

United States Senate

WASHINGTON, DC 20510

March 13, 2025

Dr. Mehmet Oz
c/o
Centers for Medicare and Medicaid Services
7500 Security Boulevard
Baltimore, MD 21244

Dear Dr. Mehmet Oz:

The Trump administration is reportedly laying the groundwork to limit senior choice by making private Medicare Advantage (MA) plans the default enrollment option for Medicare beneficiaries. As U.S. Senators who represent the interests of all our constituents, we will vigorously defend choice and competition within the Medicare program. On Friday, March 14, 2025, you will appear before the Senate Finance Committee for your nomination to serve as Administrator of the Centers for Medicare and Medicaid Services (CMS). We urge you to commit to halting proposals that make MA the default option for Medicare beneficiaries, weaken consumer protection rules, or undermine free and unbiased assistance programs that help Medicare beneficiaries understand all of their enrollment options.

Since 1997, unrestricted choice between traditional Medicare and Medicare Advantage has been a fundamental right for American seniors enrolling in Medicare. Making MA the default option for Medicare enrollees would be a threat to consumer choice that could harm beneficiaries by making it harder for them to choose a plan that meets their specific needs. Since navigating the health insurance market can be difficult, many seniors may settle on whatever the default plan is without fully considering the impacts or understanding what is best for their unique circumstances. Given the Trump administration's clear and overt positioning on this issue, we are concerned that Secretary Kennedy will undo decades of precedent, resulting in harm to our nation's seniors. In fact, Secretary Kennedy recently repealed the transparency rule known as the "Richardson Waiver," which we fear may be used to direct the CMS Innovation Center to make changes in pursuit of default MA without notice or public comment.

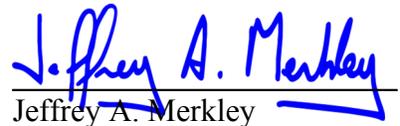
To ensure that those who want to enroll in traditional Medicare maintain that right, we urge you, if confirmed, to halt any directives that have been given to CMS staff to make MA the default option for enrollees; prevent HHS from enrolling in MA, or in any specific MA plan, anyone who did not proactively choose that option for themselves; and stop any federal, state, or local entity from waiving critical consumer protections. We also urge you to mitigate any bias in favor of MA by preserving rules around MA marketing, investing in programs that promote traditional Medicare, and strengthening MA transparency requirements and enforcement.

We look forward to understanding how you will uphold the values of freedom and transparency for Medicare and MA beneficiaries alike.

Sincerely,



Lisa Blunt Rochester
United States Senator



Jeffrey A. Merkley
United States Senator