

McDermottPlus Health Care Preview

WEEK OF SEPTEMBER 30, 2019



Congress is out on a two recess, but the effects of the impeachment inquiry will have long lasting impacts.

- + WHAT DOES THE IMPEACHMENT INQUIRY MEAN FOR HEALTH CARE?** Last week, Speaker of the House Nancy Pelosi (D-CA) announced that the House of Representatives is opening an official impeachment inquiry into President Trump. The political pressures in Washington, DC have significantly risen, and the inquiry also causes downstream implications for health care policy. In particular, this development raises the question – can anything get done in Washington with the focus on impeachment at an all-time high?

Health care policy over the last few months has made significant advances. For example, the prescription drug pricing and surprise billing packages working their way through Congress are robust and have lead substantive policy discussions and debates. Although these bills have advanced through committees, the impeachment inquiry throws a curve-ball in determining if the bills have the ability to make it across the finish line.

Achieving prescription drug pricing reforms likely requires Trump and Pelosi to support agreements from their parties. The impeachment inquiry lowers the possibility of them agreeing on anything. While the most controversial drug pricing provisions are on life support that does not mean all drug pricing is off the table. More bipartisan drug pricing measures, like the CREATES Act, which would increase access to generic drugs, could still get done.

Then there are the health care extenders. The extenders are considered a high priority, and likely do not require the personal involvement of the Speaker or the President. As a result, they should make it through the process. Surprise billing also stays on the table since the remaining areas of disagreement are nuanced policy details that likely do not require a deal between Pelosi and Trump. And let's not forget that surprise billing and some low-hanging prescription drug pricing measures (i.e., CREATES Act) save money. Congress may need to utilize these policies in order to pay for the health care extenders.

Of course, factors beyond impeachment could still come into play, placing the future of legislation at risk. Not least of those factors is the outcome of *Texas v. Azar*, which could significantly deter bipartisan cooperation.

THIS WEEK IN THE SENATE

The Senate is out on recess this week.

THIS WEEK IN THE HOUSE

The House is out on recess this week.

MEDPAC MEETING

October 3rd and 4th

CONTACT INFO

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