KPMG

Around the world of US healthcare in 360 words or less

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Editor’s note

Please note that ATW will pause next week, and the following issue will be on September 14, 2026. Have a safe and happy holiday!

This series is produced by KPMG Healthcare and is intended to be short and succinct, less than 360 words, to provide a weekly digestible bite of healthcare regulatory, policy, and industry news relevant to our clients. Links are provided to source material (proposed and final regulations, agency guidance and press releases, reports, research, etc.) when available. Please share this email with colleagues and other interested individuals, and encourage them to subscribe to our mailing list here.

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Healthcare regulatory news

Aiming to bolster program integrity, CMS is now requiring agents and brokers using the enhanced direct enrollment (EDE) pathway to verify "high-risk" consumer identities and obtain authorization via a one-time confirmation code prior to application submission.

These anti-fraud requirements, which must be implemented by October 12, are intended to reduce unauthorized enrollments and better protect consumers.

DEA has submitted a final rule to the White House to establish a permanent special registration pathway for practitioners to prescribe controlled substances via telehealth. This rule would replace temporary pandemic-era flexibilities, which are currently extended through December 31, 2026, and would provide clarity on the future of remote prescribing for medications treating conditions like opioid use disorder and ADHD.

HHS announced the $32.5M "Developing Evidence for Programs to Ensure Nutrition for Development" (DEPEND) initiative, aiming to assist schools in using wholesome, nutrient-rich foods. Coordinated by the Agency for Healthcare Research and Quality (AHRQ) and NIH, the program will fund innovative approaches to improve school meals nationwide.

CMS concluded its six-month moratorium on new enrollments for providers of durable medical equipment, prosthetics, orthotics, and supplies (DMEPOS), allowing suppliers to resume enrollment and prepare for competitive bidding while the industry continues to focus on technology-based safeguards against fraud and abuse.

Healthcare law and policy news

The Fifth Circuit Court of Appeals upheld the dismissal of PhRMA's lawsuit against the Inflation Reduction Act, representing another legal setback for the pharmaceutical industry's efforts to challenge the Medicare Drug Price Negotiation Program. The court affirmed that participation in the program is voluntary, reiterating that drug manufacturers are not unconstitutionally compelled to negotiate prices.

Federal and state regulators are suing the telemedicine company Hims & Hers, alleging that it engaged in deceptive practices by making subscription cancellations difficult and sharing sensitive health data with advertisers. The case leverages general consumer-protection laws, rather than specific health-privacy statutes, to scrutinize the data-sharing and subscription practices of digital health companies.

California will levy financial penalties against hospitals, health insurance companies, and medical practices that fail to meet state-imposed healthcare spending benchmarks. These penalties, which could be as high as 125% of the amount overspent and may take effect in 2031, are intended to control rising healthcare costs.

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