

Special Needs Alliance:

Public Policy News You Can Use



September 16, 2025

DOJ Sues Uber for Denying Rides to Passengers with Disabilities

On Friday, September 12th, the Department of Justice (DOJ) [filed](#) a lawsuit against Uber Technologies Inc. alleging discrimination against passengers with disabilities, including those with service animals and mobility devices. The DOJ claims Uber and its drivers routinely refuse to serve individuals with disabilities, impose impermissible surcharges by charging cleaning fees for service animals and cancellation fees for unlawful service denials, and refuses to reasonably modify their policies, practices, or procedures to avoid discrimination. In the lawsuit, the DOJ seeks \$125 million for the individuals who were subject to discrimination and previously submitted complaints to Uber or the DOJ. Additionally, the suit requests a court order to force Uber to stop discriminating against individuals with disabilities, modify its policies to comply with the Americans' with Disabilities Act (ADA), and train its staff and drivers on the ADA.

North Dakota HHS Considers Expanding HCBS to IID/DD

The North Dakota Department of Health and Human Services (HHS) [seeks](#) public comment on an amendment to the state's Medicaid Traditional Individuals with Disabilities/Developmental Disabilities (IID/DD) Home and Community-Based Services (HCBS) waiver from April 1, 2025. North Dakota HHS proposed to expand the services to include host homes for youth with developmental disabilities. Host homes ensure families in crisis have a family setting that is licensed where the youth can temporarily receive specialized training and support to meet their needs and move from crisis to stabilization. The proposed amendment is supported by the 2025 North Dakota Legislature's approval for funding host homes. North Dakota HHS states the availability of host homes meets their strategic priority to advance the foundations of well-being through access to high-quality services and supports. Commenters must submit their responses by September 28th by emailing hzander@nd.gov, calling (701)328-

8945, 711 (TTY), or mailing written responses to Heidi Zander at the North Dakota Health and Human Services – Developmental Disabilities Section.

CMS Releases OBBBA-related Guidance for State Directed Payments in Medicaid

The Centers for Medicare & Medicaid Services (CMS) issued [new guidance](#) for State Directed Payments (SDPs) in Medicaid managed care. The CMS guidance letter provides clarity on CMS's interpretation and expected application of the reduced payment limits in the [One Big Beautiful Bill Act \(OBBBA\)](#). Under Section 71116 of the OBBBA, SDPs for inpatient and outpatient hospital services, nursing facility services, and qualified practitioner services at academic medical centers cannot exceed 100% of the Medicare rate in expansion states, and 110% of Medicare rates in non-expansion states. The act also includes a grandfathering clause for certain SDPs in rating periods occurring within 180 days of the date of the enactment. Notably, CMS interprets this provision as applying to SDPs in rating periods occurring 180 days before or 180 days after July 4, 2025. The phase down for grandfathered SDPs is effective for rating periods beginning on or after January 1, 2028. Until then, states cannot increase this amount under any change or revision to the grandfathered SDP, but states may choose to decrease their SDPs at any time. Grandfathered SDPs cannot exceed 100% of the average commercial rate as required under current regulation. Lastly, CMS noted that they are considering changes to payment rate limits for other services outside of the four outlined in the OBBBA. CMS is expected to release an SDP proposed rule soon.

Make America Healthy Again Commission Releases the Make Our Children Healthy Again Report

The Make America Health Again (MAHA) Commission released the [Make Our Children Healthy Again Strategy](#). The Commission is tasked with addressing the root causes of childhood chronic disease. Today's 120-initiative document focuses on reversing childhood chronic disease by addressing its root causes. The HHS Press Office [highlights](#) a number of key strategy areas around dietary guidelines, food labeling, public awareness campaigns on nutrition and physical activity, modernizing vaccines, and FDA approval pathways. Notably, the report also includes criticism of immunization safety but stopped short on addressing pesticide usage, which was one of Secretary Kennedy's original promises to address when appointed to his current position.

AAFP Urges Review of Top HHS Leadership Amid Public Confidence Decline

The American Academy of Family Physicians (AAFP) [published a statement](#) on September 10th denouncing Secretary Kennedy's leadership and calling for President Trump to "continue prioritizing the health and safety of the American people by re-evaluating Secretary

Kennedy's ability to serve in his current capacity." AAFP notes that public confidence in the Department of Health and Human Services (HHS) has declined, with [Pew Research Center](#) reporting that it has fallen below 50%, an 8-point decrease in the past eight months and a 20-point decline over the past decade. AAFP also stated that Secretary Kennedy's recent actions and testimony have contributed to reduced public confidence in HHS's ability to deliver clear, evidence-based guidance on public health issues. In response, the organization noted they "have no choice but to call for action". AAFP also called on Congress to strengthen its oversight of HHS to protect the health of Americans. This statement comes on the heels of a tense Senate Finance Committee hearing with the Secretary last week and just weeks after several top CDC officials, including the agency's director, resigned.

FY 2026 LHHS Appropriations Full Committee Markup

On September 9th, the House Appropriations Committee conducted a full markup of the [Fiscal Year 2026 Labor, Health and Human Services, Education, and Related Agencies \(LHHS\) appropriations bill](#). During the markup, Democrats expressed opposition to the current draft, and several amendments have been introduced. The committee released the bill on September 1st, followed by subcommittee markup on September 2nd. The HHS provisions of the bill propose \$108 billion in discretionary spending, representing a \$7 billion (6%) reduction from the FY25 enacted level. This funding level is lower than the Senate's proposed \$116 billion but higher than the \$94.7 billion requested in the Trump administration's budget. The full committee markup is ongoing.

