

September 14, 2021

The Honorable Frank Pallone, Jr.
Chairman
House Committee on Energy and Commerce
United States House of Representatives

The Honorable Cathy McMorris Rodgers
Ranking Member
House Committee on Energy and Commerce
United States House of Representatives

The Honorable Richard Neal
Chairman
House Ways and Means Committee
United States House of Representatives

The Honorable Kevin Brady
Ranking Member
House Ways and Means Committee
United States House of Representatives

Dear Chairman Pallone, Ranking Member McMorris Rogers, Chairman Neal, and Ranking Member Brady:

Thank you for your leadership throughout the public health emergency. We write today to raise awareness and call for action to address an urgent health care epidemic: the growing number of Americans living with obesity who lack access to comprehensive care for this chronic disease.

Obesity is one of the **most significant health equity** issues facing the country with 49.6% of Black Americans and 44.8% Latino Americans living with obesity, and it's a top comorbidity for serious cases of COVID-19 or death. In fact, 78% of people who were hospitalized, placed on a ventilator or died from COVID-19 were affected by obesity or overweight. Obesity disproportionately impacts Black and Latino communities, who are nearly three times as likely to be hospitalized for severe cases of COVID-19 than whites.

Yet as the Delta variant spreads at an alarming rate, and health disparities grow more extreme, **obesity care is out of reach for our nation's most vulnerable older adults because of outdated Medicare rules that perpetuate stigma and inequity.**

In 2013, the American Medical Association formally recognized obesity as a disease requiring treatment and prevention efforts. Despite a growing number of treatment options and shifts in healthcare towards recognizing and treating obesity, Medicare, and many other payers, have not kept pace with the science, leaving millions of people vulnerable to costly chronic illnesses and premature death due to lack of treatment. Medicare falls particularly short on its lack of coverage of FDA-approved anti-obesity medications and overly narrow coverage for intensive behavioral therapy for obesity.

In Medicare today, anti-obesity medications are part of a short list of excluded drug categories, including hair loss drugs, erectile dysfunction medication, and cold and flu treatments. When Congress passed Part D in 2003, these categories were meant to exclude cosmetic or traditionally over-the-counter treatments. Yet obesity care has life or death implications, and is a disease with a disproportionate impact on minority communities.

Medicare also places undue restrictions on intensive behavioral therapy, only allowing primary care providers to deliver this service and not obesity medicine specialists, registered dietitians, psychologists, or evidence-based community-based programs, and severely restricting the physical locations this care can occur. These policies leave beneficiaries without access to core aspects of the continuum of care for obesity and prevents them from receiving adequate treatment.

As the Delta variant continues to drive a rise in cases, our most vulnerable communities are at an even greater risk of serious illness or death. **Congress must take action now to provide access to the full continuum of care for obesity**, including access to lifesaving FDA-approved anti-obesity medications and intensive behavioral therapy. The bipartisan *Treat and Reduce Obesity Act*, championed by Senators Carper and Cassidy and Representatives Kind, Ruiz, Wenstrup, and Reed, would make these changes and ensure Medicare coverage policies reflect current guidelines and standards of care.

As Congress debates whether to include dental, vision, and hearing coverage in Medicare, we urge you to also consider the [more than 2 in 5 older Americans](#) living with obesity and make lifesaving obesity treatments affordable and accessible. Obesity is associated with [nearly \\$1,900](#) in excess annual medical costs per person (amounting to over \$170 billion in excess medical costs per year), with the highest costs occurring for adults 60-70. Better access to a range of effective treatment not only could save money but also save lives. This overdue fix to antiquated Medicare policies would be a meaningful step in addressing health equity for communities of color who are the most impacted by both COVID-19 and obesity.

We recognize the extraordinary work that lies ahead and believe an important first step is to ensure that our laws and regulations are driven by science. To that end, we call on Congress to immediately pass the *Treat and Reduce Obesity Act (S. 596/H.R. 1577)*. Doing so would provide the full continuum of care and relief for the many seniors living with obesity, making their lives safer and healthier.

National Organizations

Academy of Nutrition and Dietetics
AIDS Institute
American Academy of PAs
American Council on Exercise
American Gastroenterological Association
American Psychological Association
American Society for Metabolic and Bariatric Surgery
Association of American Cancer Institutes
Association of Black Cardiologists
Association of Diabetes Care & Education Specialists
Black Women's Health Imperative
Center for Patient Advocacy Leaders
Common Threads

Diabetes Leadership Council
Diabetes Patient Advocacy Coalition
Endocrine Society
Global Liver Institute
Healthcare Leadership Council
Healthy Women
League of United Latin American Citizens
MedTech Coalition for Metabolic Health
National Black Leadership Commission on Health, Inc.
National Black Nurses Association
National Consumers League
National Hispanic Medical Association
National Kidney Foundation
National Urban League
Obesity Action Coalition
Obesity Medicine Association
Preventive Cardiovascular Nurses Association
Public Health Institute
Redstone Global Center for Prevention and Wellness
The Gerontological Society of America
The Obesity Society
WW (formerly Weight Watchers)
YMCA of the USA

