



Public Health Law & Policy Impacts 2026



Leila Barraza, JD, MPH

Professor & Department Chair,
PHPPTR

Zuckerman College of Public Health
University of Arizona

James G. Hodge, Jr., JD, LLM

Peter Kiewit Foundation
Professor & Director, ASU Center
for Public Health Law & Policy

+ Principle Objectives

- Dynamic Series of Issues at the Forefront of Public Health Law & Policy
- 5 Major Topics & Potential Impacts
 - President & Executive Agencies
 - U.S. Congress
 - U.S. Supreme Court
 - Arizona and Other States
- Questions & comments



+ 5 Major Topics

1) OBBBA

- a. Medicaid
- b. SNAP

2) Access to Care

- a. ACA
- b. Immigration

3) Vaccination

- a. Current landscape
- b. What Lies Ahead

4) Public Health Processes

5) LGBTQ+ Populations



+ OBBBA – July 4, 2025

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139 STAT. 72

PUBLIC LAW 119–21—JULY 4, 2025

Public Law 119–21 119th Congress

An Act

To provide for reconciliation pursuant to title II of H. Con. Res. 14.

*Be it enacted by the Senate and House of Representatives of
the United States of America in Congress assembled,*

SECTION 1. TABLE OF CONTENTS.

The table of contents of this Act is as follows:

Sec. 1. Table of contents.

TITLE I—COMMITTEE ON AGRICULTURE, NUTRITION, AND FORESTRY

Subtitle A—Nutrition

- Sec. 10101. Re-evaluation of thrifty food plan.
- Sec. 10102. Modifications to SNAP work requirements for able-bodied adults.
- Sec. 10103. Availability of standard utility allowances based on receipt of energy assistance.
- Sec. 10104. Restrictions on internet expenses.
- Sec. 10105. Matching funds requirements.
- Sec. 10106. Administrative cost sharing.
- Sec. 10107. National education and obesity prevention grant program.
- Sec. 10108. Alien SNAP eligibility.

Subtitle B—Forestry

- Sec. 10201. Rescission of amounts for forestry.

Subtitle C—Commodities

- Sec. 10301. Effective reference price; reference price.
- Sec. 10302. Base acres.
- Sec. 10303. Producer election.
- Sec. 10304. Price loss coverage.
- Sec. 10305. Agriculture risk coverage.



Source: <https://rollcall.com/2025/07/04/trump-signs-budget-bill-july-fourth/>

+ OBBBA: Medicaid

New Work Requirements

- H.R. 1: Section 71119
 - Implements new work requirements beginning January 1, 2027.

The infographic is divided into two sections. The top section, 'Mandatory Populations', has a dark blue header with a white checkmark icon. Below it, the text reads 'Adults in the Affordable Care Act (ACA) Medicaid expansion group or equivalent waiver coverage'. The bottom section, 'Exempt Populations', has a teal header with a white 'X' icon. Below it is a bulleted list of exempt groups.

Mandatory Populations ✓

Adults in the Affordable Care Act (ACA) Medicaid expansion group or equivalent waiver coverage

Exempt Populations ✕

- Veterans with a total disability rating
- Individuals with special medical needs or certain disabling conditions
- Parents, guardians, and caretakers of children under 14 or disabled individuals
- Pregnant women
- Children under the age of 19 and seniors age 65 and over
- Medically frail individuals
- Tribal members
- Those already meeting work requirements under Temporary Assistance for Needy Families (TANF) or the Supplemental Nutritional Assistance Program (SNAP)
- Individuals participating in a drug addiction or alcoholic treatment and rehabilitation program
- Inmates of a public institution

+ OBBBA: SNAP

SEC. 10102. MODIFICATIONS TO SNAP WORK REQUIREMENTS FOR ABLE-BODIED ADULTS.

(a) Exceptions.--Section 6(o) of the Food and Nutrition Act of 2008 (7 U.S.C. 2015(o)) is amended by striking paragraph (3) and inserting the following:

((3) Exceptions.--Paragraph (2) shall not apply to an individual if the individual is--

((A) under 18, or over 65, years of age;

((B) medically certified as physically or mentally unfit for employment;

((C) a parent or other member of a household with responsibility for a dependent child under 14 years of age;

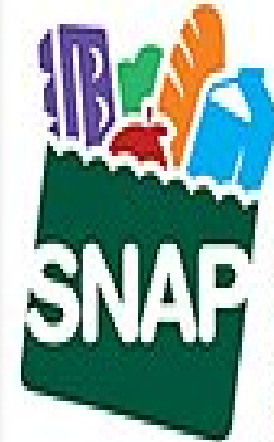
((D) otherwise exempt under subsection (d)(2);

((E) a pregnant woman;

((F) an Indian or an Urban Indian (as such terms are defined in paragraphs (13) and (28) of section 4 of the Indian Health Care Improvement Act); or

[[Page 139 STAT. 82]]

((G) a California Indian described in section 809(a) of the Indian Health Care Improvement Act.''.

