



## Post-Election Review

November 13, 2020

### Highlights

#### Presidential

- President-elect Joe Biden announced during his celebratory speech that managing the SARS-COV-2 coronavirus (COVID-19) pandemic would be a top priority. He has formed a 13-member [COVID-19 taskforce](#) that includes prominent medical and public health experts which will be chaired by two former health agency officials, former U.S. Surgeon General Vivek Murthy, MD, and former U.S. Food and Drug Administration (FDA) commissioner David Kessler, MD.
- President-elect Biden also unveiled COVID-19 [priorities](#) including boosting domestic personal protective equipment production, increasing diagnostic testing, and reducing health disparities.

#### U.S. Senate

- All of the Senate vaccine champions running for re-election won their races.
- The Senate majority is not yet clear. It will be determined by the results of two January 5 runoff elections in Georgia.
- With Senator Lamar Alexander's retirement, the Republican chair position of the HELP committee is now open. Senator Richard Burr and Senator Rand Paul are next in line, respectively, due to seniority.

#### U.S. House of Representatives

- All of the House vaccine champions won their races for re-election except for Donna Shalala in Florida.

For up-to-date results, visit the National Public Radio's 2020 Election results [page](#).

Health care was the top [priority](#) for people in the U.S. this year, a trend that has been [consistent](#) over the past few elections. It was, of course, heightened this year due to the novel coronavirus pandemic. Much of the political discourse this election cycle, therefore, revolved around pandemic response and the rapid development of vaccines to aid our country in its fight against the disease.

Vaccinate Your Family has therefore prepared this brief report on election results and what we believe Congress must achieve during the "lame duck" session as well as the first months of the new Administration.

#### Presidential Elections & Administrative Priorities/Impacts

Both President Donald Trump and President-elect Joe Biden generated [unprecedented numbers of votes](#) in this year's Presidential election.

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Early rumored [picks](#) for Health and Human Services (HHS) Secretary include: Rep. Karen Bass (D-CA), the Congressional Black Caucus chair; former representative and current New Mexico Governor Michelle Lujan Grisham; and former U.S. Surgeon General Vivek Murthy, MD.

It is not yet clear what the new Administration's position will be on the following recent announcements from current Administration officials:

- **CMS Coverage announcement.** On October 28, the Centers for Medicare and Medicaid Services announced an interim final [rule](#) with coverage requirements for COVID-19 vaccines. The plan also included enhanced provider reimbursements and funding set aside under the provider relief fund for uninsured individuals and members of vulnerable patient populations. The rule's effective date is immediate, but comments will be accepted for up to 30 days following the announcement.
- **COVID-19 vaccine.** On November 11, Anthony Fauci, MD, head of the National Institutes of Allergy and Infectious Diseases, announced that a coronavirus vaccine may be [available](#) to the general public in the U.S. by April of next year. His comments were made in response to a press release from drug manufacturer Pfizer declaring that the vaccine proved to be 90 percent effective and may be ready for approval and distribution by December of this year. Moderna, another COVID-19 vaccine manufacturer, shared news that its product effectiveness information would be available by late November.

### **Congressional Elections and Impact on Current Immunization Bills**

Nearly all leading bill sponsors of vaccine bills during the 116<sup>th</sup> Congress were re-elected and will return for the 117<sup>th</sup> Congress (2021-2022). There is longstanding bipartisan support for immunization issues, but most of the public education and outreach bills included modest funding requests. Congress has work to do in the coming session to ensure everyone in the U.S. has access to, and a willingness to receive, COVID-19, and routine immunizations. Vaccinate Your Family believes each of the following bills should be passed during the lame-duck session and, if that does not happen, reintroduced and passed during the first months of the 117<sup>th</sup> Congress:

- The bipartisan ***VACCINES Act*** ([H.R. 2862/S. 1619](#)) provides funding for public education on vaccine-preventable diseases and to improve research and community engagement. All five House bill sponsors were elected this term or are leading. Rep. Kim Schrier (D-WA) is a pediatrician who won a district traditionally held by a Republican is leading in her race by 51.8 percent. All leading sponsors were re-elected except for Rep. Eliot Engel (D-NY), who lost his primary election. The sponsor of the U.S. Senate companion, Gary Peters, won a difficult race by 49.8 percent in a five-way contest.
- ***Community Immunity during COVID-19 Act*** ([H.R. 8061/S. 4737](#)) invests in local initiatives to boost vaccination rates during the pandemic. The bill's House lead, Rep. Lauren Underwood (D-IL), is a

freshman and former registered nurse who unseated a Republican Rep. who had the seat since 2011. Rep. Underwood's fate was uncertain, but on November 12 she was officially declared the winner with 50.6 percent support. Sen. Tina Smith (D-MN), the Senate sponsor, is also a congressional newcomer and faced a tough re-election, but won her race by 48.8 percent of the vote total in her four-person contest.

