

Environment, Obamacare in Focus on House Commerce (Corrected)

By Shira Stein and Tiffany Stecker | November 9, 2018 3:20PM ET

Democrats on the House Energy and Commerce Committee aim to shore up Obamacare and restore “gutted” environmental regulations in the next Congress.

Medicare for All, however, may wind up on the back burner even though many Democrats campaigned on the concept.

Democrats are also likely to cast a harsh spotlight on the Trump administration, and lawmakers on the Energy and Commerce Committee will be no exception. The Environmental Protection Agency and Health and Human Services Department will be front and center of a Democratic House’s push to investigate the Trump administration.

Under former Administrator Scott Pruitt, the EPA sought to roll back many of the agency’s regulations or planned regulations issued under President Barack Obama. Pruitt resigned in July after allegations of misusing agency funds, but his successor, acting Administrator Andrew Wheeler, has also come under Democratic scrutiny. Wheeler lobbied for several energy companies before his arrival at the EPA, including the coal mining company Murray Energy Corp.

Democrats can be counted on to needle Wheeler and other EPA officials on the implementation of the 2016 amendments to the Toxic Substances Control Act, the nation’s main industrial chemicals law. Environmental groups have criticized the Trump administration’s interpretation of the law, which is intended to tighten the regulation of chemicals coming to market.

Rep. [Frank Pallone Jr.](#) (D-N.J.), who expects to be chairman of the committee, said a key part of health-care oversight is looking at how HHS is making health care less affordable and what the department is doing to “jack up prices.”

The Trump administration has made sweeping changes to health care, especially shifting Medicare payment systems to value-based care, approving controversial policies for state Medicaid programs, and expanding the use of short-term health plans that skirt Obamacare consumer protections.



Photographer: Andrew Harrer/Bloomberg via Getty Images
Rep. Frank Pallone, a Democrat from New Jersey and ranking member on the House Energy and Commerce Committee.

Focus on Fixing Obamacare

“The most important thing is to stabilize the Affordable Care Act,” Pallone said.

President Donald Trump has been trying to sabotage the law, and “all his efforts are just driving up costs and making health insurance less affordable,” he said.

Democratic leaders from the three main House health-care committees have already introduced a bill to bolster the ACA. The bill would eliminate the cap on eligibility for premium tax credits and cost-sharing subsidies, prevent the expansion of short-term health plans, and preserve essential health benefits like protecting insurance coverage for people with pre-existing conditions.

“Democrats have made lowering Americans’ health costs a top priority for a Democratic Congress, and a core part of that is fixing the cruel and costly damage that Republicans’ ACA sabotage and destabilization effort has inflicted on insurance premiums across America,” Henry Connelly, a spokesman for House Minority Leader [Nancy Pelosi](#) (D-Calif.), told Bloomberg Government.

Although Medicare for All was an especially popular theme in the campaign, Pallone doesn’t expect that to be the first item on Democrats’ agenda.

Medicare for All can refer to a range of plans that would expand federal health programs, including a bill (S. 1804) sponsored by Sen. [Bernie Sanders](#) (I-Vt.) that would effectively replace all private health insurance with Medicare.

The makeup of Congress is going to require the majority to “focus on stabilizing the Affordable Care Act rather than come up with a totally new system, which probably won’t have the votes,” Pallone said.

Rep. [Anna Eshoo](#) (D-Calif.) supports Medicare for All, but she doesn’t expect it to happen now. She said the committee could hold hearings about moving toward it, getting rid of the Medicare Part D coverage gap, known as the doughnut hole, and talking about allowing Medicare to negotiate drug prices.

“I’m an advocate for negotiated prices under Medicare and trying to encourage generics,” to address the high cost of prescription drugs, Pallone said.

Restoring Environmental Protections

Under Wheeler, the EPA rolled back vehicle fuel economy standards and replaced the Obama administration’s plan to reduce carbon dioxide emissions from power plants.

“We will look to restore the environmental protections that have been gutted over the last two years,” Pallone said in a statement.

Legislation to address global warming will come back with renewed vigor after a recent U.N. report urged immediate action to curb a catastrophic outcome. Discussing climate change “will become much less of a problem,” Rep. [Bobby Rush](#) (D-Ill.), the current ranking Democrat on the Energy Subcommittee, said.

Uncertainty Around Health Chair

The current ranking Democrat on the Health Subcommittee, Rep. [Gene Green](#) (D-Texas), is retiring from Congress. That means someone else will need to step up to chair the subcommittee in the new Congress.

Democrats typically pick their chairs based on seniority, and Energy and Commerce is no exception. Pallone told Bloomberg Government the chair should be filled based on seniority. Pallone said he expects the current ranking Democrats of the subcommittees to become the chairs in the next Congress, except for Health.

Rep. [Eliot Engel](#) (D-N.Y.), the most senior member of the subcommittee, told Bloomberg Government he would not take the Health Subcommittee gavel because he would be chairman of the House Foreign Affairs Committee.

Rep. [Diana DeGette](#) (D-Colo.), who is next in line, told Bloomberg Government she would chair the panel if it was offered to her, but she doesn't know for sure that she will be leading it.

Rep. [Jan Schakowsky](#) (D-Ill.) told Bloomberg Government she expects to chair the Digital Commerce and Consumer Protection Subcommittee. She could also be in line for the Oversight Subcommittee, where DeGette is currently ranking member.

To contact the reporters on this story: Shira Stein in Washington at sstein@bloomberglaw.com; Tiffany Stecker in Washington at tstecker@bloombergenvironment.com

To contact the editors responsible for this story: Fawn Johnson at fjohnson@bloomberglaw.com; Brent Bierman at bbierman@bloomberglaw.com