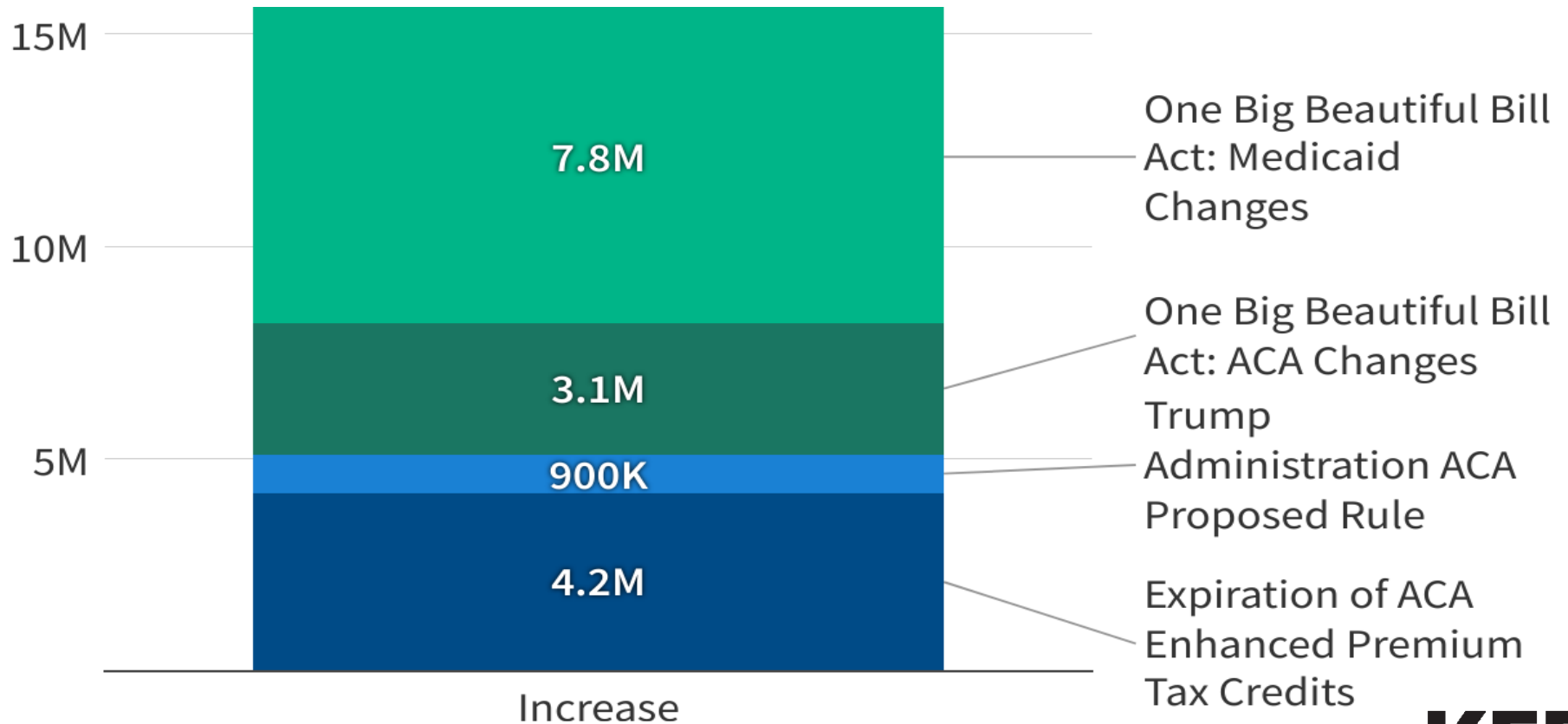


Supplemental
Nutrition
Assistance
Program

This Photo by Unknown
Author is licensed under CC
BY-SA

+ OBBBA: Impact

Impact of the OBBBA: Increase in the Number of Uninsured People, by Cause, 2034



+ Access to Care: Affordable Care Act

Premium Subsidies Expansions During the COVID-19 Pandemic

- American Rescue Plan Act expanded subsidies to keep people insured and make coverage affordable during the public health emergency.
- The Rescue Plan removed the 400% income limit and capped premiums at ~8.5% of income, making many plans lower-cost or \$0/month.





Affordable Care Act

“New data released by CMS on plan selections show that ACA sign-ups for 2026 are down by over 1 million people compared to the same time last year, marking the first year since 2020 that sign-ups appear to have declined.”

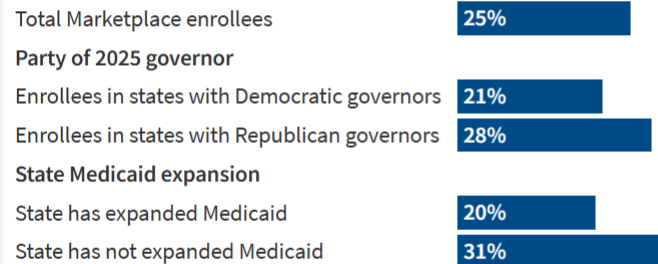
Feb. 5, 2026



Figure 9

About Three in Ten Enrollees in Republican-Led States and States That Have Not Expanded Medicaid Say They Are Very Likely To Go Uninsured if Premium Payments Doubled

Percent who say that if the monthly amount they pay for their health insurance doubled [For those who currently do not pay a premium: increased by \$50] they would be very likely to go without health insurance:



Note: Among adults with health coverage purchased through the Marketplace in 2025. See topline for full question wording.

