



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disparities grow more extreme, **obesity care is out of reach for our nation's most vulnerable older adults because of outdated Medicare rules that perpetuate stigma and inequity.**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.

Sincerely,

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

**Additional Supporters**

(added after September 14, 2021)

**National Organizations**

Eli Lilly and Company  
National Council on Aging

**State/Local Organizations**

Central Oregon Black Leaders Assembly  
Colorado Gerontological Society  
Maryland State Chapter of the American Society for Metabolic and Bariatric Surgery  
New Jersey Association of Community Providers  
Pennsylvanian Health Access Network  
Urban League of Philadelphia