

Fact check: Checking health care claims in Biden's State of the Union address

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President Joe Biden touted his administration's accomplishments in health care in a wide-ranging State of the Union address on Thursday

evening that touched on subjects such as immigration, the economy, crime, job growth, infrastructure, and the Israel-Hamas war.

With Biden and former President Donald Trump now the presumptive Democratic and Republican nominees, Biden used the roughly 68-minute speech to counter his lackluster public approval ratings and draw clear contrasts between his administration's policies and those of Trump and some congressional Republicans. But he never mentioned Trump by name, instead referring to him as his "predecessor."

Biden came out swinging, speaking about freedom and democracy, and support for Ukraine and NATO. And he reminded lawmakers that history is watching.

Our PolitiFact partners fact-checked the debate in real time.

Early in the speech, Biden pointed to the recent Alabama Supreme Court decision that effectively shut down in vitro fertilization treatments across the state, although its governor signed a bill into law March 6 to shield patients and providers from potential legal liability.

Biden challenged his "friends across the aisle" to "guarantee the right to IVF nationwide," and connected this issue directly to the 2022 Supreme Court decision overturning *Roe v. Wade*.

White House guests for the speech included Latorya Beasley of Birmingham, Alabama, whose IVF treatments were canceled because of her state's court decision; and Kate Cox, who was denied an emergency abortion by the Texas Supreme Court. Members of the Democratic Women's Caucus sat en bloc, wearing white to show solidarity for reproductive rights.

"Like most Americans, I believe Roe v. Wade got it right," Biden said, adding that his "predecessor" came to office "determined" to see it overturned and has bragged about its undoing. "Clearly, those bragging about overturning Roe v. Wade have no clue about the power of women in America."

Biden's other health care hits included the first steps in implementing Medicare drug price negotiations, something on Democrats' longtime policy wish list that became law as part of the Inflation Reduction Act he signed in August 2022.

He noted that the federal health insurance program for seniors is now "for the first time" negotiating lower prices for some of the costliest drugs on the market. He pointed not only to the savings it would bring seniors, but also to the federal budget.

Currently, 10 drugs can be added to the list annually. Biden called for an expansion of the program: "Now it's time to go further and give Medicare the power to negotiate lower prices for 500 drugs over the next decade."

He also claimed victory with other Medicare-related changes in that law "including a \$35 insulin price cap and a \$2,000 price cap on Medicare out-of-pocket drug expenses. In each of case, he challenged Congress to act with him to expand these steps to include everyone.

When it came to the Affordable Care Act, he said it is "still a very big deal" and pledged not only to protect it, but also to expand it by working to make permanent the tax subsidies first advanced at the height of the COVID-19 pandemic to make [health insurance](#) more affordable.

"My predecessor and many in this chamber want to take that protection away by repealing the Affordable Care Act; I won't let that happen," he

said, drawing heckles from opponents in the audience.

Afterward, some Republicans, including House Speaker Mike Johnson (R-La.), said the address was overly partisan. Trump slammed it, telling Fox News that Biden "suffers from a terminal case of Trump derangement syndrome." And Sen. Katie Britt (R-Ala.) gave the GOP response.

Here are health care highlights from PolitiFact:

"The Alabama Supreme Court shut down IVF treatments across the state, unleashed by a Supreme Court decision overturning *Roe v. Wade*."

On Feb. 16, the Alabama Supreme Court issued a ruling that said frozen embryos should be considered children.

The decision lacks the power to shut down in vitro fertilization treatments statewide. But it caused multiple clinics in the state to pause IVF treatments as they reviewed the decision and potential liabilities.

Since then, Alabama lawmakers passed legislation to shield IVF providers from civil or criminal liability in a rush to protect fertility treatments after backlash grew. Two clinics announced they were resuming operations after Republican Gov. Kay Ivey signed the law.

Sen. Tammy Duckworth (D-Ill.) "who had two daughters using in vitro fertilization" introduced a similar federal bill aimed at protecting IVF. But Sen. Cindy Hyde-Smith (R-Miss.) blocked it Feb. 28, saying it was a "vast overreach that is full of poison pills that go way too far" far beyond ensuring legal access to IVF.

"If you, the American people, send me a Congress that supports the right to choose, I promise you: I will restore *Roe v. Wade* as the law of the

land again."

PolitiFact continues to rate Biden's promise to codify Roe v. Wade as "Stalled."

Biden called on Congress to help him achieve his 2020 campaign promise to codify Roe v. Wade.

He can't do it alone.

The Supreme Court ruled in 2022 to overturn Roe, ending nearly 50 years of federally protected abortion access.

Sen. Tammy Baldwin (D-Wis.) introduced the Women's Health Protection Act of 2023, which would prohibit governmental restrictions on access to abortion. But it has no Republican co-sponsors and didn't advance.

PolitiFact has been tracking Biden's campaign promise to codify Roe v. Wade, one of about 100 promises on the Biden Promise Tracker. The lack of 10 Republicans needed to overcome an expected filibuster has stalled Biden's efforts on codification. That obstacle remained even after Democrats kept narrow control of the Senate in the midterms.

"Americans pay more for prescription drugs than anywhere in the world."

PolitiFact rated a similar claim by Biden as " Mostly True."

U.S. per capita spending on [prescription drugs](#) is nearly three times the average of other advanced, industrialized countries that comprise the Organization for Economic Co-operation and Development. A study by the Rand Corp., a nonpartisan research organization, found that, across

all drugs, U.S. prices were 2.78 times as high as the combined prices in 33 OECD countries.

The gap was even larger for brand-name drugs, with U.S. prices averaging 4.22 times as much as those in comparison nations. The U.S. pays less than comparable nations for unbranded, generic drugs, which account for about 90% of filled prescriptions in the country yet make up only one-fifth of prescription drug spending.

Researchers say factors including country-specific pricing, confidential rebates, and other discounts can obscure actual prices, making comparisons harder.

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