

Impact Health Policy Weekly

Framing the Week

Big Picture. The House is in recess until after the midterm elections and the Senate is aiming to recess by the end of the week. Before recessing, the Senate will attempt to pass legislation related to permitting reform and college athletics, while Artificial Intelligence (AI) regulation remains a topic of interest. Several Republican Senators are [urging](#) leadership to take up AI safety legislation, but with so few remaining legislative days before the midterm elections, the issue will likely have to wait until the lame duck or new Congress.

Health Policy to Watch.

1. **Senate continues to consider HHS nominations.** On Thursday, the Senate Health, Education, Labor, and Pensions Committee will consider the nominations of Nicole Saphier for Surgeon General, Timothy Westlake for Assistant Secretary for Mental Health and Substance Use, Mary Lazare for Assistant Secretary for Aging, and Dr. Heidi Overton to be Commissioner of the Food and Drug Administration (FDA).
2. **Farm bill advanced.** The Senate Agriculture, Nutrition, and Forestry Committee [advanced](#) the [Agricultural Act of 2026](#) Farm Bill reauthorization. The Farm Bill authorizes several important federal nutrition programs including the Supplemental Nutrition Assistance Program (SNAP) and rural development programs. The legislation passed a vote of 12-11 after failing to advance in September when Sens. Mitch McConnell (R-KY) and Tommy Tuberville (R-AL) were absent. Senate Democrats remained united against the bill because it does not delay state SNAP benefit cost sharing for two years to begin for all states in fiscal year (FY) 2030. Chair John Boozman (R-AR) and Senate Majority Leader John Thune (R-SD) argued that the one-year benefit cost sharing delay included in their bill is the best offer available and will at least allow one more year for states to bring down error rates. The bill now goes to the full Senate.
3. **MACPAC begins 2026-2027 Cycle.** This week, the Medicaid and CHIP Payment and Access Commission (MACPAC) [meets](#) to begin the 2026-2027 meeting cycle and will examine community engagement requirements, inpatient hospital payment index, utilization management for opioid use disorder, and Medicaid coverage of assistive technologies, among other sessions. The [agenda for the cycle](#) includes program integrity, behavioral health, prescription drugs, provider payments, and long-term services and supports.
4. **CBO announces Panel of Health Advisers for 2026.** The Congressional Budget Office (CBO) announced the [2026 Panel of Health Advisers](#), which consists of widely recognized experts in health policy and the health care sector who have a variety of backgrounds, areas of expertise, and experience. The panel is called on for advice about addressing analytical questions that arise

in the preparation of studies and cost estimates and the CBO benefits from the advisers' understanding of recent research and real-world developments in health care delivery and financing.

Regulatory Update

Completed OMB Review

- **Agents and Brokers.** [Notice](#): Private Health Insurance; New Agent/Broker Registrations for Plan Year 2027 Moratorium Guidance

Recently Arrived at OMB

- **Agents and Brokers.** [Interim Final Rule](#): Patient Protection and Affordable Care Act; Temporary Moratorium on Certain Agent and Broker Participation in the Exchanges
- **Medicare.** [Final Rule](#): CY 2027 Hospital Outpatient PPS Policy Changes and Payment Rates and Ambulatory Surgical Center Payment System Policy Changes and Payment Rates
- **Medicare.** [Final Rule](#): CY 2027 Changes to the End-Stage Renal Disease (ESRD) Prospective Payment System and Quality Incentive Program
- **SNAP.** [Proposed Rule](#): Strengthening Integrity and Reducing Retailer Fraud in the Supplemental Nutrition Assistance Program (SNAP)

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:

Mon. (9/21)

- **3:00pm – Field Hearing: America's Fiscal Future and a Fiscal Commission** – The House Budget Committee holds a field hearing in Dallas, Texas, examining the nation's long-term fiscal outlook and proposals to establish a fiscal commission. [Details](#).

Tue. (9/22)

- **9:30am – Urban Discussion: Future of the Nonprofit Sector** – The Urban Institute holds a discussion to examine the evolving role of nonprofit organizations and how federal tax policy should respond, including potential changes to tax incentives for charitable giving and the tax treatment of nonprofit hospitals. [Details](#).
- **3:00pm – CMS Meeting: AHEAD Hospital Global Budgets** – The Centers for Medicare and Medicaid Services (CMS) AHEAD Model team will discuss strategic considerations and Medicare fee-for-service methodology updates for Hospital Global Budgets (HGBs) under the Achieving Healthcare Efficiency through Accountable Design (AHEAD) Model. The webinar will cover service-line and effectiveness adjustments, baseline carveouts, and what the updated

methodology means for participating hospitals as they prepare for Performance Year 2028 and beyond. [Details.](#)