- ***Protecting Seniors through Immunizations Act or the Shingles Prevention Act*** (H.R. 5076/S.1872) was introduced by Sens. Mazie Hironi (D-HI), Shelley Moore Capito (R-WV), and Sheldon Whitehouse (D-RI) to eliminate Medicare Part D cost-sharing for immunizations. The only leading Senate sponsor up for re-election was Sen. Capito, who won her seat with 70 percent of the votes. The current Medicare Part B program allows broad access for preventive certain preventive immunizations, like influenza and pneumonia while the payment cost-sharing for patients is higher under Part D. **The bill's major House champion, Rep. Donna Shalala (D-FL), lost her 2020 election bid.** Other House sponsors were elected for additional terms such as Reps. Larry Buschon (R-IN) and Anne Kuster (D-NH). Rep. Phil Roe (R-TN) another primary sponsor, former physician, and House Doctors Caucus co-chair, retired this year.
- The ***Maternal Vaccines Enhancement Act*** ([S. 4690](#)) led by Sens. Maggie Hassan (D-NH) and Bill Cassidy will increase Tdap and influenza immunization rates among pregnant women within the Medicaid and CHIP program. Sen. Hassan was not up for election this year, but Sen. Cassidy easily won his 2020 race with over 59.3 percent support.
- The ***Helping Adults Protect Immunity (HAPI) Act*** ([H.R. 8725/S.4864](#)) provides for more consistent immunization coverage within Medicaid and CHIP programs. The lead Senate sponsor, Sherrod Brown (D-OH), was not up for re-election. The House sponsor Rep. Daren Soto (D-FL) was reelected with a 56 percent majority.
- The ***Securing Access for Vaccines (SAVE) for Seniors Act*** ([H.R. 8623](#)) led by Rep. Abigail Spanberger (D-VA) and Dusty Johnson (R-SD) amends the CARES Act to clarify that Medicare must cover a COVID-19 vaccine authorized for emergency use without cost-sharing. Both officials won their races, though Rep. Spanberger, a freshman and former CIA official, did so with a slim 50.9 percent margin. The other lead sponsors, Reps. Brian Fitzpatrick (D-PA), Ellisa Slotkin (D-MI), and Chrissy Houlahan (D-PA) will be returning to Congress next year.
- The ***Flu Vaccine Act*** ([H.R. 1371/S. 570](#)), sponsored by Rep. Rosa DeLauro (D-CT), provides research within the National Allergy and Infectious Disease Institute for a universal influenza vaccine. The Senate companion bill is led by Sen. Ed Markey (D-MA), who was just reelected after a tough primary battle with House Energy and Commerce Committee member Patrick Kennedy (D-NH).

The movement of these or other bills will of course depend upon leaderships in both Houses.

### **Committee Leadership Expectations**

Traditionally, House and Senate champions, many of whom serve as leaders within key health care committees, held **annual vaccination hearings** and introduced non-binding **resolutions**.

Most Senate vaccine champions were not up for election, such as Patty Murray (D-WA), ranking member of the Senate Health, Education, Labor and Pensions Committee. Chairman of the HELP Committee, Lamar Alexander (R-TN) is retiring. Alexander has been an important advocate who has highlighted vaccine safety and included vaccine confidence legislation within his signature **Lower Health Care Costs Act of 2019** ([S. 1895](#)) and within COVID-19 pandemic stimulus proposals.

