Health PPS [proposed rule](#). Comments are due August 31. [Details](#).
- **HHS** [announced](#) the reinstatement of the Presidential Fitness test and the launch of the website [GetActive.gov/kids](#). [Details](#).

Tues. (6/30)

- **The NIH** issued an [RFI](#) seeking public input on how the agency should measure, recognize, and incentivize scientific contributions in modern biomedical research. Comments are due August 19. [Details](#).
- **The USDA** issued a [proposed rule](#) to amend the Supplemental Nutrition Assistance Program (SNAP) regulations to reduce the Federal government's share of the administrative costs incurred by states. Comments are due August 22. [Details](#).
- **HRSA** [proposed to update](#) the [living organ donation reimbursement program](#) eligibility guidelines pursuant to the Honor Our Living Donors Act. Comments are due July 31. [Details](#).

Litigation Highlights

The **Supreme Court** wrapped up its term last week with key decisions released impacting policies ranging from immigration to mail-in ballots to the President's authority to remove individuals from independent commissions. Our summaries of the high court's decisions are available [here](#) and [here](#).

Highlights include:

- **Birthright Citizenship:** In one of the most highly watched cases of the term, the court struck down the President's Executive Order and upheld birthright citizenship.
- **Mail-In Ballots:** the court affirmed that federal law does not require ballots to be received by a certain date and they can be mailed on election day but received after.
- **Temporary Protective Status:** the court ruled that the Department of Homeland Security (DHS) can terminate Temporary Protective Status (TPS) for Syrian and Haitian refugees, which is likely to allow DHS' termination of other groups' TPS status to stand as well.
- **Transgender Athletes:** the court ruled that states may ban transgender athletes from participating in girls' and women's sports and that doing so is not a violation of Title IX nor of the equal protections clause.

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

New Comment & Application Deadlines

- **July 31:** HRSA [proposed to update](#) the [living organ donation reimbursement program](#) eligibility guidelines pursuant to the Honor Our Living Donors Act. [Details](#).
- **August 31:** CMS issued the CY 2027 Home Health PPS [proposed rule](#). [Details](#).

- **September 2:** CMS released the CY 2027 OPPS and ASC payment system [proposed rule](#).
[Details](#).

All other open comment and application deadlines can be found [here](#).