- **3:00pm – Health Affairs Discussion: Medicare Part B Drug Price Negotiations** – Health Affairs holds a discussion examining the expansion of the Medicare Drug Price Negotiation Program to Part B drugs, which become eligible for negotiation beginning with the program’s third cycle. Drug policy experts will discuss implications for manufacturers, providers, patients, and Medicare, including how Part B negotiation may differ from the program’s initial focus on Part D drugs. [Details.](#)

Wed. (9/23)

- **3:30pm – Hearing: Generic U.S. Drug Manufacturing** – The Senate Special Committee on Aging holds a hearing to examine U.S. generic drug manufacturing and policies affecting domestic competitiveness and supply-chain resilience. [Details.](#)

Thurs. (9/24)

- **10:00am – Hearing: HHS Nominations** – The Senate Health, Education, Labor, and Pensions Committee holds an executive session to consider the nominations of Nicole Saphier for Surgeon General, Timothy Westlake for Assistant Secretary for Mental Health and Substance Use, and Mary Lazare for Assistant Secretary for Aging. [Details.](#)
- **10:30am – Hearing: FDA Nomination** – The Senate Health, Education, Labor, and Pensions Committee holds a hearing to consider the nomination of Dr. Heidi Overton to be Commissioner of the Food and Drug Administration (FDA). [Details.](#)
- **1:00pm – STAT Discussion: Biosimilars** – STAT holds a discussion to examine the evolving U.S. biosimilars market as additional widely used biologics face lower-cost competition, including FDA efforts to reduce barriers to biosimilar development and uptake. [Details.](#)
- **Meeting: MACPAC** – The Medicaid and CHIP Payment and Access Commission (MACPAC) holds a public meeting to discuss Medicaid and CHIP payment and policy issues. [Details.](#)

Fri. (9/25)

- **Meeting: MACPAC** – MACPAC holds a public meeting to discuss Medicaid and CHIP payment and policy issues. [Details.](#)

Featured Analysis

- **IHPP - Policy Menu for Potential Health Care Package** – In Policy Hub [here](#).
- **AI Policy Roundup** – In Policy Hub [here](#).
- **Medicaid Round-Up: H.R. 1 Implementation and Program Integrity** – In Policy Hub [here](#).
- **2026 Regulatory Outlook** – In Policy Hub [here](#)

Congressional Lookback

Wed. (9/16)

- **The House W&M Committee** convened a [markup](#) of health care legislation related to Alzheimer's Disease screening, and medically tailored meals, and Medicare Advantage analyses. [Details.](#)
- **The House Budget Committee** convened a [markup](#) of two bipartisan bills aimed at improving the information available to Congress through more frequent CBO baseline updates and longer-term estimates of the budgetary effects of preventive health legislation. [Details.](#)

Tues. (9/15)

- **The House E&C Health Subcommittee** convened a [hearing](#) to discuss a slate of bipartisan Medicare physician payment and cybersecurity. [Details.](#)
- **The SFC and HELP Committee** held confirmation hearings on several of President Trump's nominees for senior leadership positions at the Department of Health and Human Services. [Details.](#)

Regulatory Lookback

Thurs. (9/17)

- **HHS** announced [eight new appointments](#) to the USPSTF. [Details.](#)
- **CMS** [new guidance](#) to states on how to implement the Medicaid work requirements established in H.R. 1. [Details.](#)
- **CMS** [announced](#) that all 50 states, along with the District of Columbia and Puerto Rico, have applied to participate in the GENERating cost Reductions fOr U.S. Medicaid (GENEROUS) Model. [Details.](#)

Tues. (9/15)

- **HHS** held an [event](#) highlighting the new ACCESS Model and announced plans to expand the model to additional chronic conditions beginning in April 2027. [Details.](#)

Mon. (9/14)

- **HHS OIG** [released](#) an issue brief examining fraud risks related to DMEPOS suppliers in MA. [Details.](#)

Litigation Highlights

Medicaid Enrollees, Major Medical Organizations and the City of Columbus File Legal Challenge to the CMS' Medicaid Work Requirements Rule Focused on Medical Frailty: On September 18, a coalition of Medicaid enrollees, physician organizations, and the City of Columbus filed [Taylor v. Kennedy](#) (D. Md.), challenging CMS's Medicaid work requirements rule. The lawsuit focuses on the rule's narrow medical-frailty exemption and related documentation requirements, arguing they will make it harder for eligible individuals to keep coverage and will impose significant administrative burdens on patients and providers (see [overview](#)). Unlike a separate state-led challenge in which a court declined to

block the rule, the plaintiffs here argue that patients and providers face direct harm, which could strengthen any request for a preliminary injunction.

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

New Comment & Application Deadlines

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