



# *Health Care Weekly Preview*

*Week of November 6<sup>th</sup>*

Following House passage of a CHIP reauthorization package, the bill heads to the Senate where it faces an uncertain path forward. First, there's no indication the Senate is ready to give the House package real consideration. The Senate Finance Committee, with jurisdiction over CHIP, is focused on tax reform. Second, the Finance Committee passed a CHIP bill last month, but did not include payfors at the time and has yet to find a suitable path forward on that key issue. While the Senate could reach a bipartisan agreement, the stakes will only continue to grow as we inch closer to an end of year megadeal.

## **THIS WEEK IN THE HOUSE**

On Monday (11/6), the House Committee on Ways & Means will begin marking up the Tax Cuts and Jobs Act. The hearing will continue throughout the week until complete.

On Wednesday (11/8), the House Energy & Commerce Subcommittee on Health will hold a hearing Wednesday titled, "MACRA and Alternative Payment Models: Developing Options for Value-Based Care."

On Wednesday (11/8), the House Committee on Education & Workforce will hold a hearing titled "Close to Home: How Opioids are Impacting Communities."

## **THIS WEEK IN THE SENATE**

No hearings in the relevant Committees.

## **TAX REFORM**

While tax reform may not be your primary policy focus, it's more than simply a blip on the radar. On Sunday, Speaker Ryan [said](#) that repeal of the individual mandate was under consideration for inclusion in the House tax reform package. The [Congressional Budget Office found repealing the mandate](#) would save more than \$400 billion over a decade, which would pay for a sizeable chunk of the House plan. However, CBO also found such action would leave 15 million Americans uninsured.

Repealing the individual mandate is very politically complicated. Republicans support repeal of the individual mandate. However, absent a suitable replacement, some Republicans may be hard-pressed to support repeal given the grassroots pressure that followed the health reform debate all year. Using repeal of the individual mandate to help offset the tax bill will be very enticing, but only as long as it doesn't endanger passage of the overall tax bill. This is the political challenge of having majorities that turn into minorities with the defection of a handful of votes.

One other complication: the Trump Administration is reportedly preparing an executive order that would eliminate the individual mandate. If they do so, the CBO score for repeal will drop precipitously. Right now, the Administration is waiting to see if it might be included in the Republican tax bill instead.

While much attention has been devoted to repeal of the individual mandate, the Republican tax plan did eliminate the medical tax deduction, which supports individuals whose medical expenses exceed 10 percent of their income. This provision is very problematic for people with significant medical expenses. As this process moves forward, keep in mind that the stakes are high and the process can change on a dime. We are here as always to answer your questions.

*Don't forget to check out our blog at: <https://www.healthlawpolicymatters.com/>*