

Viewpoints

ML Strategies Health Care Preview WEEK OF DECEMBER 17TH

This week, Congress is in session for what *should* be the last week of the 115th Congress. That said, best not to count your chickens before they hatch. The spending fight that has been raging since the last continuing resolution (CR) is no closer to being wrapped up than it was a month ago. The border wall remains the principal issue and the path forward is not entirely clear. While the White House is itching for a fight over this, there's a question as to [how eager](#) Congressional Republicans are to join them. One path forward could be to pass another CR and have this fight after the holidays.

In the health space, House passage of the IMPROVE Act moves the ball to the Senate where there is hope that it will pass this week. While IMPROVE carries a number of popular provisions, such as Money Follows the Person and the ACE Kids Act, it still needs to clear all 100 Senate offices to pass by unanimous consent. This is the season when that becomes more difficult not less.

The big news of the weekend centered on *Texas v. Azar* with the court ruling the Affordable Care Act (ACA) unconstitutional. While the case has ramifications for policymakers and stakeholders, we're long way from it impacting the Marketplace. This case will be appealed and could find its way to the Supreme Court like similar ACA-related cases. On Capitol Hill, the health care fight will continue waging only this time Democrats using their new role as majority in the House to drive conversation.

The consequences of this could mean less air in the room for meaningful policy discussions in 2019. How much time will Democrats in the House and Republicans in the Senate devote to the ACA? In the legislative process, time is precious. If Congress devotes weeks (or even months) to mostly political fights in the aftermath of the *Texas v. Azar* decision, that's time that isn't being used to make the case for must-pass legislation or any other policy proposals. In a year where the clock is already truncated by the coming presidential election, *Texas v. Azar* taking up legislative time is very important.

THIS WEEK IN THE HOUSE

No health care hearings this week.

THIS WEEK IN THE SENATE

No health care hearings scheduled.

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