

The Executive Orders That May Impact Emergency Medicine

New Executive Orders

- [Regulatory Freeze Pending Review](#): This EO Orders all executive departments and agencies to not propose or issue any rule in any manner, including by sending a rule to the Office of the Federal Register (OFR), until a department or agency head appointed or designated by the President after noon on January 20, 2025, reviews and approves the rule. Further orders the immediate withdrawal of any rules that have been sent to the OFR but not published in the *Federal Register*, so that they can be reviewed and approved.
- [Withdrawing the United States from the World Health Organization](#): This EO provides notice of intent to withdraw from the World Health Organization (WHO), citing mishandling of the COVID-19 pandemic and an inability to demonstrate independence from the political influence of WHO member states. It directs the State Department and Office of Management and Budget to pause transfer of funds to the WHO and recall any personnel working in any capacity at the WHO.
- [Protecting the Meaning and Value of American Citizenship](#)***: This EO redefines birthright citizenship to exclude individuals born in the US to parents who are unlawfully present or temporarily residing in the US.
 - Adults and children who would have their citizenship revoked under this order could find it more difficult to obtain insurance from public programs, likely leading to greater levels of uninsurance and unintended consequences on the healthcare system,
 - *** U.S. District Judge John Coughenour issued a temporary block of this EO on January 23, which prevents the Administration from taking steps to implement the EO for 14 days.
- [Defending Women From Gender Ideology Extremism and Restoring Biological Truth to the Federal Government](#): Defines 'sex' strictly as biological male or female and directs HHS to provide to the U.S. Government, external partners, and the public clear guidance expanding on the sex-based definitions set forth in this order. Directs agencies to remove all statements, policies, regulations, forms, communications, or other internal and external messages that promote or otherwise inculcate gender ideology, and shall cease issuing such statements, policies, regulations, forms, communications or other messages. Agency forms that require an individual's sex shall list male or female, and shall not request gender identity.
- [Ending Radical And Wasteful Government DEI Programs And Preferencing](#): The Director of the Office of Management and Budget (OMB), assisted by the Attorney General and the Director of the Office of Personnel Management (OPM), shall coordinate the termination of all discriminatory programs, including illegal DEI and "diversity, equity, inclusion, and accessibility" (DEIA) mandates, policies, programs, preferences, and activities in the Federal Government, under whatever name they appear.
 - This EO may potentially interfere with CMS and HHS health equity programs including equity-informed CMS measures, stratification and benchmarking, value-based payment models, and guidance.
 - As well, aspects of the EO apply to federal grant recipients, broadening its impact to the private sector including nonprofits, associations, and some corporations.
- [Restoring Freedom of Speech and Ending Federal Censorship](#): This order limits the federal government's ability to abridge free speech of American citizens and to take action to correct prior incidents of suppression. It also directs investigation into the activities of the prior administration with regard to suppression or control of free speech.

- This will potentially lead to the revocation of the previous Surgeon General’s advisory on health misinformation and impact other HHS resources surrounding health misinformation.
- ACEP is further examining this issue for further implications on hospitals and emergency departments to inform members of potential actions.

