

Vital Briefing

Trump's presidential win signals big changes for health policy

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Donald Trump won the 2024 presidential election, which could mean big changes for health policy, particularly with both the Senate and the House of Representatives likely having a Republican majority when the new Congress begins in January. While Trump was vague on many specific health policy issues during his campaign, his first term as the 45th president is a strong indicator of what he could attempt to accomplish during his second term, from chipping away at the Affordable Care Act (ACA) to limiting Medicaid coverage. Abortion rights were also a prominent issue during the campaign, and though Trump said he would veto a national ban, he is almost certain to halt attempts by the Biden

Administration to preserve access to abortions after the U.S. Supreme Court overruled *Roe v. Wade*. One unknown, however, is the exact role Robert F. Kennedy Jr. will play after Trump promised to let him “go wild” on health.

RFK Jr. to Play “Very Big Role”

Robert Kennedy Jr., a prominent vaccine skeptic who endorsed Trump after ending his own campaign, is poised to take on a major health leadership role during Trump's second term. Trump has [said](#) that Kennedy is “going to have a big role in health care, a very big role,” and that he would [allow](#) Kennedy to “go wild on” health, food, and “medicines” if he won. Kennedy claimed that Trump [promised](#) him “control” over public health agencies, including HHS. However, a member of Trump's transition team [said](#) that Kennedy would not be named HHS Secretary, a position that requires Senate confirmation.

In late October Kennedy [tweeted](#), “FDA's war on public health is about to end.” He warned, “If you work for the FDA and are part of this corrupt system, I have two messages for you: 1. Preserve your records, and 2. Pack your bags.” In a post-election [interview](#) he said that certain departments of the FDA “have to go.”

Kennedy said in the [interview](#) that he's not “going to take away anyone's vaccines,” clarifying that he wants people to have

access to scientific studies so that they make informed decisions on whether to take a particular vaccine. Trump [said](#) he'll “make a decision” as to whether certain vaccines will be banned after talking to Kennedy and others.

Kennedy also plans to “[Make America Healthy Again](#) by ending the chronic disease epidemic” and [recommended](#) that fluoride be removed from drinking water.

Reproductive Rights

Abortion rights were a [major focus](#) of the presidential campaign, with Trump taking credit for the [overturning](#) of *Roe v. Wade* and [touting](#) that he was able to [bring](#) the issue of abortion “back to the states, where the people could vote”; in fact, voters in seven states voted in favor of expanding abortion access this election. Trump has [said](#) that he would veto a national abortion ban and expressed support for exceptions to abortion prohibitions for rape, incest, and the life of the mother.

Trump's position on banning mifepristone has been [unclear](#), though Project 2025—which Trump has [distanced](#) himself from—[calls](#) for the FDA to withdraw approval. He has [said](#) that “generally speaking,” he wouldn't enforce the [Comstock Act](#) against mifepristone. It is possible, however, that a second Trump Administration could roll back 2016 and 2021 [modifications](#) to mifepristone's conditions of use or refuse

Key takeaways

- Donald Trump won the 2024 presidential election; the Senate, and likely the House, will have a Republican majority.
- Vaccine skeptic Robert F. Kennedy Jr. is slated to have a prominent role in the administration.
- Trump will likely attempt to limit Medicaid and the Affordable Care Act.
- The Biden Administration's attempts to expand abortion rights will be under fire.

to defend cases that challenge the FDA's approval of the drug.

Trump will likely address the Biden Administration's recent attempts to re-establish a right to abortion post-*Dobbs* by, for example:

- rescinding or refusing to enforce the HIPAA reproductive records [rule finalized](#) in April, and no longer defending Texas' [challenge](#) to the rule
- rescinding CMS' [guidance](#) on the application of the Emergency Medical Treatment and Labor Act (EMTALA) to restrictive state abortion laws
- abandoning the government's [challenge](#) to Idaho's abortion law on the grounds that it violates EMTALA, which is currently pending before the Ninth Circuit after the Supreme Court [dismissed](#) the state's petition
- reinstating Trump's health care provider conscience [rule](#), which the Office for Civil Rights recently partially [rescinded](#)
- [prohibiting](#) the use of Title X funds for providers that make abortion referrals

Affordable Care Act

Trump unsuccessfully attempted to repeal the ACA during his first administration, but his position has since evolved and, while he remains critical of the ACA, he now asserts that he will "run it as good as it can be run" until he can "come up with something better and less expensive." However, he has proposed only the "concepts of a plan." Vice-President-elect J.D. Vance [clarified](#) that Trump's plan would promote choice, ensure coverage of pre-existing conditions, "de-regulate the insurance market," and change how people are placed into risk pools.

