



# MONDAY ALERT

New York State Alliance *for* Retired Americans

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February 3, 2025

## NYSARA Signs on to Letter Opposing Confirmation of Robert Kennedy as Secretary of HHS

January 24, 2025

Dear senators,

The undersigned 87 organizations representing diverse interests and sectors urge you to vote against Robert F. Kennedy, Jr.'s nomination to serve as the Secretary of the Department of Health and Human Services and to publicly announce your opposition as soon as possible if you have not yet already done so.

Kennedy regularly promotes conspiracy theories without evidentiary basis. We can expect that he would use his elevated platform in this role to spread his dangerous anti-science views. This could have a durable and consequential impact beyond any particular policy changes he advocates.

After all, he has already had a dangerous impact on public health even without serving in a government role. His misleading anti-vaccine positions have contributed to the dangerous rise of vaccine skepticism in the United States and around the world, with identifiably deadly results in some cases.<sup>[1]</sup> He has perpetuated skepticism of the established scientific fact that the HIV virus causes AIDS<sup>[2]</sup> and touted racist pseudoscience about vaccines<sup>[3]</sup> and COVID.<sup>[4]</sup> He has made baseless claims that environmental chemical exposure causes

children to become gay or transgender.<sup>[5]</sup> There are simply too many examples to include in one letter.<sup>[6]</sup> The bottom line is that such anti-science views are disqualifying for someone tasked with serving as the top public health official in the nation.

Kennedy has also made clear he would dismantle the very public health institutions he would be charged with leading. He has publicly stated he would stop research on drug development<sup>[7]</sup> and infectious disease,<sup>[8]</sup> giving them “a break for about eight years.” He has also pledged to fire hundreds of National Institute of Health (NIH) employees,<sup>[9]</sup> told Food and Drug Administration (FDA) workers to “pack [their] bags,”<sup>[10]</sup> and said he’d like to clear out entire departments of the federal government, including the nutrition department at the FDA.<sup>[11]</sup>

It is through this prism of bizarre anti-public health views that senators must view anything that Kennedy says. For example, Kennedy’s criticisms of Big Pharma rightfully strike a nerve with the American public (and echo critiques that many of us have long made). But instead of strengthening scientific standards at the FDA, we have every reason to believe that Kennedy’s approach would instead rely on lowering standards and disregarding science in order to tout and perhaps approve unproven medications and treatments.

Successful health initiatives rely on public confidence. If Robert F. Kennedy, Jr. takes command of the Department of Health and Human Services, we will face lies and disinformation at an unprecedented scale that are capable of unwinding a century of progress on fighting disease and promoting public health.

We urge you to swiftly announce your opposition to Kennedy’s nomination as HHS chief.

Public Citizen

## **Proposed Rule Would Improve Medicare Advantage Prior Authorization and Transparency**

By Julie Carter and our Friends at Medicare Rights

This week, Medicare Rights [submitted comments](#) in response to the annual Medicare Advantage (MA) and Part D [proposed rule](#) for 2026 from the Centers for Medicare & Medicaid Services (CMS). Among the highlights in the proposed rule are provisions that would improve Medicare Advantage prior authorization standards and require new transparency and avenues for potential enrollees to understand their care options. We enthusiastically support these proposals and urge the new Trump administration to finalize them.

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## **Potential to Protect Against Overuse of Prior Authorizations**

One of the most impactful of the proposals would strengthen limitations on plans' internal coverage rules for prior authorization, requiring evidence that the rules have some clinical benefit and are not just attempts to delay or deny care. CMS would require plans to be more transparent about how they use these internal rules, including making them easier for enrollees and the public to access, and reiterates the prohibition on using any rule that automatically denies coverage. This includes using artificial intelligence or other mechanisms that do blanket denials.

## **Provider Directories Would be Incorporated Into Plan Finder**

Other proposals would require plans to submit accurate and up-to-date provider directory data to CMS so that the information can be used with Medicare Plan Finder. This would allow people to find plans where their preferred providers are in network and increase ease and transparency for the public to gauge plans' network adequacy. Currently, potential enrollees

must go to each plan's website for this information, and the directories are often outdated and filled with inaccurate information.

## **Intentions for More Transparent Marketing**

The rule would also do more to curtail inappropriate marketing, including through greater oversight of MA materials and banning plans from marketing debit cards as a benefit.