Revocations of Previously-Existing Executive Orders and Memoranda

- [Advancing Racial Equity and Support for Underserved Communities Through the Federal Government](#): This EO directs all agencies to conduct an equity assessment to assess whether underserved communities and their members face systemic barriers in accessing benefits and opportunities and to reflect on whether new policies, regulations, or guidance documents may be necessary to advance equity.
- [Preventing and Combating Discrimination on the Basis of Gender Identity or Sexual Orientation](#): This EO directs all federal agencies to review all agency actions and consider whether to revise, suspend, or rescind such agency actions, or promulgate new agency actions, as necessary to fully implement statutes that prohibit sex discrimination.
- [Enforcement Actions in or Near Protected Areas](#): Revokes the 2011 and 2021 “sensitive locations” policy from the Department of Homeland Security’s Immigration and Customs Enforcement (ICE) policy, which prevents immigration enforcement actions in or around locations like hospitals, schools, or places of worship. ACEP is examining this change further and will follow up with additional information for members.
- [Strengthening Medicaid and the Affordable Care Act](#): This EO directs HHS, Labor, and Treasury to examine and consider suspending or rescinding policies or practices that may undermine protections for people with pre-existing conditions, including complications related to COVID-19, under the ACA; demonstrations and waivers, as well as demonstration and waiver policies, that may reduce coverage under or otherwise undermine Medicaid or the ACA; policies or practices that may undermine the Health Insurance Marketplace or the individual, small group, or large group markets for health insurance in the United States; policies or practices that may present unnecessary barriers to individuals and families attempting to access Medicaid or ACA coverage, including for mid-year enrollment; and policies or practices that may reduce the affordability of coverage or financial assistance for coverage, including for dependents.
- [Continuing To Strengthen Americans’ Access to Affordable, Quality Health Coverage](#): This EO directs agencies to identify ways to continue to expand the availability of affordable health coverage, to improve the quality of coverage, to strengthen benefits, and to help more Americans enroll in quality health coverage. It encourages agencies to review: policies or practices that make it easier for all consumers to enroll in and retain coverage, understand their coverage options, and protect consumers from low-quality coverage.
- [Advancing Equality for Lesbian, Gay, Bisexual, Transgender, Queer, and Intersex Individuals](#): This EO directs HHS to protect LGBTQI+ individuals' access to medically necessary care from State and local laws and practices and to develop and release sample policies for States to safeguard and expand access to healthcare for LGBTQI+ individuals and their families, including mental health services. It directs HHS to establish an initiative to address the health disparities facing LGBTQI+ youth and adults, take steps to prevent LGBTQI+ suicide, and address the barriers that LGBTQI+ individuals and families face in accessing healthcare.
- [Further Advancing Racial Equity and Support for Underserved Communities Through the Federal Government](#): This EO directs agencies, including HHS, to ensure they have in place an Agency Equity Team to coordinate the implementation of equity initiatives and ensure that their respective

agencies are delivering equitable outcomes for the American people. It establishes the White House Steering Committee on Equity and requires agencies to submit an Equity Action Plan annually to the Steering Committee, detailing progress they have made, potential barriers underserved communities may face, strategies to address those barriers, and how the agency will meaningfully engage with underserved communities. It directs agencies to promote equity in science and root out bias in the design and use of new technologies, such as artificial intelligence, advance equity in health, including mental and behavioral health and well-being, and deliver an equitable response to the COVID-19 pandemic.

- [Safe, Secure, and Trustworthy Development and Use of Artificial Intelligence](#): This EO sets forth principles that executive agencies shall follow: AI must be safe and secure, AI innovation, competition, and collaboration are responsible, AI development supports American workers, AI policies advance equity and civil rights, Americans' interests are protected, privacy and civil liberties are protected, the risks of the federal government's use of AI are managed, and the US leads the way for global societal, economic, and technological progress.
- [Ensuring an Equitable Pandemic Response and Recovery](#): This EO creates the COVID-19 Health Equity Task Force within HHS. It also directs agencies including HHS to modify pandemic response plans and policies to advance equity.
- [Establishing the COVID-19 Pandemic Testing Board and Ensuring a Sustainable Public Health Workforce for COVID-19 and Other Biological Threats](#): This EO establishes a COVID-19 Pandemic Testing Board to promote COVID-19 diagnostic, screening, and surveillance testing; expand testing and reduce disparities in access to testing; and identify barriers to access and use of testing in, and coordinate Federal Government efforts to increase testing for priority populations, communities with testing shortages, individuals in at-risk settings, and high-risk groups. It also directs HHS, Labor, and Treasury to facilitate the provision of COVID-19 testing free of charge to those who lack comprehensive health insurance and clarify group health plans' and health insurance issuers' obligations to provide coverage for COVID-19 testing.
- [Improving and Expanding Access to Care and Treatments for COVID-19](#): This EO directs HHS and NIH to accelerate the development of novel therapies and to enhance the nation's ability to quickly develop the most promising COVID-19 interventions. It also directs agencies including HHS to bolster the capacity of the Nation's healthcare systems to support healthcare workers and patients by issuing recommendations on how states and providers can increase the capacity of their healthcare workforces to address the pandemic and expand access to programs and services designed to meet the long-term health needs of patients recovering from COVID-19. Lastly, it directs agencies including HHS to establish targets for the production, allocation, and distribution of COVID-19 treatments; facilitate utilization of existing COVID-19 treatments, and evaluate insurance programs to address the affordability of treatments and care.