

United States Senate
WASHINGTON, DC 20510-2003

September 3, 2013

The Honorable Kathleen Sebelius
Secretary of Health and Human Services
United States Department of Health and Human Services
200 Independence Avenue, SW
Washington, DC 20201

Dear Secretary Sebelius,

I am writing to request your consideration of policy concerns raised by the obesity community during the formal rulemaking process on the November 26, 2012 *Proposed Rule: Patient Protection and Affordable Care Act; Standards Related to Essential Health Benefits, Actuarial Value, and Accreditation*.

I was pleased to join former Senators Akaka and Inouye in urging the Department of Health and Human Services to ensure access to the full continuum of medically necessary interventions for those affected by obesity and continue to support this. I have enclosed correspondence from the Obesity Care Continuum (OCC) sent to my office that requests additional clarity regarding whether or not HHS defines management of obesity and metabolic disorders as a part of disease management in the EHB final rule and requests the specific language in the final rule that addresses the concerns raised by the obesity community.

I believe this warrants your full and immediate consideration, and I hope that you will address this as soon as possible. I would appreciate it if you could please respond directly to my constituents, and send a copy of this response to my office, as well.

Thank you for your consideration. I look forward to hearing from you.

Sincerely,



Barbara A. Mikulski
United States Senator