

CHARTIS TOP READS

Midterm elections could shake up healthcare-related legislation and policy

Week of October 30 - November 5, 2022

| **NOV 04, 2022**

<https://www.chartis.com/insights/midterm-elections-could-shake-healthcare-related-legislation-and-policy>

The Buzz This Week

The 2022 midterm elections are expected to be some of the most impactful yet. The outcome remains unclear for the U.S. Senate, but Republicans are favored to win the U.S. House of Representatives. With a split government likely at the federal level, state elections will be even more pivotal. 88 state legislative chambers and 36 governorships are on the ballot.

Currently, there are 41 states where one party controls the House, Senate, and governorship (25 controlled by Republicans, 16 by Democrats). With redistricting and current election projections, there are at least 10 states in which one party could take total control—offset by another 8 states where the election could go from full party control to a split. Among the states, Nevada, Maine, Oregon, Michigan, and Pennsylvania sit on the most uncertain terms, with either party able to take full control or land with a divided government. Alaska, Wisconsin, and North Carolina are likely to end with Republican majorities, while Democratic control in New Mexico and Colorado could possibly break. Vermont is likely to turn fully blue, and Arizona, New Hampshire, and Kansas may see a break in Republican control.

In many key races, marginal differences in voter turnout may swing outcomes. This year, considerable attention is focused on the degree to which abortion and reproductive health will drive voters to the polls. 57% of Republicans and 52% of Democrats report feeling more motivated to vote compared to previous elections, and following the Dobbs decision, female voters of reproductive age (especially in states where abortion is currently illegal) are expected to turn out in higher numbers. In addition to electing new officials, several states have constitutional amendments on the ballots—including 3 that would aim to protect abortion access (California, Michigan, and Vermont) and 2 that would secure restrictions (Kentucky and Montana).

Several other healthcare-related issues may help shape this election:

- Oregon has a Right to Healthcare Amendment on the ballot, which would ensure residents have access to “cost-effective, clinically appropriate, and affordable health care as a fundamental right.”
- Medicaid is getting some targeted attention, including in South Dakota, which has a Medicaid expansion constitutional amendment on the ballot. It states that expansion coverage should begin July 1, 2023, and would prohibit additional restrictions on enrollment eligibility. Elsewhere, 10 of the 12 states that have not adopted Medicaid expansion have gubernatorial elections this November.
- Meanwhile, both sides of the aisle are concerned about inflation and prescription drug prices, as well as general healthcare affordability. Nearly half of voters rate a candidate’s plan to address the cost of healthcare services as “very important.” And 64% of senior voters say they are more likely to support candidates who support the Inflation Reduction Act (IRA), which aims to regulate drug prices and cap out-of-pocket spending for prescription drugs at \$2,000.

Still, beyond abortion, health-related issues may be less effectual in shaping this election than in elections past, with nearly half of registered voters citing the economy as the most important issue.

Why it Matters

Coming out of this mid-term election cycle, it seems likely that states will see increasing control over many major levers shaping the healthcare policy landscape. These include:

Abortion, reproductive health, and bodily autonomy: As discussed in an earlier Top Reads on the overturn of Roe v. Wade in June 2022, abortion and reproductive health issues are now in the control of the states. With a new set of officials coming into power for the first time since the Dobbs decision, states will likely update and implement new legislation and more specific abortion restrictions.

Many clinicians in states with abortion bans feel vulnerable and fearful of repercussions, such as loss of medical license or prison, they could face should their decision surrounding treatment be questioned.

Clinics and health systems in states with abortion access are seeing upticks in patient demand from residents of their state and those traveling from more restrictive states. Some are considering mobile and telehealth expansion to bring services to the maternal care “deserts” that have limited obstetric care.

Meanwhile, some medical students in states with abortion bans are looking elsewhere to pursue comprehensive obstetrics training.

Medicaid: It’s unclear whether the 12 states that opted out of Medicaid expansion will see change to that policy. Still, many individuals currently access Medicaid through the public health emergency designation from the COVID-19 pandemic, currently extended until January 11. At the end of the public health emergency, state Medicaid programs will resume eligibility redeterminations, leaving potentially 15 million people uninsured. Many Democrats see the Medicaid coverage gap as a top priority, while Republicans continue to express fiscal concerns over the potential increase and allocation of their taxes to Medicaid and related coverage initiatives.

Other issues: With some powerful federal committee chairmanships up for grabs, funding for agencies within the U.S. Department of Health and Human Services could be restricted or terminated, directly impacting COVID-19 measures, Medicare and social security, and climate change. While climate change has been a less prominent topic this election, it can have major healthcare implications. The Inflation Reduction Act earmarks billions of dollars for decarbonization efforts, and states will play an important role in implementing the law.

Above all else, the state of the economy will be the key determinant of how officials proceed with legislative action—the economic health of the country, therefore, will drive many aspects of the health of its people.

Related Links

[Center For Reproductive Rights](#)

[Commonwealth Fund](#)

[FiveThirtyEight](#)

[Kaiser Family Foundation](#)

[Kaiser Family Foundation](#)

Our services

[STRATEGIC TRANSFORMATION](#)

[PERFORMANCE TRANSFORMATION](#)

[DIGITAL & TECHNOLOGY TRANSFORMATION](#)

[CHARTIS CENTERS FOR AI & STRATEGIC INTELLIGENCE](#)

[PAYER TRANSFORMATION](#)

[STRATEGIC COMMUNICATIONS & CHANGE MANAGEMENT](#)

LEARN MORE ABOUT THE AUTHORS



Meredith Deal

Senior Research Associate



Anneliese Gerland

Partner and Senior Vice President of Strategy