- ▶ Party of 2025 governor details
- ▶ State Medicaid expansion details

Source: KFF 2025 Marketplace Enrollees Survey (November 7-15, 2025) • [Get the data](#) • [Download PNG](#)



TABLE 1

State Average Monthly Benchmark Premium for a 40-Year-Old Nonsmoker and Percent Change, 2020-26

	Benchmark Premium			Percent Change	
	2020	2025	2026	Average annual change, 2020-25	2025-26
US average	\$454	\$500	\$609	2.0%	21.7%
Alabama	\$551	\$532	\$646	-0.6%	21.3%
Alaska	\$721	\$1,050	\$1,037	8.2%	-1.2%
Arizona	\$437	\$403	\$524	-1.5%	30.0%
Arkansas	\$365	\$458	\$774	4.7%	69.1%





H.R. 1834

Breaking the Gridlock Act

- Would extend ACA premium tax credits for 3 more years

House passes bill to extend health care subsidies in defiance of GOP leaders

Politics Updated on Jan 8, 2026 5:46 PM EST — Published on Jan 8, 2026 4:28 PM EST

<https://www.pbs.org/newshour/politics/in-a-rebuke-of-gop-leadership-house-heads-toward-vote-to-extend-health-care-subsidies>



Latest Action: Senate - 02/10/2026 Read the second time. Placed on Senate Legislative Calendar under General Orders.

+ Access to Care: Immigration and Health

Ripple effects of ICE raids create health challenges for New York City

By Marisa Donnelly, Your Local Epidemiologist New York | January 29, 2025, 5:00am MST

<https://www.healthbeat.org/newyork/2025/01/29/your-local-epidemiologist-ice-raids-effects-on-health/>

Fearful amid ICE crackdowns, some immigrants are skipping health care

FEBRUARY 10, 2025 · 4:01 AM ET

HEARD ON MORNING EDITION

By Kristen Schorsch

WBEZ
CHICAGO

<https://www.npr.org/sections/shots-health-news/2025/02/10/nx-s1-5290063/migrants-chicago-delayed-health-care-immigration-crackdown-fears>

Detained at the doctor's office: US immigration policy endangers health

The elimination of protections against immigration action in healthcare facilities risks patient care, public health, and moral injury to providers, write **Kathleen R Page and colleagues**

Kathleen R Page,^{1,2,3} Paul B Spiegel,² C Nicholas Cuneo^{1,2,3,4}

<https://www.bmj.com/content/bmj/388/bmj.r304.full.pdf>

With ICE using Medicaid data, hospitals and states are in a bind over warning immigrant patients

1 HR AGO ▾

by Phil Galewitz and Amanda Stoltz, JFF Health News
https://www.cnn.com/2026/02/05/health/medicaid-data-ice-immigrants?cid=ios_app

+ Vaccination: Current Landscape



I Want To...

Services

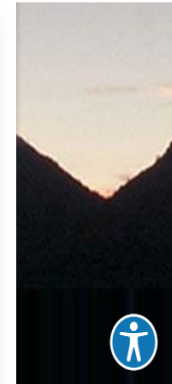
Departments

Search



Measles Exposure at Sky Harbor International Airport

Public Health *Posted on February 09, 2026*



The Maricopa County Department of Public Health (MCDPH) has been notified that a non-county resident infectious with measles traveled through Phoenix Sky Harbor International Airport on January 29. MCDPH is working with federal, state, and airport officials to notify travelers who may have been exposed.

“As measles outbreaks continue nationally and in Arizona, including in Maricopa County, identifying and sharing information about exposures remains an important part of routine public health efforts,” said Dr. Nick Staab, chief medical officer at MCDPH. “Measles is highly contagious and can spread quickly in communities without timely prevention and response.”

The total number of confirmed measles cases among Maricopa County residents this year remains at three.

Active public exposure sites

MCDPH publishes a [cumulative list of public exposure sites](#) so residents can view all locations where measles exposure may have occurred during