Related to marketing, the rule would also require agents and brokers to inform consumers about affordability programs like the Low-Income Subsidy (LIS or "Extra Help") for drug costs and Medicare Savings Programs (MSP) for other Medicare costs. In addition, brokers would be required to tell people who are contemplating switching from Original Medicare to MA about the effect that would have on their future Medigap eligibility.

## **Anti-Obesity Medications Under Scrutiny**

One of the more controversial proposals would open up coverage in Part D for anti-obesity medications. While Medicare Rights supports extending Medicare coverage where possible, we did urge CMS to ensure that this coverage decision is coupled with aggressive actions to limit the costs of these drugs and the runaway profits of the manufacturers.

Importantly, [some of these drugs are up for drug price negotiation in the second round](#), which gives hope for some reduction in their cost.

## **Medicare Rights Stands Firm Amidst Changing Administration**

These proposals show important avenues for improvement and ways CMS could increase oversight of plans. Because this rule was proposed under the Biden-Harris administration and would be finalized under the Trump administration, it is probable that many of these proposals will not be adopted. But no matter the administration, we will continue our work to

improve MA and Part D and protect the health, financial stability, and well-being of current and future beneficiaries.

## **Health Insurance Information, Counseling and Assistance Program in New York State**

More than 500 trained HIICAP counselors located in local offices for the aging across the state are available to answer questions about Medicare, Medicare Advantage programs (managed care), Medicare prescription drug coverage, Medigap, and other health and long-term care insurance issues. Counseling is also available through the toll-free HIICAP helpline. Callers will be prompted to enter their zip code and will be routed to their local offices for the aging to talk with a trained counselor.

### **For additional information:**

[1-800-701-0501](tel:1-800-701-0501) Monday - Friday, 8:30am to 5:00pm

## **Trump Administration Rescinds Memo “Pausing” Federal Grants After Sparking Widespread Panic and Confusion**

Monday night the Office of Management and Budget (OMB) [issued a memo](#) freezing all federal grants, causing chaos for nonprofit organizations and government agencies and jeopardizing critical assistance programs that older Americans rely on, including Meals on Wheels. State Medicaid programs [reported](#) that they were unable to access payment portals.

The pause was set to take effect at 5 P.M. on Tuesday, but OMB officials eventually sent a notice [revoking](#) the memo altogether.

Twenty-three state attorneys general filed a lawsuit in Rhode Island in response to the freeze, and the federal judge in that case said he is open to

blocking future attempts to pause funding.

“All across the United States seniors were left wondering whether their next meal would be delivered, whether the ride they were depending on to get to the doctor would show up, or whether their nursing home bill would even be paid,” said **Richard Fiesta**, Executive Director of the Alliance. “It’s good he backed down, but we know that the goal of gutting the health care and other services Americans rely on remains in place. We must remain vigilant and ready to fight back.”

### **Report: Americans Prefer to Add Revenue to Social Security Instead of Cutting Benefits**

A new public opinion survey entitled “Social Security at 90: A Bipartisan Roadmap for the Program’s Future,” [indicates that](#) the majority of Americans want to strengthen Social Security – not cut it. 85 percent of Americans surveyed said they want to make sure that benefits are increased and/or not reduced, even if that means paying higher taxes.

The poll was commissioned by the National Academy of Social Insurance, AARP, National Institute on Retirement Security and the U.S. Chamber of Commerce.

When asked about potential Social Security policy changes to address future funding shortfalls, respondents showed a strong preference for making adjustments that add revenue, showing the strongest support for getting rid of the payroll tax cap on earnings over \$400,000. They also reported strong disapproval for any proposed updates that excluded eliminating the payroll tax cap.

Other popular modifications included gradually raising the payroll tax rate from 6.2 percent to 7.2 percent and adapting the annual cost-of-living adjustment (COLA) to more accurately reflect inflation and the spending

habits of older Americans. Respondents also broadly opposed policy changes that involve benefit reductions, especially raising the retirement age.

“This study confirms how united Americans are in their support for strengthening Social Security and increasing benefits,” said **Robert Roach, Jr.**, President of the Alliance. “Congress needs to follow their lead and raise the payroll tax cap so the wealthy pay their fair share into the system.”

