

Special Needs Alliance:

Public Policy News You Can Use



June 23, 2026

DOJ Issues Opinion Targeting Olmstead

The Department of Justice (DOJ) [issued a legal opinion](#) taking aim at *Olmstead v. L.C.*, the 1999 Supreme Court ruling establishing that unnecessary institutionalization of people with disabilities is a form of discrimination under the Americans with Disabilities Act (ADA). While the DOJ's opinion piece is not a court ruling, it represents a direct threat to decades of progress on community living and signals that the federal government may pull back on enforcing protections that allow individuals who want to or can receive services at home from being forced into institutional facilities. If federal enforcement weakens, The Arc [urges](#) people with disabilities and advocates to stay alert and prepared to rely more on private lawsuits and state-level advocacy if federal enforcement weakens.

MACPAC Releases Report to Congress

On June 15, the [Medicaid and CHIP Payment and Access Commission \(MACPAC\)](#) released the June 2026 Report to Congress. MACPAC's report consists of seven chapters covering:

- Community engagement requirements in Medicaid;
- Automation in prior authorization;
- Managed care accountability;
- Access to residential behavioral health treatment;
- Children and youth with special health care needs transitions to adult Medicaid coverage;
- Program of All-Inclusive Care for the Elderly (PACE) program audits, transparency, and standardized quality measure set; and
- Provider enrollment and credentialing in Medicaid.

MACPAC called on the Centers for Medicare and Medicaid Services (CMS) to release guidance on monitoring community engagement requirements, a policy that was largely absent from the recent interim final rule released earlier this month. Notably, MACPAC recommended that CMS develop a transparent plan for monitoring and evaluating community engagement requirements in Medicaid, which should provide insight into how such policies affect eligibility and enrollment.

Senate Health, Education, Labor and Pensions Committee Advances Eight Measures to Improve Health Care Access and Affordability

On June 17, the Senate Health, Education, Labor, and Pensions (HELP) Committee [advanced](#) eight bipartisan health care bills on organ transplant protections, prescription drug competition, stem cell research, maternal health, and other health care issues. Chairman Bill Cassidy (R-LA) emphasized the importance of moving bipartisan legislation efficiently while criticizing Ranking Member Bernie Sanders' (I-VT) amendments as unrelated "poison pills." On the other hand, Ranking Member Sanders argued his proposals addressed urgent priorities including community health center funding, workforce shortages, and prescription drug affordability.

Most of Ranking Member Sanders' amendments were tabled or defeated; however, one of his amendments was adopted. Ranking Member Sanders' amendment attached the Improving Needed Safeguards for Users of Lifesaving Insulin Now (INSULIN) Act ([S.4189](#)), which extends the \$35 per month cap to the commercial market, to the Ensuring Timely Access to Generics Act of 2025. Additionally, the Committee also adopted an [amendment](#) from Senator Jon Husted (R-OH) to the Medication Affordability and Patent Integrity Act that prevents a Chinese, Cuban, Iranian, North Korean, Russian, or Venezuelan person or business to claim patent infringement.

The Committee passed seven bills, six of which were unanimously approved. Additionally, the Ensuring Timely Access to Generics Act was held for further refinement ahead of a planned July markup. Chairman Cassidy closed the markup by emphasizing continued bipartisan work as the approved legislation moves to the Senate floor for consideration and vote.

Administration moves Special Education away from Ed., under HHS

The Trump administration [announced](#) it will move the Education Department's Office of Special Education and Rehabilitative Services (OSERS), which oversees programs supporting students with disabilities under the Individuals with Disabilities Education Act, to the Department of Health and Human Services (HHS). This move has drawn sharp criticism from

disability advocates, who argue it reflects a troubling shift to viewing disabled students as “sick” or as a medical diagnosis rather than as students with a right to be in classrooms. HHS Secretary Robert F. Kennedy Jr. has previously stated he believes special education to be a program focused on health, not education.