State/Local Organizations

Alabama Dietetic Association
Alabama State Chapter of the American Society for Metabolic and Bariatric Surgery
Arizona State Chapter of the American Society for Metabolic and Bariatric Surgery
Arkansas Academy of Nutrition and Dietetics
CA Community Action Partnership Association
California Academy of Nutrition and Dietetics
California Health Collaborative
California Podiatric Medical Association
California State Chapter of the American Society for Metabolic and Bariatric Surgery
Chronic Care Collaborative
Colorado Academy of Nutrition & Dietetics
Colorado Medical Society
Colorado State Chapter of the American Society for Metabolic and Bariatric Surgery
Community Cardiovascular Initiative
Connecticut State Chapter of the American Society for Metabolic and Bariatric Surgery
Connecticut Academy of Nutrition and Dietetics
Dakota Yellowstone Chapter of the American Society for Metabolic and Bariatric Surgery (ID, MT, ND, SD, WY)
Delaware Academy of Nutrition and Dietetics

Delaware State Chapter of the American Society for Metabolic and Bariatric Surgery
Florida Academy of Nutrition and Dietetics
Florida, Puerto Rico, and Caribbean State Chapter of the American Society for Metabolic and Bariatric Surgery
Gaining Health
Georgia State Chapter of the American Society for Metabolic and Bariatric Surgery
Illinois Academy of Nutrition and Dietetics
Illinois State Chapter of the American Society for Metabolic and Bariatric Surgery
Indiana State Chapter of American Society for Metabolic and Bariatric Surgery
Iowa Academy of Nutrition & Dietetics
Kansas Academy of Nutrition and Dietetics
Kentucky Academy of Nutrition and Dietetics
Kentucky/Ohio State Chapter of the American Society for Metabolic and Bariatric Surgery
Looms for Lupus
Louisiana State Chapter of the American Society for Metabolic and Bariatric Surgery
Maryland Academy of Nutrition and Dietetics
Massachusetts Academy of Nutrition and Dietetics
Massachusetts State Chapter of the American Society for Metabolic and Bariatric Surgery
Medical Society of New Jersey
Michigan Academy of Nutrition and Dietetics
Michigan Department of Education
Michigan State Chapter of the American Society for Metabolic and Bariatric Surgery
Minnesota State Chapter of the American Society for Metabolic and Bariatric Surgery
Mississippi Academy of Nutrition and Dietetics
Missouri State Chapter of the American Society for Metabolic and Bariatric Surgery
Montana Academy of Nutrition and Dietetics
Nebraska Academy of Nutrition and Dietetics
Nebraska State Chapter of the American Society for Metabolic and Bariatric Surgery
New Jersey Academy of Nutrition and Dietetics
New Jersey Association of Hearing Health Professionals
New Jersey Coalition of Community Hospitals
New Jersey State Chapter of the American Society for Metabolic and Bariatric Surgery
New Jersey YMCA State Alliance
New York State Academy of Nutrition and Dietetics
New York State Chapter of the American Society for Metabolic and Bariatric Surgery
North Dakota Academy of Nutrition and Dietetics
North/South Carolina State Chapter of the American Society for Metabolic and Bariatric Surgery
Ohio Academy of Nutrition and Dietetics
Oklahoma Academy of Nutrition and Dietetics
Oklahoma/Arkansas State Chapter of the American Society for Metabolic and Bariatric Surgery
Oregon Alliance of YMCAs
Oregon State Chapter of the American Society for Metabolic and Bariatric Surgery
Pennsylvania State Chapter of the American Society for Metabolic and Bariatric Surgery
South Carolina Academy of Nutrition and Dietetics

South Dakota Academy of Nutrition & Dietetics
Street Soccer USA Philadelphia
Tennessee Academy of Nutrition and Dietetics
Tennessee State Chapter of the American Society for Metabolic and Bariatric Surgery
Texas Academy of Nutrition and Dietetics
Texas Association for Bariatric Surgery
Texas State Chapter of the American Society for Metabolic and Bariatric Surgery
Ultimate Bariatrics
VIC Valley InterCommunity Council
Washington State Academy of Nutrition and Dietetics
Washington State Chapter of the American Society for Metabolic and Bariatric Surgery
Wisconsin Academy of Nutrition and Dietetics
Wisconsin State Chapter of the American Society for Metabolic and Bariatric Surgery

CC:

U.S. Representative Ron Kind

U.S. Representative Raul Ruiz

U.S. Representative Brad Wenstrup

U.S. Representative Tom Reed