

2020 Election Results: What Comes Next

Insights

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In one of the most divisive elections in U.S. history, Joe Biden has been elected 46th President of the United States. While some ballots remain outstanding, some states will conduct recounts, and legal challenges may be mounted, it is apparent that Biden will secure 306 electoral votes. As this article went to press, approximately 75 million votes had been cast for Biden and 71 million for Trump.

House of Representatives

Democrats will maintain control of the House of Representatives in the 117th Congress, however the Democratic margins will narrow though the final tally is still not known. Current House Speaker Nancy Pelosi (D-CA-12), the Democratic leader since 2003, is seeking another two-year term as Speaker and House Majority Leader Steny Hoyer (D-MD-5) and Majority Whip Jim Clyburn (D-SC-6) will also likely continue in their roles. House Democrats will hold their leadership elections on November 18. Republican Leader Kevin McCarthy (R-CA-23) and Republican Whip, Steve Scalise (R-LA-1) are also expected to keep their positions. The Republican leadership election date has not been determined yet.

The Chairmen of the Energy and Commerce Committee (Frank Pallone, D-NJ-6) and Committee on Ways and Means (Richard Neal, D-MA-1) will remain in their positions in the next Congress. The E&C Committee will welcome new members after ten current members, including ranking member Greg Walden (R-OR-2), retire at the end of this Congress. W&M will lose two members to retirements and two additional members' reelections remain uncertain.

Senate

We will not know who will hold the Senate majority until early January. Senate Republicans fared better than expected with only two incumbents losing their seats thus far, along with one Democratic incumbent. Republicans are on track to have won 50 seats, and the Democrats have won 48 seats. Georgia, where state law requires the winning candidate to earn at least 50 percent of the vote, will hold two runoff races January 5: Republican Senator Kelly Loeffler will face Democrat Raphael Warnock and Republican Senator David Perdue will face Democrat Jon Ossoff.

If Democrats win *both* Georgia seats they will secure an operating majority, with Vice-President Elect Kamala Harris the tie-breaking vote, and Chuck Schumer (D-NY) will replace Mitch McConnell (R-KY) as Senate Majority Leader and Democratic Senators will chair Senate committees. In this scenario, Democrats will control both chambers of Congress and the Executive Branch and significant healthcare legislation becomes more likely.

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Health care committees are certain to see some shake-up with retirement of Senate Health, Education, Labor, and Pensions (HELP) Chairman Lamar Alexander (R-TN) and term limits requiring Senator Charles Grassley (R-IA) to relinquish the Republican helm of the Finance Committee. Senate Finance Republican leadership will likely go to Senator Mike Crapo (R-ID) with Senator Ron Wyden (D-OR) remaining to lead the Democrats. Patty Murray (D-WA) will continue to lead the Senate HELP Committee Democrats, but there is still Committee shuffling to determine who would lead the Committee for Republicans, which could possibly be Senator Richard Burr (R-NC) or Senator Rand Paul (R-KY).

What's Next

The transition process is beginning now within the Biden camp and a formal process will likely begin soon. President-elect Biden has announced a [coronavirus taskforce](#) and is also expected to be preparing a series of Executive Orders and other Day 1 actions which could include announcing a "national supply chain commander" and establishing a "pandemic testing board" according to media reports. Under the Presidential Transition Act, the General Services Administration (GSA) is charged with providing administrative support to the President and Vice-President Elect and begin the transition process. The head of the GSA has yet to make the call to begin the transition.

The Senate will return for a lame-duck session this week, with the House to follow next week to complete work for the year. They have until December 11th to act on funding the government and addressing Medicare and Medicaid extenders. Due to the split election outcomes and rising COVID-19 numbers, it looks more likely that another stimulus bill could be addressed, but as in October, both chambers have different versions that were nonstarters before Election Day.

For more information related to post-election health care issues, join our webinar, Election 2020: Outcomes, Impact, and What Happens Next in Health Care on November 18, 2020 at 10AM PT/1PM ET.

For further information, please contact [Monica Massaro](#), [Marty Corry](#), [Kelly Delmore](#), [Lisa Layman](#), or [Alex Brill](#) in Washington D.C., or your regular Hooper, Lundy & Bookman contact.

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