Back to Top

+ Vaccination: Current Landscape

Yearly measles cases

as of February 5, 2026

2000–Present*

1985–Present*

2,500 measles cases

2,000

1,500

1,000

500

0

2001

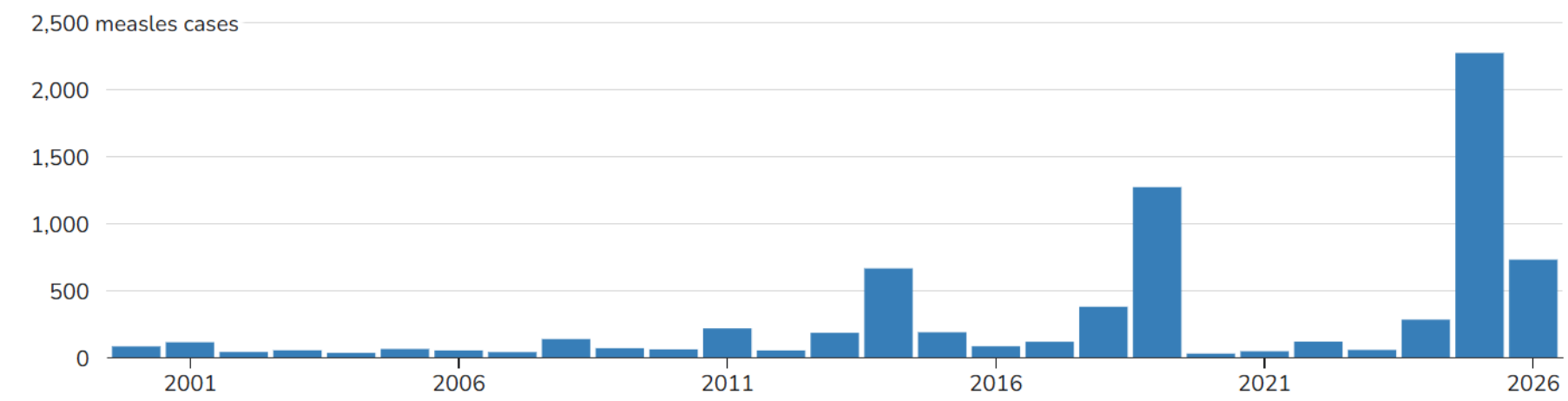
2006

2011

2016

2021

2026

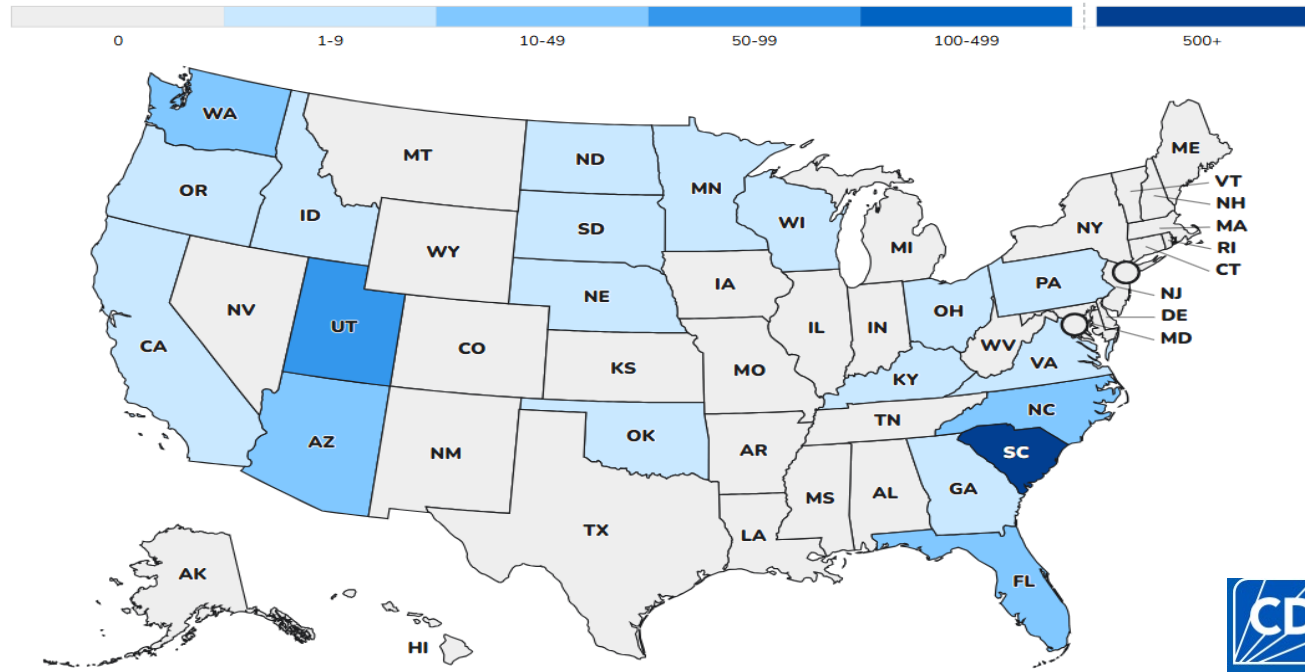


+ Vaccination: Current Landscape

Map of measles cases among U.S. residents

as of February 5, 2026

2026 2025 2024

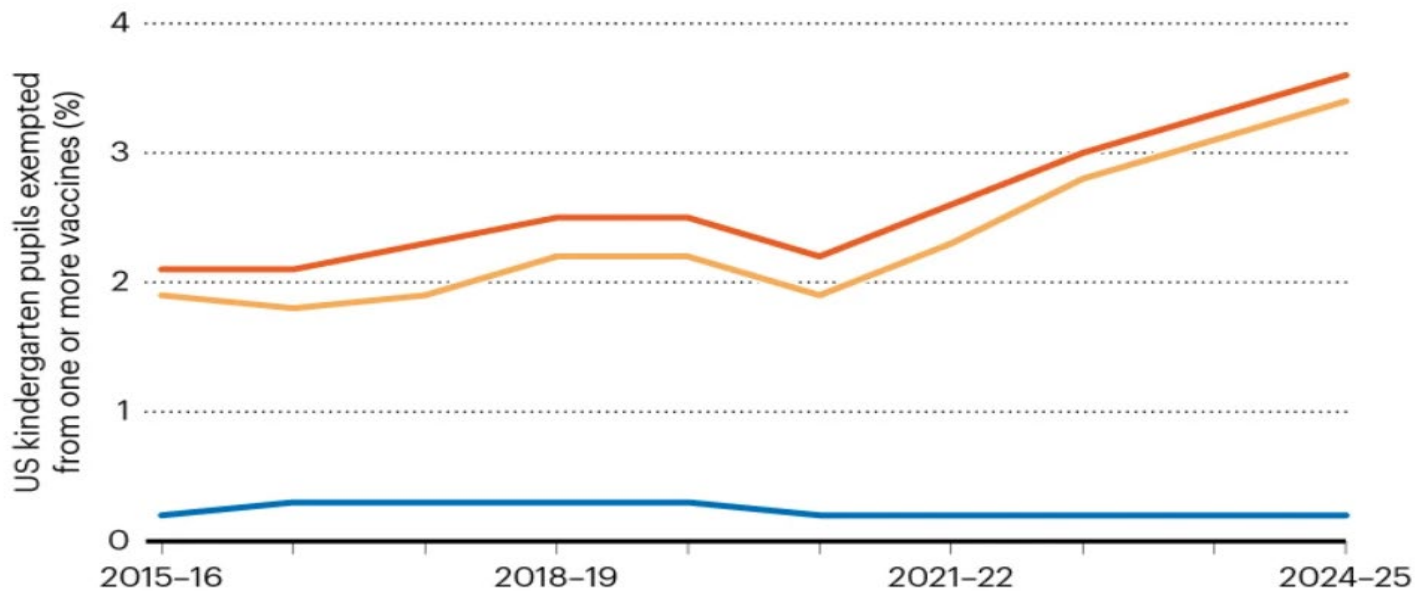


+ Vaccination: Current Landscape

SITTING IT OUT

The percentage of US kindergarten pupils, who are typically 5–6 years old, who miss at least one vaccination for medical reasons has stayed relatively constant, but the number who receive exemptions for non-medical reasons, such as religious beliefs, has climbed.

— Any exemption — Non-medical — Medical



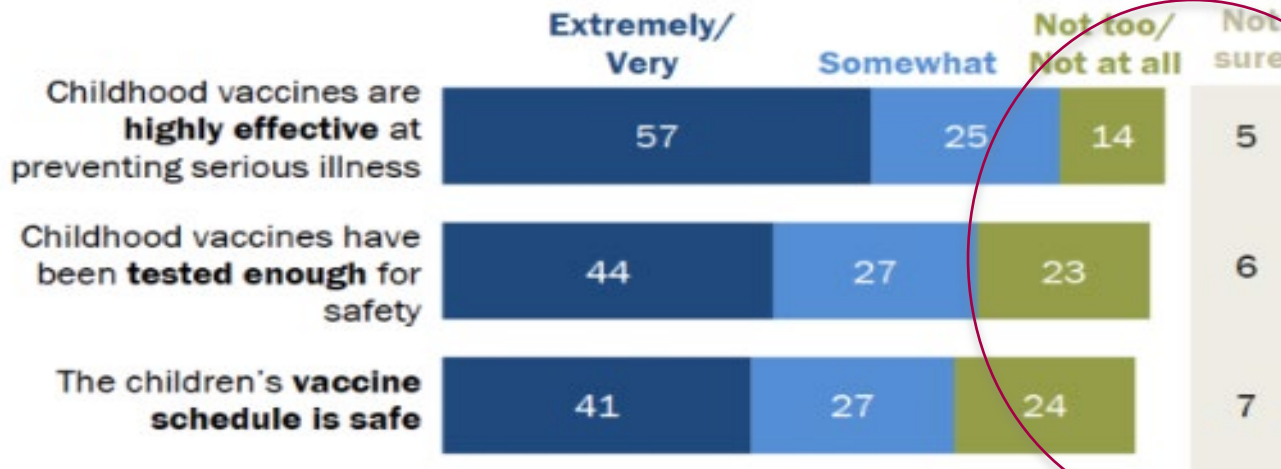
©nature

Source: US Centers for Disease Control and Prevention

+ Vaccination: Current Landscape

More than half of U.S. parents with a child under 18 are extremely or very confident childhood vaccines are highly effective at preventing serious illness

% of U.S. parents with a child under 18 who say that, thinking about childhood vaccines in general, they are ___ confident that ...



Note: Respondents who did not give an answer are not shown.

Source: Survey of U.S. adults conducted Oct. 20-26, 2025.

"How Do Americans View Childhood Vaccines, Vaccine Research and Policy?"

+ Vaccination: Current Landscape

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FOR IMMEDIATE RELEASE

January 5, 2026

Contact: HHS Press Office

202-690-6343

[Submit a Request for Comment](#)

CDC Acts on Presidential Memorandum to Update Childhood Immunization Schedule



AAP and other medical organizations allege CDC arbitrarily and illegally changed the schedule ***“without following the evidentiary-driven, and legally required processes for issuing recommended vaccine schedules in the United States.”***

