



Health Policy Briefing

December 2, 2024

Trump Names NIH, HHS Deputy Secretary Nominees

President Donald Trump has nominated **Jay Bhattacharya, M.D., Ph.D.**, to serve as the next Director of the National Institutes of Health (NIH). Bhattacharya is a Stanford University physician, economist, and professor of health policy. His research focuses on the health and well-being of vulnerable populations, with a particular emphasis on the role of government programs, biomedical innovation, and economics. He was one of the main authors of the Great Barrington Declaration, a document that called for an end to COVID-19 lockdowns in October 2020. Bhattacharya has also been critical of other aspects of the U.S. response to the pandemic, accusing former NIH leaders of suppressing scientific debate and research, and calling for an overhaul of the biomedical research agency. Sen. Bill Cassidy (R-LA), M.D., incoming Chair of the Senate Health, Education, Labor, and Pensions (HELP) Committee, stated that he is “interested in how Dr. Bhattacharya sees using his background as a health economist to guide the NIH.” Bhattacharya’s nomination will go through Cassidy’s HELP Committee next year.

The President-elect has also nominated **Jim O’Neill** to serve as Deputy Secretary of Health and Human Services. O’Neill is a science and technology investor. He previously served as U.S. Department of Health and Human Services (HHS) principal associate deputy secretary during the George W. Bush administration and is the former acting CEO of the Thiel Foundation. During his first term in office, Trump considered O’Neill to serve as Commissioner of Food and Drugs. O’Neill has previously argued that medicines should be approved once their safety is confirmed by the Food and Drug Administration, and that a review of efficacy data should take place after a drug has gone to market. If confirmed, O’Neill would be second in command to nominee Robert F. Kennedy, Jr. at HHS.

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House COVID Panel to Release Final Report This Week

The House Select Subcommittee on the Coronavirus Pandemic will hold a markup of the panel's final report this week. The final report, which will be released to the public ahead of Wednesday's markup, will include investigative materials, findings, and recommendations related to:

- COVID-19 origins
- Taxpayer funded COVID-19 relief programs
- Laws enacted in reaction to COVID-19
- COVID-19 vaccine development and implementation
- Economic impact of COVID-19 on individuals, communities, businesses, states, and governments
- Societal impacts of COVID-19
- Executive branch COVID-19 related decisions
- Executive branch cooperation with Congress to prevent a future pandemic

DeSantis Announces Special Election Dates to Replace Gaetz, Waltz in House

Governor Ron DeSantis (R) has set the special election to fill Florida's 1st Congressional District seat in the House of Representatives for April 1. The seat was recently vacated by former Rep. Matt Gaetz (R). The front runner in the Republican primary, which will take place on January 28, is Jimmy Patronis, the state's Chief Financial Officer. The special primary and election to fill the seat of Florida's 6th District Rep. Michael Waltz (R) will be held on the same dates. Waltz, who was tapped to serve as President Trump's national security adviser, is resigning effective January 20. Former Florida state House member Randy Fine has announced his candidacy to succeed Waltz and has already won the endorsement of President-elect Trump.

CMS Proposes Medicare Coverage of Anti-Obesity Medications

The Biden administration has taken the first step to expanding access to popular new weight-loss drugs for patients covered by Medicare and Medicaid. The proposed rule from the Centers for Medicare and Medicaid Services (CMS) would require the programs to cover anti-obesity drugs. Congress banned Medicare from covering the popular weight-loss drugs known as GLP-1s solely for weight loss purposes in 2003, though the treatments can be covered for other indications like diabetes and heart conditions. CMS' proposal involves the classification of obesity as a chronic, complex disease, which will allow the recognition of GLP-1 drugs as anti-obesity treatments under Part D. The proposal is estimated to cost \$40 billion over the next decade. Concerns about the impact of the regulation on health care costs were highlighted by a number of Democrats on Capitol Hill. Senate Health, Education, Labor, and Pensions Committee Chairman Bernie Sanders (I-Vt.) praised the administration's recognition of the importance of anti-obesity medications, but highlighted that "unless Medicare demands that Novo Nordisk and Eli Lilly substantially reduce the prices for these anti-obesity drugs, Medicare premiums for all seniors would skyrocket." It is unlikely that the rule, which must still complete the notice and comment rulemaking process, will be finalized in the next two months, and it is unclear how the proposal will be handled by the incoming Trump administration. Nominee for Secretary of Health and Human Services Robert F. Kennedy Jr. has expressed skepticism about weight-loss drugs in the past.