Path Forward on Government Funding and ACA Subsidies Remains Unclear in Congress

There are [growing tensions](#) on Capitol Hill surrounding government funding negotiations ahead of the September 30th expiration of the continuing resolution (CR) passed in March of this year. The White House and GOP hard-liners are advocating for a stopgap funding measure through January 31st of 2026, which would block Congress from completing the 12-bill appropriations process to set new funding levels for fiscal year 2026. Appropriators and more centrist lawmakers are pushing for a shorter CR to allow for full-year funding negotiations and a potential healthcare package. President Trump is yet to weigh in on funding negotiations, but his opinion will undoubtedly carry substantial weight with Republicans in both chambers.

On the other side of the aisle, Democrats are also divided on what stance to take during funding negotiations. Many are proposing to support a funding package only if the Affordable Care Act (ACA) subsidies, which are [set to expire](#) at the end of this year, are extended beyond 2025. Several Democrats have signaled their willingness to hold firm during negotiations, even if it results in a lapse in government funding, should their demands remain unmet.

Senate Majority Leader John Thune (R-SD) has thrown his support behind a clean CR this month that would exclude an extension for ACA subsidies – increasing the likelihood of a shutdown at the end of this month.

HHS Steps Up Enforcement of Health Information Blocking

The Department of Health and Human Services (HHS) [announced](#) an increased focus on [electronic health information blocking](#) enforcement. In President Trump's first term, [regulations](#) implementing the 21st Century Cures Act required providers to allow patients free access to their electronic health information and health information technology developers to comply with standards that support the free flow of patient data. The HHS Office of the Inspector General (OIG) later finalized enforcement penalties for providers and developers found to be information blocking. Last week's announcement signals that the Office of the Assistant Secretary for Technology Policy (ASTP) will collaborate with the HHS OIG to begin enforcement in earnest. ASTP/ONC warns providers and developers to comply with regulatory requirements, reiterating penalties including fines, certification termination, and disincentives in Centers for Medicare and Medicaid Services (CMS) programs. This announcement aligns with Secretary Kennedy's Make America Healthy Again (MAHA) agenda and [Making Health Tech Great Again](#) initiative which aims to address chronic diseases by empowering individuals with their health data and promoting health information technology integration. Patients and innovators who have experienced health information blocking were directed to submit reports on the [Information Blocking Portal](#).

President Trump Signs Memo on Pharmaceutical Advertising

On September 9th, President Donald Trump issued a [presidential memorandum](#) that aims to protect Americans against the advertising of prescription drug products. The FDA has long required drug makers to share information about the benefits and risks of their products, but over time, according to the President, those advertising rules have loosened, especially for television and online ads, while drug marketing has surged. The Administration is now pushing to tighten standards, directing the Department of Health and Human Services (HHS) and the Food and Drug Administration (FDA) to ensure prescription drug ads are transparent, accurate, and include risk information where possible. The objective is to provide the public with transparent, comprehensive information to support health decision-making. This memorandum builds on President Trump's earlier push for most-favored-nation drug pricing, urging pharmaceutical companies to bring down the costs of prescription drugs.

What's on Tap

House Republican leadership is expected to [introduce](#) a short-term continuing resolution (CR) that would keep the government funded through November 20th, providing lawmakers an additional seven weeks to negotiate a broader spending deal for the FY 2026

appropriations bills. The stopgap funding bill set to be introduced in the House notably lacks any demands that Democrats have proposed, indicating that House Republicans are expecting to pass the legislation without Democratic votes. Members of Congress have only 15 days until the expiration of government funding on the 30th and have even less working days with next week's scheduled recess in observance of Rosh Hashanah.

Although Democrats have so far been seemingly excluded from funding negotiations on the House side, Republicans in the Senate will need to win some Democratic support in order to bypass the filibuster. Democrats have [indicated](#) that the top concession they are seeking from Republicans is an extension of the Affordable Care Act's (ACA) premium enhanced tax credits that were originally passed during the pandemic. The tax credits are set to expire at the end of this year, and without congressional intervention, could lead to over [4 million people](#) losing healthcare coverage in the next decade. Senate Majority Leader John Thune (R-SD) had signaled an openness to extending the tax credits but has instructed Democrats to present a plan outside the confines of a government funding deal. Democrats in both chambers have publicly stated that they will not supporting a funding package that does not extend the ACA tax credits, increasing the likelihood of a government shutdown at the end of the month.

In parallel to government funding talks, the House Energy & Commerce Subcommittee on health is set to [hold a hearing](#) this week on access to breakthrough medical technologies for seniors. The Subcommittee plans to consider four bills during the hearing, focusing on early cancer detection technology, transparency in the coverage determination process, and reducing red tape for Medicare beneficiaries to access the newest medical technology. The hearing comes on the heels of an Office of the Inspector General (OIG) [report](#) that found over \$10 billion in Medicare Part B spending on skin substitutes.

Upcoming Events

Senate

- In Session: September 15th –19th
- Wednesday, September 17, 10:00am | [Senate HELP Committee holds a hearing on the Recent Events at the Centers for Disease Control and Prevention and the Implications for Children's Health](#) | 430 Dirksen Senate Office Building

House of Representatives

- In Session: September 15th – 19th
- Thursday, September 18, 9:30am | [House E&C Subcommittee on Health holds a hearing on Examining Policies to Enhance Seniors' Access to Breakthrough Medical Technologies](#) | 2123 Rayburn House Office Building