Sen. Richard Burr (R-NC) is the most senior **HELP Committee** member but he may fully resume his Intelligence Committee duties. News [reports](#) say Burr may want the HELP Committee chairmanship, but health care stalwarts, like Susan Collins (R-ME) and Bill Cassidy (R-LA), could also be considered as potential chairs. Based on seniority, Sen. Rand Paul (R-KY), one of the most visible vaccine skeptics in Congress, would be next in line behind Burr within the HELP Committee. Paul is a libertarian and former ophthalmologist who is skeptical about vaccines mandates. During a 2019 [hearing](#), regarding the U.S. measles epidemics Paul expressed opposition to these mandatory immunizations when he said, “But I still do not favor giving up on liberty for a false sense of security.” Sen. Paul was the only lawmaker to raise doubts over vaccinations.

The Senate HELP Committee’s leadership decisions will be important to watch as its responsibilities include managing health agency confirmations and overseeing most public health emergency and vaccine infrastructure policies.

Other committees to watch include:

- **Senate Finance Committee:** Sen. Mike Crapo (R-ID) is expected to take over as chair because Grassley is term-limited and Ron Wyden will remain the ranking member. The Senate Finance committee oversees the Medicare and Medicaid programs.
- **Senate and House Appropriations Committees:** Sen. Richard Shelby (R-AL) is likely to maintain his position as the Appropriations Committee chair along with Patrick Leahy (D-VT) as Vice-Chair. On the House side, On the Appropriations Committee, veteran Rep. Rosa DeLauro (D-CT), the current chair of the Labor, Health and Human Services Appropriations Subcommittee is favored to follow retiring chair Nita Lowey (D-NY). Others vying for the chairmanship include Reps. Marcy Kaptur (D-OH) and Debbie Wasserman Schultz (D-FL).
- **House Energy and Commerce Committee:** Reps. Frank Pallone (D-NJ), Anna Eshoo (D-CA), and Diana DeGette (D-CO) are expected to maintain their leadership roles within the House Energy and Commerce full committee, Health Subcommittee, and Oversight and Investigations Subcommittee. All three are strong vaccine champions. On the Republican side, Rep. Mike Burgess (R-TX), the current Health Subcommittee ranking member is running for the Ranking Member slot to replace Rep. Greg Walden (R-OR), who retired. Rep. Burgess is a former obstetrician-gynecologist who has been a lead sponsor of numerous vaccine issues including sponsoring several Vaccinate Your Family briefings. Understanding the committee’s broad jurisdiction and aggressive health care agenda, the ranking member’s race for the committee's will be important to watch.
- **House Ways and Means Committee:** Leaders of the House Ways and Means Committee will remain the same with Rep. Richard Neal (D-MA) serving as chair and Kevin Brady (R-TX) retaining his ranking member position.

- **House and Senate Intelligence Committees:** Rep. Adam Schiff, a lead sponsor of the House’s bipartisan **Vaccines Saves Lives Act** ([H.Res.179/S. Res. 165](#)) and chair of the Intelligence Committee, an important oversight panel, returns to Congress. Schiff was instrumental in pushing Facebook and Pinterest to implement policies that will aid in removing anti-science, anti-vaccine content. Rep. Schiff’s name has been floated as a potential Biden administration agency secretary nominee. The Senate leads, Tammy Duckworth (D-IL) and Marsha Blackburn were not up for re-election this year.
- **House Oversight Committee:** Another important policy member with oversight credentials, Rep. Darrell Issa (R-CA), will return to Congress. Rep. Issa served as chair of the **House Oversight Committee** in the 115<sup>th</sup> Congress where he regularly engaged anti-vaccine advocates and had behind-the-scenes discussions about potential hearings. Currently, Rep. Carolyn Maloney (D-NY) is chair and Rep. James Comer (R-KY) is the ranking member. Both are likely to maintain their committee leadership positions.

### **Current “Lame Duck” Plans**

Congress reconvened for its “lame duck” session the week of November 9 with a major focus on approving the remaining fiscal year 2021 appropriations bills before December 11, when current continuing resolution funding expires. The Senate Appropriations Committee released all 12 outstanding bills that House leaders will review in the weeks ahead. A link to the health provisions can be accessed at this [link](#).

Vaccination advocates requested \$8 billion in vaccination infrastructure [funding](#); a request developed by a coalition of diverse stakeholders. The recommendation highlights the need to improve health technology, patient access, provider administration, research, and public education. Advocates are also actively promoting policies to ensure the equitable distribution of immunizations. It is Vaccinate Your Family’s hope to include these requests in an upcoming COVID-19 stimulus package although Congressional leaders have indicated that will not occur until early 2021.

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