



# HIMSS PUBLIC POLICY

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## 2018 Midterm Election Outcomes and Analysis

**HIMSS**  
*transforming health through information and technology*™

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# Congressional Elections

# Results

- **Democratic Controlled House – 228 Democrats - 199 Republicans – 8 Races**  
TBD (Democrats Leading in 3, Republicans in 5)
- **Republican Controlled Senate – 52 Republicans - 47 Democrats - (FL TBD)**  
(Projecting MS as a Republican win)
- Divided Government
- This is the first time since 1986 that we have a Republican President, Republican Senate, and Democratic House, and the
- First time since 2010 that Democrats have a House majority.
- This is the third time in the past 100 years that the party holding the White House has gained seats in the Senate in a mid-term election while losing seats in the House. The same outcome also occurred in 1970, 1962 and 1914.

# Results Cont.

- As of 10 AM (ET) on 11/13 Democrats have flipped 36 House seats, while Republicans have flipped 3, for a net Democratic gain of 33 seats.
- The likely House composition for the 116<sup>th</sup> Congress will be 231 Democrats and 204 Republicans.
- Republicans currently have 51 Senate seats to Democrats 47 seats. The race Florida have yet to be officially called, and Mississippi is headed for a run off since neither candidate reached the 50% vote-threshold required by state law.
- In Mississippi, it is highly likely that the Republicans will be victorious, bringing the GOP senate majority to at least 52 seats.

# Results Cont.

- A record number of women, minorities, and first-time candidates ran for office this election cycle.
- Over 100 women were elected to Congress, as well as 77 Military Veterans
- It is important to note that while the Democrats won a majority in the House, this election, by historical standards (a loss of 48 seats by the Presidents party) should not be considered a wave election.
- However they did manage to win in a number of congressional districts gerrymandered to favor Republicans

# Factors Behind Democrats Winning a House Majority:

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- Midterm elections are always a referendum on the President
- President Trump's unpopularity in urban and suburban congressional districts was a big factor
- Majority of Dem seat pick-ups took place in suburban congressional districts across the country
- High voter turnout and enthusiasm

# Factors behind Republicans Retaining Control of the Senate and Gaining Seats:

- President Trump's high level of popularity in rural areas
- Unfavorable Map – Democrats went into the night defending 26 seats to 9 Republicans seats
- Most competitive races took place in states Trump won in 2016
- Democratic Senate losses in Indiana, Missouri, and North Dakota are states Trump won in 2016.

# Notable Departures from Congress

## House:

- **Rep. Paul Ryan (R-WI)** – Current Speaker of the House
- **Rep. Diane Black (R-TN)** – Nurse and Telehealth Advocate
- **Rep. Greg Harper (R-MS)** – Telehealth Advocate and 2016 Congressional Leadership Awardee
- **Rep. Gene Green (D-TX)** – Ranking Member, Energy and Commerce Health Subcommittee
- **Rep. Pat Tiberi (R-OH)** – Chairman, Ways and Mean Health Subcommittee
- **Rep. Tim Walz (D-MN)** – Ranking Member, Veterans Affairs Committee and 2018 Congressional Leadership Awardee *\*\*Won the 2018 Minnesota Gubernatorial election\*\**

## Senate:

- **Sen. Orrin Hatch (R-UT)** – Chairman, Senate Finance Committee and 2017 Congressional Leadership Awardee

# Members moving from the House to the Senate:

- **Rep. Jacky Rosen (D-NV)** – Rep. Rosen won the Senate contest in Nevada, defeating Republican incumbent Dean Heller, and will be moving from the House to Senate in January. Senator-elect Rosen currently represents Nevada's 3rd district, and her background as a computer software developer and systems analyst, and her previous work around telehealth and funding for ONC in the House makes her a likely Health IT champion in the Senate.
- **Rep Marsha Blackburn (R-TN)** – Rep. Blackburn won the open Senate race in Tennessee and will be moving from the House to the Senate in January. While serving in the House, Rep. Blackburn has been a champion of telehealth, expanding rural broadband, and innovation in healthcare. Rep. Blackburn serves on the House Energy and Commerce Committee, and chairs the Communications and Technology subcommittee.