Trump and a Republican Congress would probably allow the ACA's premium

assistance tax credit (Internal Revenue Code [§ 36B\(b\)\(3\)\(A\)](#)) and credits for individuals with income above 400 percent of the poverty level (Internal Revenue Code [§ 36B\(c\)\(1\)\(E\)](#)) to expire at the end of 2025, even though the end of the subsidies could result in the [loss](#) of insurance for many.

In addition, despite the low probability of another attempt at "repeal and replace," Trump will almost certainly continue to undermine the ACA during his second administration. For example, he will likely reverse the Biden's Administration's expansions by again [cutting](#) the open enrollment period, reducing funding for navigators, and [expanding](#) short-term, limited-duration insurance, which President Joe Biden [called](#) "junk" insurance because it is [not subject](#) to "critical" consumer protections.

Medicare

During his campaign, Trump [promised](#) to protect Medicare "with no cuts." Medicare Advantage (MA) in particular could grow under a second Trump administration, as Republicans generally champion MA. One other Republican priority is to prioritize at-home care, [including](#) "supporting unpaid family caregivers through tax credits and reduced red tape."

Biden's controversial nursing home staffing [mandate](#) has drawn the ire of Congressional Republicans and is currently being challenged in court. It is likely that CMS under Trump will rescind or modify the rule and that the federal government will stop defending these lawsuits.

While Republicans have been critical of the Medicare Drug Price Negotiation [Program](#), the popularity of the program and other Part D reforms created by the Inflation Reduction Act of 2022 ([Pub. L. No. 117-69](#))

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makes it unlikely that Congress will repeal it. However, CMS could shape the program with its subregulatory [guidance](#), and the government could stop defending the multiple [court challenges](#) to the program.

Medicaid

While Trump vowed not to cut Medicare, he made no such promise regarding Medicaid, and the fiscal year (FY) 2025 Republican Study Committee budget [proposal](#) and FY 2025 House budget [resolution](#) both call for Medicaid cuts. During his first presidency Trump opposed Medicaid expansion, imposed Medicaid work requirements, encouraged [block grant](#) funding, and [strengthened](#) the "public charge" rule. It is likely that a second Trump term, backed by a Republican Congress, would attempt substantially similar policies.

Gender-Affirming Care

Trump took particular aim at gender-affirming care during the campaign, both in speeches and a series of [ads](#). On his campaign [website](#) Trump said he would revoke Biden's "cruel policies on so-called 'gender affirming care,'" sign an executive order "instructing every federal agency

to cease all programs that promote the concept of sex and gender transition at any age,” and ask Congress to “permanently stop federal taxpayer dollars from being used to promote or pay for these procedures.” Also, Vance introduced a [bill](#) in 2023 that would prohibit gender-affirming care for minors.

In addition, Trump will almost certainly rescind a Biden-era [rule](#) that prohibits discrimination under ACA section 1557 on the basis of sexual orientation and gender

identity and issue a new one substantially similar to his 2020 [final rule](#). However, each administration's section 1557 rule has been blocked by courts, and Trump's would likely suffer the same fate.

On December 4 the Supreme Court will hear oral arguments in [L.W. v. Skrametti](#), a challenge by the Biden Administration to a Tennessee [law](#) prohibiting gender-affirming medical care for transgender minors. While a Biden Department of Justice will be arguing the case, if the outcome of [Skrametti](#)

permits, the federal government under Trump would probably abandon other similar cases.

Looking Ahead

The shift from a Biden Administration to a second Trump Administration will probably lead to big changes in health policy over the next four years. While some moves—like shrinking Medicaid and the ACA—are predictable, others, like how “wild” Kennedy goes on the FDA, remain to be seen.