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# Healthcare implications: 5 post-election policies to watch

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## The Buzz This Week

Former President Donald Trump's reelection brings uncertainty of the impact to healthcare policy. His campaign gave little attention to healthcare policy, so what he will prioritize once in office remains to be seen. Additionally, the extent to which Congress will enact his legislative agenda will partially depend on the outcome of the US House of Representatives. While Republicans will have a majority in the US Senate, control of the House still looms as more than 30 races are not yet called.

Recent signals—including in his election night speech—point to at least one potential development for healthcare: His expressed intention to appoint Robert F. Kennedy, Jr. to lead health, medicine, and food policy.

Some experts are skeptical that Kennedy could gain Senate confirmation as head of the Department of Health and Human Services (HHS), given his public statements. For instance, Kennedy has linked vaccines to autism without evidence and recommended eliminating many Food and Drug Administration (FDA) jobs. He may instead play a role within HHS or as “health czar.”

Regardless of his role, Kennedy has noted numerous specific policy goals that could portend priorities for the new administration. Some initiatives like investigating causes of chronic disease and reducing ultra-processed foods may see broad support. But others are more worrisome to public health experts. Those include loosening regulations on foods like raw milk, making changes to the recommended vaccination schedule, eliminating drug company user fees, and removing fluoride from tap water.

Healthcare was also on state ballots, with 10 states voting on abortion access. Despite previous comments that he would restrict access nationwide, Trump has recently stated that decisions will be left to the states.

Of the 10 state propositions, voters approved seven amendments to enshrine abortion. Colorado, Maryland, Montana, and Nevada do not have abortion bans but still voted to protect access in the state constitutions. For Nevada's amendment to take effect, voters will have to support the measure again in the 2026 election. Colorado also overturned a measure preventing the use of government funds for abortion care.

In Arizona and Missouri, the amendments protecting abortion will replace state abortion bans. In New York, voters approved anti-discrimination protections for pregnancy in the constitution's equal rights amendment, a change that prevents the state legislature from passing abortion restrictions.

In the first state-level losses for abortion advocates, amendments in South Dakota and Florida failed to lift abortion bans. In Florida, the amendment required a 60% threshold, which was narrowly missed. In Nebraska, voters saw two competing amendments and voted to uphold the state's 12-week abortion ban.

## Why It Matters

If Republicans take control of the House, healthcare policy could change more significantly than previously anticipated. Policies likely to receive the most attention under Trump's presidency include:

**1. Affordable Care Act (ACA) reforms.** Trump has stated he will not try to repeal the ACA, which has broad support, but will propose modifications aimed at reducing cost. Some of those changes may include removing or reducing the ACA's consumer protections, discontinuing the Biden Administration's enhanced premium subsidies, decreasing funds for enrollment outreach, or segmenting Health Insurance Marketplace enrollees by risk pool.

While some of these options may reduce government spend, they would raise costs for many consumers. Dividing enrollees into risk pools may give lower-cost options to younger consumers with no pre-existing conditions but would cause huge premium increases for older consumers and those with chronic conditions.

**2. Modifications to other public insurance programs.** Trump previously supported adding work requirements for Medicaid eligibility, making other Medicaid spending cuts, and reducing Medicare prescription drug prices.

Under his previous administration, Trump wanted a most favored nation policy that based pharmaceutical pricing on the best rate provided to foreign nations. He seems to have recently withdrawn support for this plan after pharmaceutical companies pushed back. He may instead support continuing Biden's policy of Medicare drug pricing negotiations.

**3. Changes to federal policies related to abortion and gender-affirming care.** Trump has stated he will bar federal funding for gender-affirming care. In his last administration, he supported allowing employers to deny birth control coverage on the basis of religious freedom. He may also allow religiously affiliated employers exemption from providing insurance coverage of abortion. Additionally, he could change the court-upheld guidelines that allow sending the abortion pill mifepristone by mail.

**4. Overhaul of public health agencies.** Trump and Kennedy have both expressed a desire to make drastic cuts and changes to federal health agencies under HHS, including the Centers for Disease Control and Prevention (CDC), FDA, and National Institutes of Health (NIH). During his previous term, Trump signed an executive order that removed civil service protection from a large group of government employees who worked in policy-related positions. President Biden rescinded this executive order prior to its effective date, though it is likely Trump will enact a similar order again.

At the same time, the Supreme Court of the United States' overturn of the Chevron deference doctrine has created regulatory uncertainty. It will also likely allow courts to play a more prominent role in interpreting healthcare laws. This leads to many unknowns about the future influence and role of federal health agencies.

**5. Changes to immigration policies.** Trump has vowed to enact a policy of mass deportation of undocumented immigrants and drastically limit asylum immigration from numerous countries. These policies would significantly impact the healthcare landscape. Undocumented immigrants are not eligible to receive federally funded insurance through government programs and in most states are ineligible to purchase insurance through the ACA. However, they are taxed for these programs. In 2022, those with undocumented status paid nearly \$6 billion in Medicare taxes, helping to fund some of the Medicare deficit, despite being ineligible for benefits.

Trump has also noted he would seek to end the Deferred Action for Childhood Arrivals (DACA) program as well as remove automatic citizenship status for children born in the US to undocumented immigrants. The threat of dividing families, a policy Trump enacted in his last term, has created fear and anxiety in many migrant families, worsening mental health conditions among this population.

Trump's stated policies of curbing legal immigration would also have implications for the healthcare workforce. Nearly one-fifth of physicians and nurses, and nearly 40% of home health aides and direct care workers are immigrants. Workforce shortages in healthcare would be significantly exacerbated by immigration policies that limit entrants to the US.

Many unknowns for the healthcare landscape remain. The US may see relatively minimal changes in healthcare policy at the federal level, especially if Congress remains divided. Any changes would likely focus on reform to the ACA and Medicaid. However, more sweeping changes are possible. Public health experts worry such changes may cause a drop in insured rates, rises in preventable diseases, increases in maternal and infant morbidity and mortality, and an erosion of trust in medical experts.

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