

Smarter Health Care Coalition

June 13, 2022

Chairman Richard Neal
372 Cannon Office Building
Washington, DC 20515

Ranking Member Kevin Brady
1011 Longworth Office Building
Washington, DC 20515

Dear Chairman Neal and Ranking Member Brady:

On behalf of the [Smarter Health Care Coalition](#) (the Coalition), we are writing to urge passage of the Treat and Reduce Obesity Act (H.R. 1577) which would enhance Medicare beneficiary access to health care providers providing intensive behavioral therapy for obesity and allow Medicare Part D to cover FDA-approved obesity drugs. The Coalition represents a broad-based, diverse group of health care stakeholders, including consumer groups, employers, health plans, life science companies, provider organizations, and academic centers. The Coalition is focused on removing barriers to high-value health care services and medications, which is even more urgent during the global pandemic, especially for those with obesity.

When Medicare Part D was created nearly 20 years ago, there were no widely accepted FDA-approved obesity drugs on the market. This led Congress to prevent Medicare Part D from covering weight loss drugs. However, throughout the last decade, significant medical advances have occurred in the development of obesity medications. Research in populations with diabetes, hypertension, and cardiovascular diseases has shown that a 5% decrease in weight results in clinically significant improvements in these obesity-related comorbid conditions.¹ Many of the FDA approved anti-obesity medications result in at least a 5% weight loss. The landscape of drugs available to treat obesity continues to evolve and there are currently a variety of FDA approved medications available with different mechanisms of action. With 40% of Americans aged 60 and older considered medically obese², it is critical that Congress update the Medicare Part D program to embrace scientific advances that will improve the lives and health of seniors.

We note, the Federal Employee Health Benefit (FEHB) Program is required to cover anti-obesity medications – yet Medicare is expressly prohibited from covering them. This must be fixed. In case you were not aware, OPM recently clarified in [Carrier Letter 2022-03](#) that FEHB carriers are not allowed to exclude anti-obesity medications from coverage based on a benefit exclusion or a carve out. FEHB carriers must have adequate coverage of FDA approved anti-obesity

¹ doi:10.1001/jama.2017.21063

² <https://www.cdc.gov/obesity/data/adult.html>

medications on the formulary to meet patient needs and must include their exception process within their proposal. Medicare's outdated statutory language must be updated to allow Medicare to cover FDA approved anti-obesity medications.

The Coalition recently hosted its 2022 Annual Virtual Policy Summit where nationally recognized leaders came together to discuss innovations in benefit design for chronic disease management. Our obesity care panel featured renowned experts from the Harvard T.H. Chan School of Public Health, Obesity Action Coalition, Network for Excellence in Health Innovation, and EmbraceYOU Weight & Wellness. Please feel free to watch the full recording [here](#).

Informed by the robust policy discussion at our Summit, the Coalition urges swift consideration and passage of the bipartisan Treat and Reduce Obesity Act (H.R. 1577) to remove barriers in Medicare that are hindering care for seniors with obesity. We look forward to working with you on this important legislation.

If you have any questions regarding this letter, please do not hesitate to contact us.

Sincerely,

Andrew MacPherson, Ray Quintero, and Katy Spangler
Co-Directors, Smarter Health Care Coalition

CC:

Representative Ron Kind
1502 Longworth Office Building
Washington, DC 20515

Representative Raul Ruiz
2342 Rayburn Office Building
Washington, DC 20515

Representative Brad Wenstrup
2419 Rayburn Office Building
Washington, DC 20515