



McDermottPlus Healthcare Preview

WEEK OF JUNE 7, 2021

HHS BUDGET ON DISPLAY.

SECRETARY BECERRA WILL BE DEFENDING THE HHS BUDGET. This Tuesday and Thursday, Health and Human Services (HHS) Secretary Becerra will be testifying in front of the House Ways and Means Committee and the Senate Finance Committee on the Fiscal Year 2022 HHS Budget. The President's Budget along with the accompanying agency budgets were released on May 28th. The HHS budget proposes \$131.8 billion in discretionary budget authority and \$1.5 trillion in mandatory funding. It represents a 23% increase in spending compared to FY 2021 levels. Budget hearings across all agencies are ongoing this week. This is kicking off the start of an aggressive appropriations process with the hopes to wrap up prior to the August recess.

CALIFORNIA V. TEXAS IS BACK IN THE SPOTLIGHT. The healthcare stakeholder community anxiously awaits the United States Supreme Court issued a ruling in California v. Texas, a challenge to the Affordable Care Act (ACA) that has been in litigation since 2017. As a reminder, the Tax Cuts and Jobs Act (TCJA) reduced the tax penalty for the individual mandate to \$0. Following the passage of the TCJA, the State of Texas sued the U.S. Department of Health and Human Services. Texas argued that the zeroing-out of the penalty made the individual mandate unlawful, because by eliminating the additional revenue the penalty previously provided, it no longer could be considered an exercise of Congress' power to tax. The case has made its way to the Supreme Court and we are expecting the Court's ruling very soon. We will not speculate on the numerous implications of the potential outcomes. Instead, we will keep refreshing SCOTUS Blog and provide reaction quickly when it comes down.

THIS WEEK IN THE SENATE

Senate Finance Committee
Thursday, June 10th, 10:00 a.m.
[FY 2022 HHS Budget](#)

THIS WEEK IN THE HOUSE

House Ways and Means
Tuesday, June 8, 10:00 a.m.
[The President's Proposed FY 2022 Budget with the Department of Health and Human Services Secretary Becerra](#)

House Oversight and Reform Committee
Wednesday, June 8, 12:00 p.m.
["The SACKLER Act and Other Policies to Promote Accountability for the Sackler Family's Role in the Opioid Epidemic"](#)

CONTACT INFO

Please reach out to us at:
rwhitlock@mcdermottplus.com
kwaldo@mcdermottplus.com
emmazimmerman@mcdermottplus.com