+ 5 Major Topics

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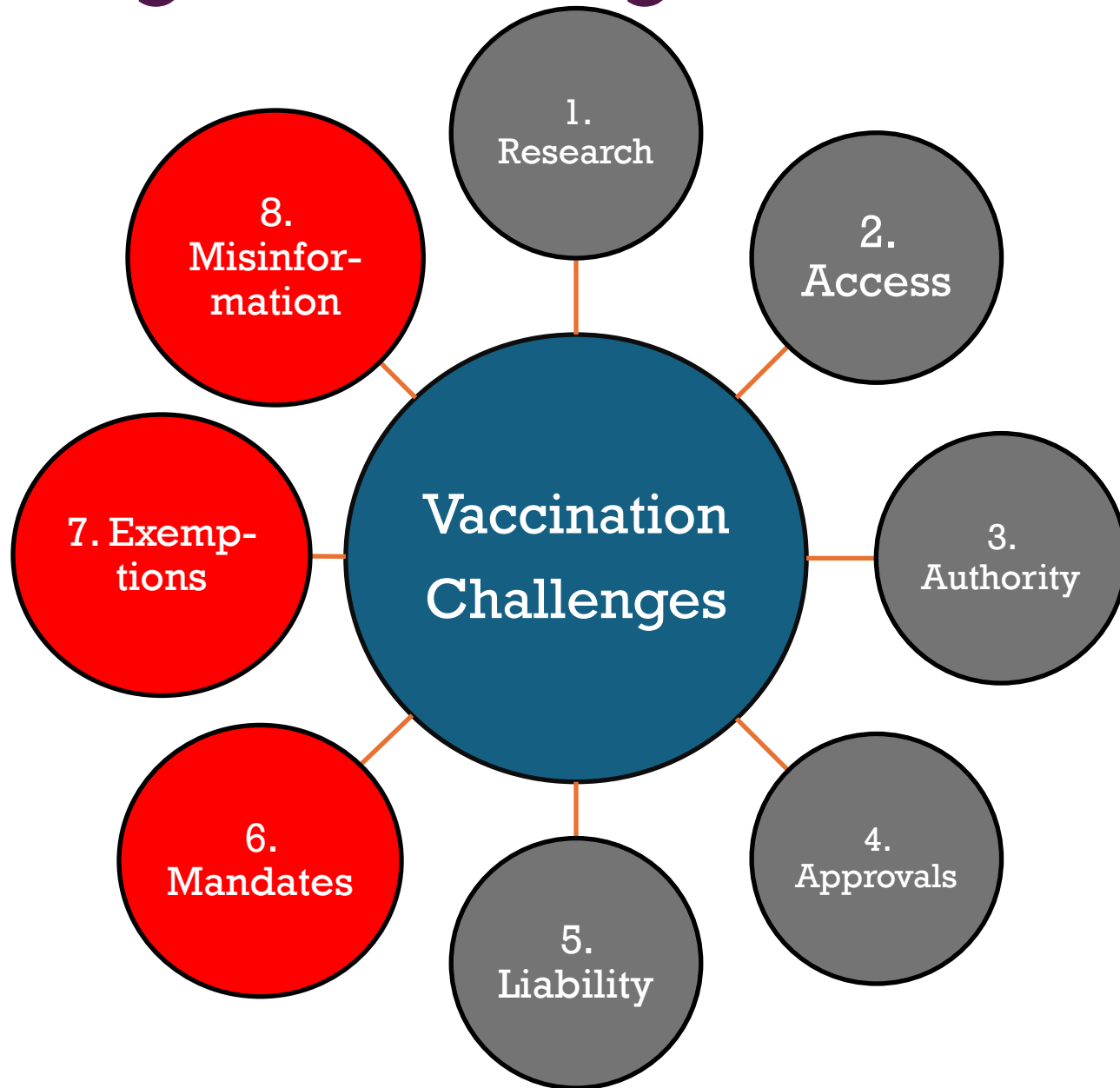
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Policy

+ Vaccines – What Lies Ahead

Explore premier legal challenges to vaccine approvals, distributions & mandates

Assess legal options to stabilize vaccination rates across populations under shifting national & regional standards

+ Key Legal Challenges



+ Legal Challenge – Mandates

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ARIZONA HOUSE OF REPRESENTATIVES

57th Legislature, 2nd Regular Session

Majority Research Staff

House: RO DP 3-2-0-0

HB 2248: medical interventions; prohibition

Sponsor: Representative Fink, LD 27

Caucus & COW

Overview

Restricts a governmental entity, business entity, school or ticket issuer from barring employment, entry, service or other involvement based on whether a person has or has not received or used a *medical intervention*.

Source: <https://trackbill.com/bill/arizona-house-bill-2248-medical-interventions-prohibition/2769613/>