The move is part of the Administration’s broader fight to dismantle the Department of Education. Congress have the ability to block these changes, but members have shown little appetite to take on this issue. Senator Cassidy (R-LA), chairman of the Senate Committee on Health, Education, Labor and Pensions (HELP), announced in a hearing last week that he would work with Senator Tim Kaine (D-VA) on bipartisan legislation to block the rehousing of OSERS; however, Senator Cassidy is on a short timeline, having lost his primary ahead of the November midterm elections.

What’s on Tap

The House returns to session this week after a brief recess, leaving Congress with only four more weeks of concurrent in session in both chambers before August recess. Two weeks ago, [President Trump instructed](#) Republican congressional leadership to put forth a third budget reconciliation package that would provide the Pentagon with \$350 billion in supplemental funding for the Iran war and pass Trump’s voting reform legislation, the SAVE Act. GOP leadership in the House established a self-imposed deadline to [advance a reconciliation package by the end of July](#). To stay on schedule, the House would need to advance the budget resolution before their next recess for the July fourth holiday; however, this timeline is significantly shorter than the past two reconciliation efforts. House leadership is set to work to clarify the contents of the third reconciliation package on Wednesday. While the contents of the package are unclear, there will undoubtedly be some healthcare “pay-fors” included to offset defense spending.

Despite general support for a third reconciliation package among GOP House members, [tensions continue to grow](#) between the President and the Republican majority in the Senate. Three Republican Senators who lost the President’s support are set to retire at the end of the 119th Congress. These Senators have little loyalty remaining to the sitting president and jeopardize the Republicans’ 53-seat majority in the chamber. As Majority Leader John Thune (R-SD) works to negotiate the third reconciliation package, he’s expected to have trouble wrangling the slim majority.

The relationship between Congress and the White House has reportedly been further strained by the President’s unrelenting calls to pass the SAVE Act, which has already failed on the Senate floor five different times. The Saving American Voter Eligibility (SAVE) Act, requires

voters to provide proof of citizenship to vote in federal elections. While it is illegal for non-citizens to vote in federal elections, the bill will create additional barriers for citizens to register to vote. On Wednesday, President Trump is set to meet with the Republican Steering Committee at the invitation of Senator Rick Scott (R-FL).

In parallel, lawmakers have continued to make progress on the Fiscal Year (FY) 2027 appropriations cycle. Earlier this month, the House Appropriations Committee [approved](#) the Labor, Health and Human Services, and Related Agencies appropriations bill, which would provide the Department of Health and Human Services (HHS) with \$111 billion in funding for the next fiscal year – a \$4 billion cut compared to current funding. Senate Appropriations Chair Susan Collins (R-ME) [scheduled a markup](#) this week on four spending bills for FY 2027, including the bill to fund the Food and Drug Administration (FDA), despite ongoing partisan disagreements on how to appropriate discretionary funding between defense and non-defense programs. Senate Appropriations Vice Chair Patty Murray (D-WA) indicated that Democratic support for any appropriations bills will be contingent upon an agreed split of discretionary spending. If the appropriations process continues to stall, it could position Congress for the fourth government shutdown of the second Trump Administration.

Upcoming Events

Senate

- In Session, June 22–26
- Thursday, June 25 10:00AM | Senate Appropriations Committee holds a markup to consider [Agriculture, Rural Development, Food and Drug Administration, and Related Agency Appropriations Act, 2027, Military Construction, Veterans Affairs, and Related Agencies Appropriations Act, 2027, Commerce, Justice, Science, and Related Agencies Appropriations Act, 2027, Legislative Branch Appropriations Act, 2027](#) | 106 Dirksen Senate Office Building
- Wednesday, June 24 2:00PM | Joint Economic Committee holds a hearing on [Protecting Patients and Taxpayers: Combating Healthcare Fraud and Leakage to Strengthen Program Integrity](#) | G-50 Dirksen Senate Office Building

House

- In Session, June 23–26
- Thursday, June 25 10:15AM | House Committee on Energy & Commerce holds a hearing on [State Medicaid Program Integrity: Examining Fraud Risks and Oversight Deficiencies](#) | 2123 Rayburn House Office Building