### **The Alliance Urges Senators to Reject Robert F. Kennedy Jr. as Secretary of Health and Human Services**

*Alliance for Retired Americans leader Richard Fiesta released the [following statement](#) regarding Robert Kennedy, Jr.’s nomination for Secretary of Health and Human Services (HHS):*

“During his confirmation hearings, Mr. Kennedy demonstrated a lack of understanding of how Medicare and Medicaid, the health insurance programs, which forty percent of Americans rely on every day, operate.



“On Wednesday, Mr. Kennedy [appeared unaware](#) that most Medicaid recipients do not pay premiums or co-pays or that the program’s cost is shared by states and the federal government. On Thursday, he [could not state](#) what Medicare Part A, B, and C are or what they cover. This is basic



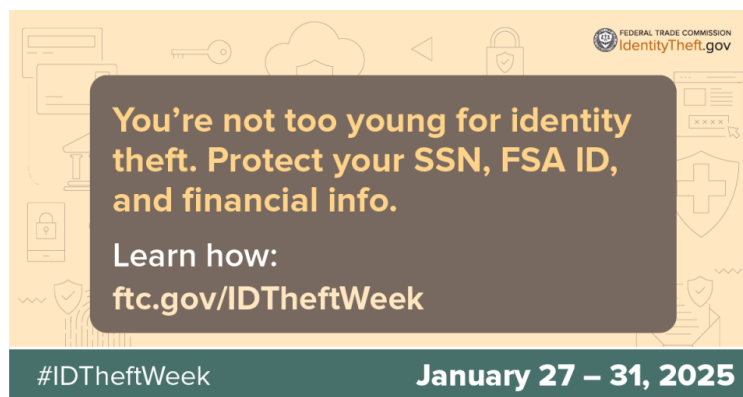
information, readily available to anyone with a computer, and something that the person who wants to run these insurance programs needs to know.

“He also offered no new ideas for lowering the price of prescription drugs – despite this being an issue President Trump has spoken on over the years. Kennedy gave [no assurances](#) that the current Administration would protect the lower drug price provisions in the Inflation Reduction Act which are saving people with Medicare money on the drugs they need.

“Medicare beneficiaries have a right to know whether this Administration will go along with efforts to repeal the monthly \$35 cap on insulin co-pays, the \$2,000 out-of-pocket cap on drug prices, and the requirement that Medicare negotiate lower prices for the most expensive drugs.

“Older Americans earn Medicare benefits over a lifetime of work, contributing to the system with every paycheck. And millions of the most vulnerable Americans rely on Medicaid to pay for the health care and long-term care they need. Seniors’ health care is too important to put in Mr. Kennedy’s hands and on behalf of the Alliance’s 4.4 million members, I urge senators to reject his nomination.”

## **Federal Trade Commission Holds Identity Theft Awareness Week**

A graphic for Identity Theft Awareness Week. It features a light yellow background with various icons related to identity theft, such as a key, a padlock, a shield with a cross, a document, and a person. In the top right corner, there is a logo for the Federal Trade Commission and the website IdentityTheft.gov. A dark brown rectangular box in the center contains the text: "You're not too young for identity theft. Protect your SSN, FSA ID, and financial info. Learn how: ftc.gov/IDTheftWeek". At the bottom, a dark green banner contains the hashtag #IDTheftWeek and the dates January 27 – 31, 2025.

FEDERAL TRADE COMMISSION  
IdentityTheft.gov

**You're not too young for identity theft. Protect your SSN, FSA ID, and financial info.**

Learn how:  
[ftc.gov/IDTheftWeek](https://ftc.gov/IDTheftWeek)

#IDTheftWeek **January 27 – 31, 2025**



This week, the Federal Trade Commission (FTC) partnered with a [multitude of organizations](#), including the Better Business Bureau, the U.S. Department of Veterans Affairs, and the Social Security Administration to raise

awareness of identity theft and promote good habits to understand, avoid, and, if necessary, recover from identity theft.

The FTC hosted free podcasts, webinars, interviews, and other events that centered on avoiding and recovering from identity theft, as well as [spotting scams](#). The events emphasized that identity theft can happen to anyone, regardless of age, but also provided extra support and advice for communities that are often targeted for identity theft, including seniors.

On Thursday, the FTC hosted two webinars in partnership with the Social Security Administration (SSA) that covered understanding and avoiding identity theft.

“Identity theft is a serious issue that affects countless older Americans each year,” said **Joseph Peters, Jr.**, Secretary-Treasurer of the Alliance. “This week is a chance to help seniors and other communities learn more about identity theft, how they can prevent it, and how to recover from it.”