# Notable New Members – Potential Health IT Champions

- **Max Rose (D-NY-11)** – Max Rose defeated incumbent Congressman Dan Donovan to become the next representative for New York's 11<sup>th</sup> Congressional district. Max is the former Chief of Staff for Brightpoint Health, a non-profit healthcare organization based in New York City. Max is also a Veteran of the U.S. Army. He served as an active duty officer in Afghanistan from 2012-2013, and earned a Bronze Star, Purple Heart and Combat Infantryman Badge.
- **Rep. Lauren Underwood (D-IL-14)** – Lauren Underwood defeated incumbent Congressman Randy Hultgren to become the next representative for Illinois 14<sup>th</sup> Congressional district. Lauren is a registered nurse and has a background in health policy. Underwood previously served as an appointee in the Administration of President Barack Obama, serving as a Special Assistant from November 2014 – October 2016, and Senior Advisor from October 2016 – January 2017 with the Office of the Assistant Secretary for Preparedness and Response within the U.S. Department of Health and Human Services.

# Post-Election Dynamics - House

- ACA repeal, restructuring of Medicaid are settled issues (i.e., dead)
- Oversight, oversight, oversight (House has subpoena power)
- Potential positive for non-defense spending negotiations during 2020 budget cliff debate
- Potential for bipartisanship on an infrastructure package
- New Committee leadership & new Members = learning curve
- The next Democratic speaker (likely Nancy Pelosi) will have to navigate a divided caucus of centrists and progressives

# Potential House committee chairs based on seniority (1/2)

Committee	Chair	Ranking Member
Administration	Zoe Lofgren (D-NY)	Rodney Davis (R-IL)
Agriculture	Collin Peterson (D-MN)	Mike Conaway (R-TX)
Appropriations	Nita Lowey (D-NY)	Robert Aderholt (R-AL)
Armed Services	Adam Smith (D-WA)	Mac Thornberry (R-TX)
Budget	John Yarmuth (D-KY)	Steve Womack (R-AR)
Education and the Workforce	Bobby Scott (D-VA)	Virginia Foxx (R-NC)
Energy and Commerce	Frank Pallone (D-NJ)	Greg Walden (R-OR)
Ethics	Ted Deutch (D-FL)	Susan Brooks (R-IN)
Financial Services	Maxine Waters (D-CA)	Peter King (R-NY)
Foreign Affairs	Eliot Engel (D-NY)	Chris Smith (R-NJ)

# Potential House committee chairs based on seniority (2/2)

Committee	Chair	Ranking Member
Homeland Security	Bennie Thompson (D-MS)	Mike Rogers (R-AL)
Intelligence	Adam Schiff (D-CA)	Devin Nunes (R-CA)
Judiciary	Jerry Nadler (D-NY)	Steve Chabot (R-OH)/ Doug Collins (R-GA)
Natural Resources	Raul Grijalva (D-AZ)	Rob Bishop (R-UT)
Oversight & Government Reform	Elijah Cumming (D-MD)	Jim Jordan (R-OH)
Rules	Jim McGovern (D-MA)	Tom Cole (R-OK)
Science, Space & Technology	Eddie Bernice Johnson (D-TX)	Dana Rohrabacher (R-CA) (If loss, Frank Lucas (OK-3))
Small Business	Nydia Velázquez (D-NY)	Steve Chabot (R-OH)/ Steve King (R-IA)
Transportation & Infrastructure	Peter DeFazio (D-OR)	Sam Graves (R-MO)
Veterans' Affairs	Mark Takano (D-CA)	Phil Roe (R-TN)
Ways & Means	Richard Neal (D-MA)	Kevin Brady (R-TX)

## Post-Election Dynamics - Senate

- “Bad blood” between Majority Leader McConnell and Pelosi
- Opposing Agendas – House – Senate
- Bipartisanship as a necessity bodes well for health IT priorities (opioids, cyber, telehealth, etc.)
- With an expanded Republican majority, the Senate can easily confirm judges and cabinet nominees
- Still need 60 votes to end debate and pass legislation

# Potential Senate committee chairs based on seniority (1/2)

Committee	Chair	Ranking Member
Aging	Susan Collins (R-ME)	Bob Casey, Jr. (D-PA)
Agriculture, Nutrition, & Forestry	Pat Roberts (R-KS)	Debbie Stabenow (D-MI)
Appropriations	Richard Shelby (R-AL)	Patrick Leahy (D-VT)
Armed Services	Jim Inhofe (R-OK)	Jack Reed (D-RI)
Banking, Housing, & Urban Development	Mike Crapo (R-ID)/ Pat Toomey (R-PA)	Sherrod Brown (D-OH)
Budget	Mike Enzi (R-WY)	Bernie Sanders (I-VT)
Commerce, Science, & Transportation	John Thune (R-SD)	Bill Nelson (D-FL) (Maria Cantwell (D-WA) if loss)
Energy & Natural Resources	Lisa Murkowski (R-AK)	Maria Cantwell (D-WA)/ Ron Wyden (D-OR)
Environment & Public Works	John Barrasso (R-WY)	Tom Carper (D-DE)
Ethics	Johnny Isakson (R-GA)	Christopher Coons (D-DE)

