

State of New Mexico

Legislative Council Service

**FEDERAL ACTIONS
PERTAINING TO HEALTH AND
HUMAN SERVICES IN NEW
MEXICO: PRESIDENTIAL
ACTIONS**

ZANDER DAWSON, STAFF ATTORNEY, LCS



OVERVIEW OF PRESIDENTIAL ACTIONS

- Since January 20:
 - 298 official presidential actions, including 46 on January 20.
- Presidential action categories:
 - Executive orders
 - Presidential memoranda
 - Presidential proclamations
 - Nominations and Appointments

JANUARY 20, 2025

-
- Executive Order 14148 (Initial Rescissions of Harmful Executive Orders and Actions):
 - Rescinded 78 executive orders and memoranda issued by Biden, including:
 - Orders requiring coordination between federal and local authorities when implementing COVID 19 policies.
 - Orders related to climate change mitigation.
 - Replaced by Executive Order 14162 (Putting America First in International Environmental Agreements)

JANUARY 20, 2025 CONT'D

- Executive Order 14155: (Withdrawing the United States From the World Health Organization)
 - Announces the nation's withdrawal from the WHO.
- Presidential Memorandum 2025-020032 (America First Trade Policy)

AMERICA FIRST TRADE POLICY

- Tariffs initially Announced on February 1, 2025:
 - Reciprocal Tariffs
 - “Fentanyl” Tariffs
 - Mexican, Canadian and Chinese origin goods
- Court of International Trade permanently enjoined the tariffs on May 28
 - United States Court of Appeals for the Federal Circuit issued a stay of the ruling on June 10.
 - Tariffs remain in effect, but the Federal Circuit will hold oral argument in the case on July 31.

EXECUTIVE ORDER 14273 (LOWERING DRUG PRICES BY ONCE AGAIN PUTTING AMERICANS FIRST)

- Issued April 15, 2025.
- Focuses on several broad prescription drug price policy areas, including:
 - Improving Medicare and Medicaid drug acquisition costs
 - Access to affordable insulin and epinephrine at FQHCs
 - Reevaluating the role of middlemen like PBMs.
 - Directs the director of the Office of Management and Budget to recommend policies to improve competitiveness, efficiency and transparency in the pharmaceutical supply chain.
 - Accelerating FDA approval of generic and biosimilar drugs.
 - Streamlining and improving drug importation.
 - “Streamlining” domestic production of pharmaceutical drugs.
- The president will be receiving policy recommendations on each of these areas within 90 to 180 days of the issuance of the order.

OTHER SIGNIFICANT ACTIONS

- **Executive Order 14212: (Make America Healthy Again)**
 - Establishing the Make America Healthy Again Commission. The commission's initial mission is to advise and assist the president on how to address the "childhood chronic disease crisis".
- **Executive Order 14214: (Keeping Education Accessible and Ending COVID-19 Vaccine Mandates in Schools)**
 - Prohibits discretionary federal funds from being used to support any educational service agency, state educational agency, local educational agency, elementary school, secondary school or institution of higher education that requires students to have received a COVID-19 vaccination to attend any in-person education program.
- **Executive Order 14216 (Expanding Access to In Vitro Fertilization)**
 - Required the Assistant to the President for Domestic Policy to submit a list of "recommendations on protecting in vitro fertilization (IVF) access and aggressively reducing out-of-pocket and health plan costs for IVF treatment."
 - Recommendations received by the president as of 5/22/25, and are currently under consideration.

OTHER SIGNIFICANT ACTIONS CONT'D

- Executive Order 14297 (Delivering Most-Favored-Nation Prescription Drug Pricing to American Patients)
 - Will require pharmaceutical manufacturers to charge a price for pharmaceutical drugs in the United States that is equal to the lowest price charged for the drug in any Organisation for Economic Co-operation and Development (OECD) country with a GDP per capita of at least 60 percent of the United States GDP per capita.
- June 6, 2025 Memorandum: (Eliminating Waste, Fraud and Abuse in Medicaid)
 - Directs the Secretary of Health and Human Services to “take appropriate action to eliminate waste, fraud, and abuse in Medicaid, including by ensuring Medicaid payments rates are not higher than Medicare, to the extent permitted by applicable law.”

WHAT'S NEXT?

- H.R. 1 (One Big Beautiful Bill Act)
 - Federal Budget Reconciliation
 - Allows Congress to pass budget-related measures with a simple majority in the Senate.
 - Passed the House on a 215-214 vote
 - Currently in the Senate.
 - Self-imposed deadline of July 4.
 - Subject to “Byrd Rule”, which restricts provisions to those with direct budgetary impacts.

POTENTIAL HEALTHCARE CHANGES IN OBBBA

- Changes to the healthcare system could include:
 - Instituting work requirements for certain people to receive Medicaid.
 - Increased cost sharing for Medicaid recipients.
 - Prevent Medicaid from being used for gender-affirming care.
 - Banning PBMs from using spread pricing.
 - Decrease in enrollment in health insurance exchanges across the country. Congressional Budget Office estimates 4.2 million people could lose insurance.