



Honorable Members of the United States Senate,

As Administrator of the Centers for Medicare and Medicaid Services (CMS), President Trump has entrusted me to ensure our federal health programs are optimized to achieve a critical outcome – improving the health of the American people. As many of you have worked tirelessly to achieve this same goal, you understand this task often requires the federal government to think differently and boldly test new strategies to improving human health. Above all, we must ensure that our policies and procedures are not inhibiting access to items and services that are helping patients manage the agony caused by insidious diseases like cancer, debilitating seizure disorders, and other chronic pain.

This is why I write today with grave concerns over S. Amendment 6733 to H.R. 6500 as amended by S. Amendment 6732. Passage of this amendment would undo significant gains that have been made to make clinically-appropriate full-spectrum hemp-derived CBD accessible to the senior citizens and individuals with disabilities that rely on the Medicare program for their healthcare.

In recent months, CMS has taken historic action to not only expand access to full-spectrum CBD, but do so in a way that ensures expanded access drives value for both patients and the Medicare program. We began this exercise with a simple principle: if an entity is accepting financial risk for the health of patients, they should have expanded flexibilities to invest in new care delivery models that they believe may help the health of those patients for whom they are financially at-risk.

This is why, through the Center for Medicare and Medicaid Innovation (CMMI) we created critical flexibilities in three programs for risk-bearing medical entities to offer hemp products to improve symptom control. As a result, healthcare providers participating in the ACO Reach Model, the Enhancing Oncology Model, and the Long-term Enhance ACO Design (LEAD) Model will be able to offer coverage for up to \$500 worth of hemp products each year, should those providers determine such coverage helps those patients. Similarly, we expanded the ability of Medicare Advantage plans to offer hemp-derived CBD products through special supplemental benefits for the chronically ill.

As I have previously stated, CMS is committed to innovation that meets patients where they are while maintaining strong safeguards and clinical oversight. It is for this reason that I am asking you to oppose S. Amendment 6733, which would rip away from millions of seniors and disabled Americans the opportunity to benefit from these new programs. At the same time, we remain focused on preventing dangerous products from reaching Americans. You each have my commitment to continue to work with you on meeting our shared goals of ensuring patient access and protection of the public health.

Sincerely,

A handwritten signature in black ink, appearing to read "Dr. Oz", with a stylized flourish extending from the end.

Dr. Mehmet Oz  
Administrator  
Centers for Medicare and Medicaid Services