+ Legal Response – Mandates

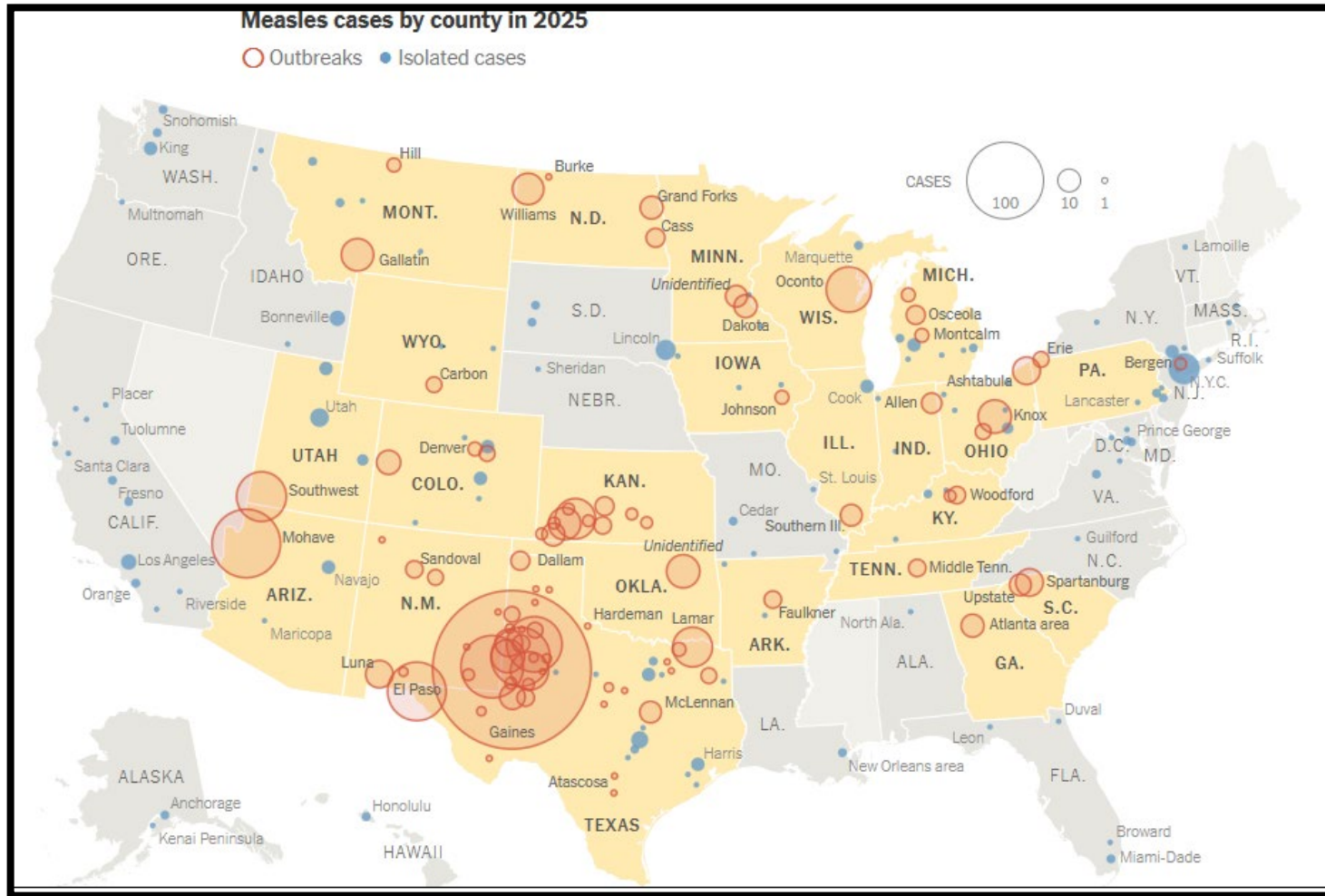
Texas HB 3304 (2025 Regular Session): Would have prohibited vaccine mandates across workplaces, schools, higher education, and childcare settings.

Legislative path: Introduced Feb. 25, 2025 by bill author & primary sponsor Rep. David Lowe (R–Amarillo).

Outcome: Died in committee.



+ Legal Challenge – Exemptions



Source: More Than 100 Cases of Measles Reported in Utah and Arizona - The New York Times (October 22, 2025)

+ Legal Response - *Miller v. McDonald*

FACTS: Amish private school attendees challenged New York's school vaccine mandate which disallows religious exemptions. They alleged that allowing medical exemptions, but not religious ones, violated their First Amendment free exercise rights.

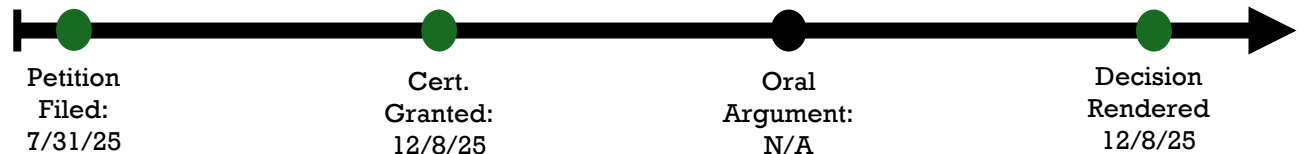
LOWER COURT
request for an inj
Smith (1990).

SCOTUS ? PRE
religious exemp

SCOTUS DEC
vacated lower c

for "further consideration in light of *Mahmoud v. Taylor*, 606 U.S. 522 (2025) (which enjoined Maryland school practices disallowing parents to opt out of LGBTQ curriculum on religious grounds).

uh-oh!



Opinion

VIEWPOINT

October 23, 2025

Advisory Committee on Immunization Practices Standards for Assessing Evidence

Doug Campos-Outcalt, MD, MPA; Jonathan Temte, MD, PhD

Between 2008 and 2011, several Institute of Medicine (IOM; now the National Academy of Medicine) committees found that many professional societies were not using robust methods of assessing evidence. As a result, standards for guideline development that require a review of all relevant multidisciplinary literature, transparent resolution of conflicts of interest, and the streamlining of how these standards become widely adopted by professional organizations when producing guidelines. tables on efficacy and safety, consideration of a number of other important variables including the magnitude of the public health problem being addressed, costs vs benefits, feasibility of the process, and input from all relevant stakeholders. In a document titled "Standards for Developing and Updating Clinical Practice Guidelines," the IOM and ACIP, and published in 2011, the IOM outlines the process for new ACIP processes has been implemented, training for ACIP members, and the development of ETR handbooks that provide detailed information on how to assess evidence and make recommendations using these tools.^{7,8}

Lacking [credible standards] . . . future ACIP recommendations will likely not be endorsed by professional medical organizations, leading to contradictory recommendations, public confusion, increased vaccine hesitancy, and, ultimately, increased rates of vaccine-preventable infections.

+ Legal Response 1 – Misinformation

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American Academy
of Pediatrics



DEDICATED TO THE HEALTH OF ALL CHILDREN®



AMERICAN PUBLIC HEALTH ASSOCIATION

For science. For action. For health.

AAP reaffirms its commitment to offering clear, evidence-based immunization guidance — especially amid conflicting federal messaging. June 26, 2025

APHA urges preserving independent oversight of vaccine recommendations, emphasizing the need to maintain ACIP's role to protect public trust. June 5, 2025

+ Legal Responses 2 – Misinformation

No explicit right to share known misinformation about specific vaccine products, companies, or practices via private sector social platforms.