Upcoming Congressional Hearings and Markups

House Select Subcommittee on the Coronavirus Pandemic business meeting to consider the report on “After Action Review of the COVID-19 Pandemic: The Lessons Learned and a Path Forward;” 10:30 a.m.; December 4

Senate Environment and Public Works Committee hearing “Examining the Public Health Impacts of PFAS Exposures;” 9:30 a.m.; December 5

Recently Introduced Health Legislation

S.Res.908 — A resolution expressing support for the goals of Stomach Cancer Awareness Month; Sponsor: Young, Todd [Sen.-R-IN]; Committees: Senate - Health, Education, Labor, and Pensions

S.Res.909 — A resolution designating November 21, 2024, as “National Rural Health Day”; Sponsor: Barrasso, John [Sen.-R-WY]; Submitted in the Senate, considered, and agreed to without amendment and with a preamble by Unanimous Consent.

S.Res.910 — A resolution designating November 2024 as “National Hospice and Palliative Care Month”; Sponsor: Rosen, Jacky [Sen.-D-NV]; Committees: Senate - Judiciary

S.Res.912 — A resolution designating November 2024 as “National Lung Cancer Awareness Month” and expressing support for early detection and treatment of lung cancer; Sponsor: Smith, Tina [Sen.-D-MN]; Submitted in the Senate, considered, and agreed to without amendment and with a preamble by Unanimous Consent.

S.Res.915 — A resolution designating September 2024 as “National Prostate Cancer Awareness Month”; Sponsor: Crapo, Mike [Sen.-R-ID]; Submitted in the Senate, considered, and agreed to without amendment and with a preamble by Unanimous Consent.

S.Res.917 — A resolution recognizing November 2024 as “National Family Caregivers Month”; Sponsor: Casey, Robert P., Jr. [Sen.-D-PA]; Committees: Senate - Health, Education, Labor, and Pensions

S.5367 — A bill to amend title XXVII of the Public Health Service Act to require group health plans and health insurance issuers offering group or individual health insurance coverage to provide benefits for lung cancer screenings for certain individuals without the imposition of cost sharing; Sponsor: Smith, Tina [Sen.-D-MN]; Committees: Senate - Health, Education, Labor, and Pensions

S.5368 — A bill to amend the Federal Food, Drug, and Cosmetic Act to expand drug shortage notification practices to include surges in demand for a drug, and for other purposes; Sponsor: Kaine, Tim [Sen.-D-VA]; Committees: Senate - Health, Education, Labor, and Pensions

S.5375 — A bill to amend title XXVII of the Public Health Service Act to improve health care coverage under vision and dental plans, and for other purposes; Sponsor: Murphy, Christopher [Sen.-D-CT]; Committees: Senate - Health, Education, Labor, and Pensions

S.5380 — A bill to amend title XVIII of the Social Security Act to provide coverage of portable ultrasound transportation and set up services under the Medicare program; Sponsor: Cornyn, John [Sen.-R-TX]; Committees: Senate - Finance

S.5390 — A bill to require the Secretary of Health and Human Services and the Director of the Cybersecurity and Infrastructure Security Agency to coordinate to improve cybersecurity in the health care and public health sectors, and for other purposes; Sponsor: Cassidy, Bill [Sen.-R-LA]; Committees: Senate - Health, Education, Labor, and Pensions

S.5394 — A bill to require Federal law enforcement and prison officials to obtain or provide immediate medical attention to individuals in custody who display medical distress; Sponsor: Warren, Elizabeth [Sen.-D-MA]; Committees: Senate - Judiciary

S.5397 — A bill to amend title XVIII of the Social Security Act to adjust allowable direct and indirect costs for nursing and allied health education programs; Sponsor: Klobuchar, Amy [Sen.-D-MN]; Committees: Senate - Finance

S.5399 — A bill to amend title 11, United States Code, to provide bankruptcy protections for medically distressed debtors, and for other purposes; Sponsor: Whitehouse, Sheldon [Sen.-D-RI]; Committees: Senate - Judiciary

S.5400 — A bill to amend title XI of the Social Security Act to require the Center for Medicare and Medicaid Innovation to test an emergency medical services treatment-in-place model under the Medicare program; Sponsor: Manchin, Joe, III [Sen.-I-WV]; Committees: Senate - Finance

H.Con.Res.133 — Expressing the sense of Congress that public health professionals should be commended for their dedication and service to the United States on Public Health Thank You Day, November 25, 2024; Sponsor: Wittman, Robert J. [Rep.-R-VA-1]; Committees: House - Energy and Commerce

H.Res.1595 — Expressing support for the designation of November 2024 as “National Lung Cancer Awareness Month” and expressing support for early detection and treatment of lung cancer; Sponsor: Boyle, Brendan F. [Rep.-D-PA-2]; Committees: House - Energy and Commerce