



1. How Divided Government Will Impact Federal Health Policy in 2023  
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# How Divided Government Will Impact Federal Health Policy in 2023

By Pat Ford-Roegner

After a contentious midterm election cycle and a rocky start to the 118th Congress, many questions remain regarding the fate of health policy for consumers, health organizations, public health and practitioners.

Two separate webinars tried looking into the legislative crystal ball. A webinar in November 2022 hosted by the [Kaiser Family Foundation](#) featured former senior health policy advisors Chris Jennings (Obama administration) and Jennifer Young (George W. Bush administration). Both experts agreed that there will be no further efforts to repeal or replace the Affordable Care Act (ACA). In fact, the [Associated Press reported recently](#) that “a record 16.3 million people sought health insurance” through ACA this year, which doubles the number covered when the act’s marketplaces first started nearly 10 years ago. The marketplace added more than three million new members.

Jennings and Young both said their expectation for any substantial new legislation is very low, with a high probability of policy gridlock. They also expressed hope for bipartisan support around several key areas that **ended up being passed** through the omnibus appropriations bill in December 2022, including telehealth service extensions, increased support for mental health and opioid treatment services and increases in research dollars for diseases and ailments across the lifespan.

Separately, the **Journal for Health Affairs** hosted a webinar in January 2023 with Ben Sommers, Deputy Assistant Secretary for Health Policy at the U.S. Department of Health and Human Services (HHS) in the Biden administration. Sommers came into office to grapple with the expansion of the COVID vaccine programs and the declining numbers in ACA health coverage at the end of the Trump administration. His office focused on vaccinating the “movable middle” – those who would agree to get vaccinated with clear messaging and outreach.

Sommers acknowledged that this initially meant tackling misinformation. Now his office is focused on transitioning the government’s role in vaccination to consumers, insurers and providers. Resources from the American Rescue Plan signed by President Biden allows for marketplace credits and subsidies for middle- and lower-income groups to afford ACA insurance. There are funds for to develop navigation tools that will assist consumers, including those with language barriers. Sommers’ office is reaching out to the 11 states that have not expanded Medicaid insurance to work with them to possibly do so and remains optimistic.

Looking at the larger picture, the nursing agenda for public policy **enjoyed substantial progress** during 2022. A few examples:

- The National Institute of Nursing Research saw a \$6 million increase over suggested Congressional level to more than \$180 million.
- Nursing Workforce Development Programs received more than \$280 million dollars - \$16 million more than in 2021.
- President Biden signed the Dr. Lorna Breen Health Care Provider Protection Act into law. It will identify and disseminate best practices to improve mental and behavioral health for healthcare providers, including nurses.
- The government provided \$5 million for new funding announcements for nurse education, practice, quality and retention efforts for acute care settings and states with the greatest nursing shortages.

Nursing leaders will continue to advocate for the removal of barriers to nursing practice, safety concerns and increased reimbursements for nursing services. In a recent Nursing Outlook article, **“Moving Nursing Innovation to Prime Time,”** the authors call for healthcare

organizations, diverse stakeholders and nurses to form creative partnerships to increase valuable services and promote job satisfaction.

Hospitals are still reeling from staff shortages, inflation costs and the continuing effects of COVID-19. Leaders at hospitals and health systems **see a turbulent year ahead**. Public health systems' operations are still tenuous at best after years of cutbacks and more recent social media attacks.

This follows the turbulence of 2022 in the healthcare world. The Centers for Disease Control and Prevention started undergoing a reorganization following rampant criticism for confusing messaging during the pandemic. The Supreme Court's decision to overturn *Roe v. Wade*, coupled with subsequent state actions, **brought access to high quality and affordable contraceptive and maternal care to the forefront**. Online and telehealth venues for obtaining **reproductive care** are growing – along with opposition to both.

Given the potential for stalemates in Congress on vital health issues, we may see a flurry of Executive Orders from the Biden administration to address many of these topics. That reality – ahead of what promises to be a wild run-up to the 2024 election – means that once again, the state of our union's health and healthcare may tip the balance of power one way or the other.

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