1st Amendment freedoms are not implicated so long as government is not directly involved in policing the restraint.

*First Amendment:
Free Speech*

Vaccine misinformation that ventures into commercial speech can be shut down under 1st Amendment.

Individuals knowingly sharing false information about vaccinations may face criminal or civil libel, defamation, or fraud charges.

+ Public Health Processes



+ *Kennedy v. Braidwood*

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- USPSTF issues preventive treatment & medication guidelines covered without cost sharing via the ACA.
- Braidwood Mgmt et al. objected to USPSTF coverage requirements for certain services on constitutional & religious grounds.
- Primary arguments centered on whether USPSTF members are principal officers who must be Presidentially-named & Senate confirmed under the constitutional Appointments Clause.
- A federal district court ordered all Task Force actions vacated.
- The 5th Circuit affirmed, finding that USPSTF violated the Appointments Clause.



+ *Braidwood: What's At Stake*



The legitimacy of the USPSTF and its role in approving dozens of health services — including mammograms, contraceptives, cancer screenings, and vision & hearing screenings covered under the ACA.

+ *Braidwood: Decision*

DECISION (6-3 J. Kavanaugh): The Court determined USPSTF were “inferior officers,” and thus subject to HHS Secretary appointment.



Stormy

+ LGBTQ+ Populations



+ *U.S. v. Skrametti*



- **Tennessee S.B. 1** bans puberty-delaying medications and hormone blockers used to treat minors who do not conform to their sex assigned at birth. Notably, both therapies may still be used for other minors' conditions.
- **6/28/23** - a federal district court determined SB 1 violated Equal Protection principles under strict scrutiny analysis.
- **9/28/23** - 6th Circuit rejected the district court's order under the much lower rational basis review.
- **12/4/24** - During SCOTUS oral arguments, 5 Justices appeared ready to uphold SB 1, suggesting legislatures should rule on this issue.
- **2/7/25** - Trump admin. dropped objections to SB 1.



+ *Skrmetti: What's At Stake*

- State-based GAC bans have led to greater than 50% of transgender youth (ages 13-17) potentially or actually losing access.
- Loss of additional transgender protections include:
 - Assigned gender v. gender identity
 - Gender neutral bathrooms (FL case)
 - Sports & extracurricular participation
- President Trump has issued multiple anti-trans executive orders since his Inauguration.
- Control over who sets medical standards of care: doctors or legislators/judges.



+ *Skrmetti: Decision*

DECISION (6-3 C.J. Roberts): The Court found no constitutional infirmities to Tennessee's bill under rational basis scrutiny since it did not distinguish persons based on "suspect classes."



Foreboding

+ *Chiles v. Salazar*



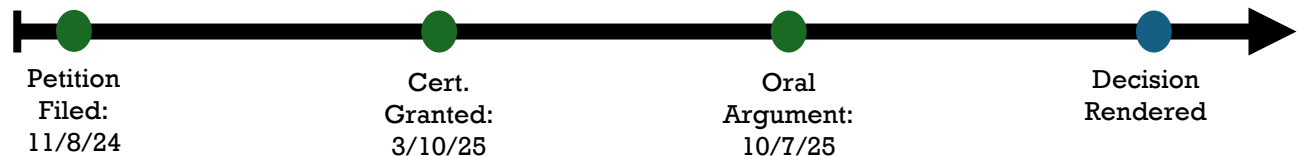
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FACTS: Chiles, a licensed child counselor offering services to change clients' sexual orientation/gender identity, claims 1st Amdt. free speech and other violations extending from Colorado's Minor Therapy Conversion Law banning "conversion" counseling.

LOWER COURTS: Under rational basis review, a fed. dist. court denied Chiles' motion for prelim. injunction, holding that to the extent CO's law regulates professional conduct, is neutral, and generally applicable, 1st Amdt. rights were not breached. The 10th Circuit Ct. App. largely agreed, finding no 1st Amdt. violation.

SCOTUS ? PRESENTED: Whether CO law censoring certain conversations between counselors and clients based on expressed viewpoints regulates conduct or speech in violation of 1st Amdt. free speech?

SCOTUS ORAL ARGUMENTS: The Court seems poised to view CO's prohibition as viewpoint discrimination of protected speech under the 1st Amdt. However, considerable inquiries arose as to the extent speech can be regulated in line with the state-based standards of care and licensure requirements.



+ *Chiles: What's At Stake*



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Conversion Therapy (CT)

A dangerous psychological practice that attempts to change a minor's sexuality or gender through counseling sessions

Associated with
higher rates of:

Suicide

Depression

Anxiety

PTSD



Condemned by
AMA & multiple,
other U.S.
medical
associations



73,000 LGBTQ
youth in CO are
protected by its
CT ban - 20
other states have
similar laws.

Beyond CT is the Court's continued willingness to insert its views into what constitutes SOC

+ *Chiles: Forecast*



+ Questions & Comments

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Special thanks to **Taylor Brown** and **Kimberly Hartle** at ASU's Center for Public Health Law & Policy for their research, insights, and contributions. Check out the Center's SCOTUS Public Health Law Updates at <https://law.asu.edu/centers/public-health-law-policy>



Reach us via email at:

lbarraza@arizona.edu | james.hodge.1@asu.edu