# Potential Senate committee chairs based on seniority (2/2)

Committee	Chair	Ranking Member
Finance	Chuck Grassley (R-IA)/ Mike Crapo (R-ID)	Ron Wyden (D-OR)
Foreign Relations	Jim Risch (R-ID)/ Marco Rubio (R-FL)	Bob Menendez (D-NJ)
Health, Education, Labor, & Pensions	Lamar Alexander (R-TN)	Patty Murray (D-WA)
Homeland Security & Government Affairs	Ron Johnson (R-WI)	Tom Carper (D-DE)
Indian Affairs	John Hoeven (R-ND)	Tom Udall (D-NM)
Intelligence	Richard Burr (R-NC)	Mark Warner (D-VA)
Judiciary	Chuck Grassley (R-IA)/ Lindsay Graham (R-SC)	Dianne Feinstein (D-CA)
Rules & Administration	Roy Blunt (R-MO)	Amy Klobuchar (D-MN)
Small Business & Entrepreneurship	Jim Risch (R-ID)/ Marco Rubio (R-FL)	Jeanne Shaheen (D-NH)
Veterans' Affairs	Johnny Isakson (R-GA)	Jon Tester (D-MT)

# State Elections

(as of 11/13/18)

According to Ballotpedia, over **6,000 state legislative seats** were up for grabs along with **36 open governorships** in the 2018 mid-terms.

- The latest results (from Ballotpedia) as of 1:00 pm ET, Wednesday, November 7, 2018, include:
  - Democrats took seven governorships, with one that is still outstanding (Georgia).
  - Republicans took one governorship (Alaska).
  - **Trifectas** (i.e. one party holds a majority in both chambers of the legislature and governorship) changed in **11 states**, with one state undecided (Georgia). The new trifecta count stands at:
    - 14 Democratic; and
    - 22 Republican.

(While 13 states' governors and both chambers majority are divided by party)
  - These trifecta levels are similar to those following the 2014 midterms, when Republicans held 24 and Democrats 13.
  - The **only state left** with a divided legislature is **Minnesota** (This is the lowest number of divided legislatures **in over 100 years!** (NCSL))

# Snapshot of State Election Results

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- Colorado: Democrats won control of the Colorado Senate.
- Illinois: Democrats won the governor's office with J.B. Pritzker (D) defeating incumbent Bruce Rauner (R).
- Maine: Democrats won control of the Maine Senate and took the governor's office with Maine Attorney General Janet Mills (D) defeating Shawn Moody (R) and State Treasurer Teresea Hayes (I). Incumbent Gov. Paul LePage (R) was term-limited, leaving the seat open.
- New Mexico: Democrats won the governor's office with U.S. Rep. Michelle Lujan Grisham (D) defeating U.S. Rep. Steve Pearce (R). Incumbent Gov. Susana Martinez (R) was prevented by term limits from seeking a third term, leaving the seat open.
- New York: Democrats won control of the New York Senate.
- Nevada: Democrats won the governor's office with Steve Sisolak (D) defeating Adam Laxalt (R).

# Results continued

- Kansas: Democrats won the governor's office with State Sen. Laura Kelly (D) defeating Secretary of State Kris Kobach (R). Incumbent Gov. Jeff Colyer (R), who took office following former Gov. Sam Brownback's resignation in January 2018, ran for a full term but was defeated by Kobach in the August 7 primary, leaving the seat open.
- Michigan: Democrats won the governor's office with former state Senate Minority Leader Gretchen Whitmer (D) defeating Michigan Attorney General Bill Schuette (R). Incumbent Gov. Rick Snyder (R) was term-limited, leaving the seat open.
- Wisconsin: Democrats won the governor's office with Tony Evers (D) defeating incumbent Scott Walker (R).

