

## Post-Election Recap

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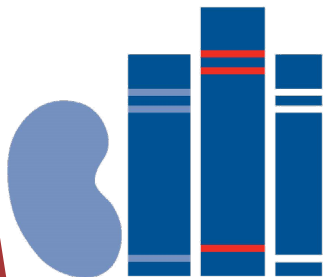
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# Reminders

- All lines are muted
- Ask questions or make comments through the Chat Box
- Written questions will usually be answered at the end of the program
- You will receive the link to the **recording** and **slides** within a week
- Please complete the feedback form at the end of the program





# **2022 Midterm Election Review & 118<sup>th</sup> Congress Preview**

MITCH VAKERICS & ERIN GRAEFE DORTON

# The Red Wave That Wasn't

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**While analysts predicted a Republican wave to sweep across the country, voters delivered a different message.**

- Despite a larger percentage of the electorate saying they were unhappy with the direction the country is going, voters chose incumbent candidates
- Historically, the president's party suffers during the first midterm election as voters seek to vent against the party in power
- As anticipated, Democrats lost control of the House, but not by as wide of a margin as projected
- With victories in Nevada, Arizona, & Georgia, Democrats now hold a 51-49 edge in the Senate

# The Red Wave That Wasn't

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## Candidates Matter

- The election showed that candidate quality matters
- Stronger Republican candidates could have made a difference in PA, NH, and AZ
- Trump campaigned for 8 Republican House candidates and 7 of them lost
- Biden administration messaging on preserving democracy was effective

## A Win is a Win

- By retaking the House, Republicans have dealt a significant blow to President Biden's chances for significant legislative accomplishments ahead of the 2024 presidential election
- Biden administration will utilize regulatory and executive authorities to advance its priorities
- Democrats will not hold a 60-vote supermajority in the Senate, which is needed to overcome a filibuster
- Given that limitation, nothing significant will become law without compromise in the House and the Senate

# The Red Wave That Wasn't

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## Democrats Maintain Control of Senate

- 51 Democrats (+1 Seat Gain) – 49 Republicans

## Republicans Take Control of House

- 222 Republicans (+10 Seat Gain) – 213 Democrats

## 51-49 Majority is Significant

- Committees no longer split 50-50
- Democrats to add seats on key committees
- Ability to move legislation and nominations easily through committees
- Allows for robust confirmation agenda to the Courts and Biden administration



# Projected Congressional Leadership

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## Republicans

Speaker: Kevin McCarthy (CA)  
Leader: Steve Scalise (LA)  
Whip: Tom Emmer (MN)

## Democrats

Leader: Hakeem Jeffries (NY)  
Whip: Katherine Clark (MA)



## Republicans

Leader: Mitch McConnell (KY)  
Whip: John Thune (SD)

## Democrats

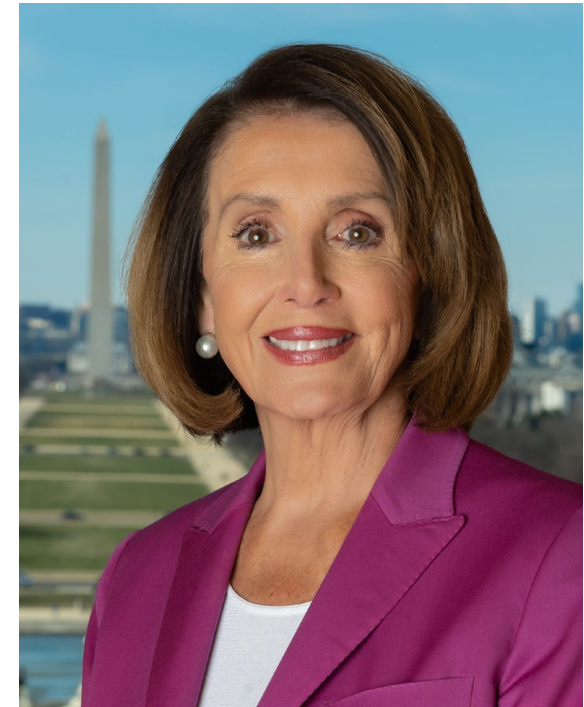
Leader: Chuck Schumer (NY)  
Whip: Dick Durbin (IL)

# Leadership Changes

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## Nancy Pelosi Stepping Down as Speaker

- Nancy Pelosi (D-CA) served as the first woman speaker from 2007-2011, reelected speaker in 2019
- Highest ranking woman in the US until VP Harris elected
- Architect of the historic Affordable Care Act
- Presided over House as it impeached Trump twice
- Stepping aside for a new generation of leadership at the end of 117<sup>th</sup> Congress
  - Will continue to serve her district
  - Rep Hakeem Jeffries is the projected Democratic Leader of the 118<sup>th</sup> Congress





# Leadership Changes

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## Can McCarthy Get to 218 Votes on January 3?

