

Congress of the United States

Washington, DC 20515

July 10, 2026

The Honorable Mehmet Oz
Administrator
Centers for Medicare and Medicaid Services
Hubert H. Humphrey Building
200 Independence Ave S.W.
Washington DC, 20201

Re: CMS-2454-IFC

Dear Administrator Oz:

We write in opposition to the Interim Final Rule implementing community engagement and work requirements under H.R. 1. We have grave concerns that the requirements as outlined in CMS-2454-IFC will be costly and burdensome to States and will lead to eligible patients losing coverage.

Specifically, we oppose the proposed definition of “medically frail” because it is restrictive and contrary to the plain language of the statute. The proposed definition incorporates the extent to which a person’s condition impairs their ability to work as a requirement for a determination of “medically frail” or otherwise having “special medical needs.” Although the definition is meant to be used to determine applicability of work requirements under the law, the statute does not incorporate that standard into the language instructing the definition of medical frailty. The requirement that a beneficiary’s condition impede their ability to work excludes individuals who may have complex or special medical needs that are well-managed, that are intermittent, or that are unpredictable. Many serious and complex conditions are managed effectively specifically because the patient has access to ongoing medical care. This limiting factor is not required by the statute and will lead to incorrect application of the community engagement requirement, and therefore, loss of coverage for a population of individuals who by definition, require stable medical care.

Further, the incorporation of a person’s capacity to work in the definition of medical frailty requires information not readily available to States. Specifically, the prohibition from categorically excluding individuals based on a list of conditions requires States to gather information beyond diagnosis to determine exclusion from the requirement. Even medical providers may not specifically determine whether an individual’s condition impairs their ability to work as it is not relevant to their ongoing care. Therefore, States will be forced to gather and interpret medical and disability documentation they are not adequately experienced in interpreting. Further, patients will be forced to seek additional documentation from community and safety net providers that may go unreimbursed in order to determine an exemption from the requirement, additionally burdening community providers such as FQHCs who treat all patients regardless of ability to pay.

Additionally burdensome is the prohibition on self-attestation beyond 2028 after initial enrollment. For individuals with no prior medical coverage, receiving sufficient documentation to meet the criteria for a medical frailty exclusion could exceed the length of time before recertification is required. These individuals may have little experience navigating the health system, may not have immediate access to a physician, or may need to wait for appointments.

The overwhelming impact of this rule is that eligible citizens will be denied Medicaid coverage, states will expend unacceptable resources processing complex paperwork, safety-net providers will be further burdened, and population health will decline. We urge you to revoke this Interim Final Rule and incorporate

flexibilities that will limit the unacceptable loss of coverage for individuals who meet the statute's requirements resulting from this rule's overly restrictive interpretation.

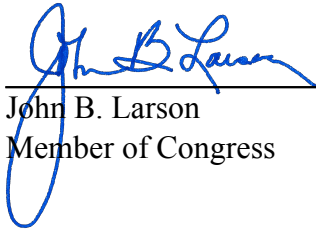
Sincerely,

A handwritten signature in blue ink, reading "Joe Courtney", written over a horizontal line.

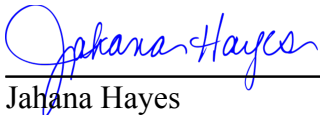
Joe Courtney
Member of Congress

A handwritten signature in blue ink, reading "Rosa L. DeLauro", written over a horizontal line.

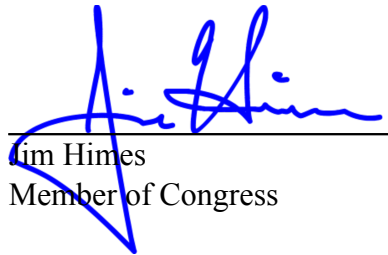
Rosa L. DeLauro
Member of Congress

A handwritten signature in blue ink, reading "John B. Larson", written over a horizontal line.

John B. Larson
Member of Congress

A handwritten signature in blue ink, reading "Jahana Hayes", written over a horizontal line.

Jahana Hayes
Member of Congress

A handwritten signature in blue ink, reading "Jim Himes", written over a horizontal line.

Jim Himes
Member of Congress