# How do these elections impact healthcare?

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- Overall, healthcare was a significant lynchpin in the 2018 state mid-term elections. Candidates prioritized healthcare focusing on Medicaid expansion from the Affordable Care Act (ACA).
- Medicaid Expansion is important to the health information and technology community because it expands access to coverage for millions of Americans that fall below the poverty line.
- The [Centers for Medicare and Medicaid](#) (CMS) has granted states opportunities through the Medicaid 1115 waiver program or the [90 percent enhanced federal financial participation \(FFP\) for Medicaid technology investment](#) (aka 90/10 Match) to modernize state health IT systems and improve prevention, early identification, and treatment of both physical and behavioral health needs.
- Expansion states have access to new more flexible funding opportunities that can empower states and local health providers to improve response to public health crises such as the opioid epidemic and chronic diseases through surveillance, and care integration across the spectrum of community providers.

# State Medicaid Expansion Efforts

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- The mid-term state elections saw a number of states place healthcare directly on their ballot.
  - Voters from **Idaho**, **Nebraska**, and **Utah** approved measures to adopt Medicaid Expansion.
- **Utah** added a stipulation to increase in their sales tax from 4.7 to 4.85 percent help finance the expansion.
- **Montana** and **Oregon**, both of which have expanded the Medicaid program, left the decision of how to continue financing the expansions to their constituents.
- The citizens of **Oregon** chose to increase assessments/taxes on health insurance premiums to create additional revenue to support the Medicaid expansion in specific hospitals.
- **Montana** voters declined to increase taxes on all tobacco products, even electronic cigarettes to fund the expanded eligibility of Medicaid and other health programs. Without this additional funding, some services will expire in mid-2019.

# Opportunity to Impact

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- Based on the 2018 mid-term elections, HIMSS Chapter Advocates should seek opportunities to elevate health information and technology issues by taking action to address the following areas:
  - State Action on the Opioid Crisis
  - Health IT & Public Health Modernization
  - Medicaid Expansion
    - Expanding access to care to underserved populations
    - Telehealth
- SGA team plans to provide situational awareness and resources for Chapter Advocates for identifying and building relationships with the many newly elected state legislators, in particular, the leaders of Health/Innovations committees

# Opportunities cont.

- Sample states where CAR Members should pay close attention:
  - The newly elected Governor of **Kansas**, Laura Kelly and Governor of **Wisconsin**, Tony Evers both pledged to expand Medicaid.
  - Since GOP Gov. Paul LePage was replaced by Democrat, Janet Mills, **Maine** hopes to benefit from the long-delayed Medicaid expansion
- The SGA team will continue to monitor new state health IT policies and initiatives through the new year by tracking:
  - Governors' state-of-the-state addresses or priorities
  - State strategic plans, (Medicaid, Opioids, etc.); and
  - Statewide health IT modernization efforts.

# HIMSS State Advisory Roundtable (SAR) Members & Government Awardees: Election Outcomes

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## ➤ SAR Members

- Florida State Representative **Gayle Harrell (R)** beat out **Robert Levy for Florida State Senate** District 25
- New Hampshire Representative **Cindy Rosenwald (D)** won the **New Hampshire State Senate race** to replace fellow Democrat Bette Lasky for State Senate District 13
- **Brian Patrick Kennedy (D)** was reelected to the **Rhode Island House of Representatives**, representing District 38

## ➤ NCSL State Innovations Taskforce Members

- **Deb Soholt (R)** was reelected to the South Dakota State Senate, representing District 14

# HIMSS State Advisory Roundtable Members & Government Awardees: Election Outcomes (continued)

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## ➤ Status of 2015-2018 HIMSS State Officials of the Year and Congressional Leadership Awardees

- 2015 HIMSS State Official of the Year, **Perry Buck (R)** was reelected to the **Colorado House of Representatives**, representing District 49
- 2016 HIMSS State Official of the Year, **Matthew Baker** resigned on February 19, 2018, to become the regional director of the Office of Intergovernmental and External Affairs at the U.S. Department of Health and Human Services office in Philadelphia
- 2018 PA State Official Awardee, **Jesse Topper (R)** was reelected to the Pennsylvania House of Representatives, representing District 78
- Lt. Gov. Gavin Newsom (D) won the California Governor's seat
  - 2017 HIMSS State Official of the Year, **Sen. Ed Hernandez (D)** was lost the California Lt. Governor Race to Eleni Kounalakis (D)
- Tim Walz (D-MN), U.S. Representative from Minnesota's 1st Congressional District, won the race for Governor of Minnesota. HIMSS awarded Congressman Walz with a Congressional Leadership Award in Fall 2018.