Webinar
Post-Election 2020: What’s Next for Health Policy?
November 18, 2020
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Wynne Health Group
November 18, 2020

Improving Health Is Our Policy
Presidential Election

Joe Biden has won 306 electoral votes and 50.8% of the popular vote.

Source: CNN
Congressional Races

Senate majority unclear; Democrats maintain smaller House majority

**Senate**

- 50 R and 48 D, 2 runoffs in GA
  - Flipped seats: 2 D and 1 R (+1 net gain for D).
  - Senate Majority Leader Mitch McConnell (R-KY) reelected.
  - In 2022, 12 seats held by D, including Harris’ seat in CA, and 22 seats held by R are up for election.

**House**

- 219 D and 204 R, 12 not yet called
  - +6 net Republican gain as of Sunday, November 15.
  - House Speaker Nancy Pelosi (D-CA) expected to maintain leadership position.

Note: election results current as of November 15, 2020.
Biden’s Top Health Care Priorities

- COVID-19 Pandemic Response
- Coverage Expansion and ACA Stabilization
- Health Equity
- Lower Medicare Age to 60
- Drug Pricing
- Surprise Medical Billing
Policy Pathways & Variables

Policy Pathways
- Standard Legislation
- Congressional Review Act
- Subregulatory Guidance

Variables
- Reconciliation Legislation
- Notice & Comment Rulemaking
- Waivers
- Make-up of Congress
- ACA Lawsuit
- COVID-19
## COVID-19 Pandemic Response

### Legislative
- Automatically increase FMAP funding during crisis
- Increase funding for CDC and other public health initiatives
- Guarantee coverage for COVID-19 testing, vaccines, and treatment
- Expand ACA subsidies and offer temporary, platinum-level federal plan on Exchange

### Regulatory
- Open 90-day special enrollment period in ACA Exchanges
- Replace heads of FDA, CDC, and other relevant agencies
- Replace COVID-19 task force with Biden appointees
- Shore up national stockpile by invoking the Defense Production Act
- National Emergencies Act can be used to waive aspects of Medicaid and Medicare law
# Coverage Expansion & ACA Stabilization

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<th>Legislative</th>
<th>Regulatory</th>
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<td>Create a public option</td>
<td>Use 1332 waivers to support state public option programs and other coverage initiatives</td>
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<td>Tie premium subsidies to gold-level plans</td>
<td>Fully allocate funds for ACA enrollment outreach</td>
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<td>Cap premiums at 8.5% of income</td>
<td>Reverse Medicaid work requirements</td>
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<td>Remove 400% FPL limit on premium subsidies</td>
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<td>Fix the “family glitch”</td>
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<td>Lower Medicare age to 60</td>
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<td>Mitigate ACA lawsuit</td>
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Biden’s health equity platform includes focus on:

- Funding for health equity research
- Greater focus on addressing social determinants of health (SDOH) through innovation
- Using data-driven approaches to address inequities

*Note: CMMI is Center for Medicare and Medicaid Innovation and AHRQ is Agency for Healthcare Research and Quality
## Additional Key Issues

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<td><strong>Drug Pricing</strong></td>
<td>• Permit HHS to negotiate Medicare drug prices</td>
<td>• Support state drug importation programs</td>
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<td>• Cap Medicare Part D OOP costs</td>
<td>• Test reforms to Medicare Rx reimbursement via CMMI</td>
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<td>• Impose caps on price inflation</td>
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<td><strong>Surprise Billing &amp; Transparency</strong></td>
<td>• Require benchmark pricing or arbitration for surprise medical bills</td>
<td>• Continue Medicare transparency requirements</td>
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<td><strong>Immigrant Health</strong></td>
<td>• Remove statutory barriers to ACA, Medicaid, and Children’s Health Insurance Program coverage</td>
<td>• Reverse public charge rule</td>
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<td>• Permit states to cover immigrant classes via waiver</td>
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<td><strong>Rural Health &amp; Workforce</strong></td>
<td>• Increase funding for community health centers, National Health Services Corp, and Graduate Medical Education</td>
<td>• Use CMMI demos to support rural health transformation</td>
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<td>• Expand funding for community health workers</td>
<td>• Establish office of primary care within AHRQ</td>
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<td>• Expand telehealth and broadband access</td>
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Thank You!
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