- Kevin McCarthy (R-CA) was first elected to the House in 2007
- Has served as House Minority Leader since 2019
- Served as House Majority Leader under speakers John Boehner and Paul Ryan from 2014 to 2019
- With the 118<sup>th</sup> Congress having 222 Rs, McCarthy can only lose 4 votes to win the position
- 5 Republicans have indicated they oppose McCarthy's bid: Reps. Andy Biggs (R-Ariz.), Matt Gaetz (R-Fla.), Bob Good (R-Va.), Ralph Norman (R-S.C.) and Matt Rosendale (R-Mont.)



# New Senate Members

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- Sen. Katie Britt (R-AL)
- Sen. Ted Budd (R-NC)
- Sen. John Fetterman (D-PA)
- Sen. Markwayne Mullin (R-OK)
- Sen. Eric Schmitt (R-MO)
- Sen. JD Vance (R-OH)
- Sen. Peter Welch (D-VT)



# Republican Agenda in the 118<sup>th</sup>

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**Congressional Republicans will prioritize committee oversight and investigations for political purposes.**

- Expect investigations into COVID-19 relief programs, border security, and Inflation Reduction Act climate programs

## **Commitment to America Agenda**

In September, House Republicans released the “Commitment to America,” a proposed legislative agenda for the 118<sup>th</sup> Congress. The plan calls for:

1. An Economy That’s Strong
2. A Nation That’s Safe
3. A Future That’s Built on Freedom
4. A Government That’s Accountable

# Health Policy Outlook

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## Health Policy Temperatures will Run High on Health Issues

- COVID-19 oversight and investigations
- Telehealth
- Rising healthcare costs
- Medicare Advantage oversight
- *Dobbs v. Jackson Women's Health Organization* decision



# What this Means for DPC

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## Positive for DPC

- Kidney policy has historically received bipartisan support
- Previous legislation in the kidney space has seen 200+ cosponsors evenly divided between Republicans and Democrats
- Renal failure disproportionality affects minority groups
- Increased diversity in Congress is a good opportunity to shine additional light on minority health issues



# Kidney Legislation – DPC Priority

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## H.R. 5534 – Comprehensive Immunosuppressive Drug Coverage for Kidney Transplant Patients Act

- Beginning in 2023, Medicare will now cover immunosuppressive drugs for kidney transplant recipients
- Legislation extending immunosuppressive drug coverage had been introduced in Congress for the past two decades
- HHS estimates that the bill will prevent approximately 375 transplant failures annually, and CBO projected Medicare savings of \$400 million over 10 years

## H.R. 8594 – Restore Protections for Dialysis Patients Act

- In response to a recent Supreme Court ruling that allowed private health plans to prematurely force ESRD patients onto Medicare (*Marietta Memorial Hospital Employee Health Benefit Plan v. DaVita Inc.*)
- Will ensure that individuals with ESRD continue to have equitable access to private healthcare
- Past legislation demonstrates CBO can see the value and savings
- The Immuno bill passed - Restore Protections for Dialysis Patients Act will be next

# Lame Duck

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**This month, both the House of Representatives and Senate are in town for a “Lame Duck” session**

- Policymaking period through the end of the year that will include lawmakers who will not be returning in the next Congress
- MUST DO ITEM: Fiscal Year (FY) 2023 Appropriations
  - The current Continuing Resolution funds the government only through December 16, 2022
  - Before leaving town for the holidays, Congress must fund the government, or it will shut down
  - On Tuesday, it was announced a deal was reached between both parties to fund the government through the fiscal year

# Questions?

Mitch Vakerics: [Mitchell.Vakerics@prime-policy.com](mailto:Mitchell.Vakerics@prime-policy.com)

Erin Graefe Dorton: [Erin.Graefe@prime-policy.com](mailto:Erin.Graefe@prime-policy.com)



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