

United States Senate

FOR IMMEDIATE RELEASE

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HATCH, ENZI SPEARHEAD LETTER TO PRESIDENT URGING HIM TO WITHDRAW BERWICK NOMINATION TO HEAD CMS

In Letter, 42 Senators Write, “Withdrawing Dr. Berwick’s nomination would be a positive first step in rebuilding the trust of the American people.”

WASHINGTON – U.S. Senators Orrin Hatch (R-Utah), Ranking Member of the Senate Finance Committee, and Mike Enzi (R-Wyo), Ranking Member of the Senate Health, Education, Labor and Pensions Committee, spearheaded a letter of 42 Senators to President Obama today urging him to withdraw the nomination of Dr. Donald Berwick to head the Center for Medicare and Medicaid Services (CMS). CMS is in charge of both Medicare and Medicaid, and will oversee most of the implementation of the recently-enacted health law.

“Don Berwick is a contentious choice to head an agency with a budget larger than the Defense Department’s and implement the vast majority of the \$2.6 trillion health law. The White House’s handling of this nomination – failing to respond to repeated requests for information and circumventing the Senate through a recess appointment - has made Dr. Berwick’s confirmation next to impossible,” **said Hatch**. “In the spirit of cooperation, the President should withdraw his nomination and choose a different candidate who has the support and confidence of the American people.”

“Both Congress and more than 100 million Americans that will be affected by this partisan health care reform plan need to know who is minding the store at CMS. But there are just too many questions about what Dr. Berwick and CMS are doing or will do with the unprecedented power they have been given to reshape our health care system,” **said Enzi**. “The President should start with a clean slate and send the Senate a nominee who is willing to answer our questions and seek our bipartisan support as he or she leads CMS in implementing the new health care law.”

In the letter to the President, the Senators wrote, “Withdrawing Dr. Berwick’s nomination would be a positive first step in rebuilding the trust of the American people. The occupant of this important position, which affects the health care of so many Americans on a daily basis, requires an individual with the appropriate experience and management ability. Our seniors and those who rely on Medicaid deserve no less.”

In addition to Hatch and Enzi, the following Senators also signed the letter: Lamar Alexander (R-Tenn.), Kelly Ayotte (R-N.H.), John Barrasso (R-Wyo.), Roy Blunt (R-Mo.), John Boozman (R-Ark.), Richard Burr (R-N.C.), Saxby Chambliss (R-Ga.), Dan Coats (R-Ind.), Tom Coburn (R-Okla.), Thad Cochran (R-Miss.), Bob Corker (R-Tenn.), John Cornyn (R-Texas), Mike Crapo (R-Idaho), Jim DeMint (R-S.C.), John Ensign (R-Nev.), Lindsey Graham (R-S.C.), Chuck Grassley (R-Iowa), John Hoeven (R-N.D.), Kay Bailey Hutchison (R-Texas), Jim Inhofe (R-Okla.), Johnny Isakson (R-Ga.), Mike Johanns (R-Neb.), Ron Johnson (R-Wis.), Mark Kirk (R-Ill.), Jon Kyl (R-Ariz.), Mike Lee (R-Utah), Dick Lugar (R-Ind.), John McCain (R-Ariz.), Mitch McConnell (R-Ky.), Jim Moran (R-Kan.), Ron Paul (R-Ky), John Risch (R-Idaho), Pat Roberts (R-Kan.), Marco Rubio (R-Fla.), Jeff Sessions (R-Ala.), Richard Shelby (R-Ala.), John Thune (R-S.D.), Pat Toomey (R-Pa.), David Vitter (R-La.), and Roger Wicker (R-Miss.).

The full text of the letter sent to President Obama today is below and can be viewed [here](#):

The President

The White House

Washington, DC 20500

Dear Mr. President,

We are writing to urge you to withdraw the nomination of Dr. Donald Berwick to serve as the Administrator of the Centers for Medicare and Medicaid Services (CMS).

After submitting his nomination to the Senate last year, your decision to appoint Dr. Berwick by recess appointment was completed before a hearing could be held thereby short-circuiting the ability of the Senate to consider his nomination in the 111th Congress. This abrupt and unilateral action meant that no Senator – Democrat or Republican – was given the opportunity to ask Dr. Berwick a single question before he was placed in charge of an agency with a budget larger than the Department of Defense, which controls 4 percent of our nation’s gross domestic product (GDP), and, most importantly, directly impacts more than 100 million American lives every single day.

The enactment of the 2010 partisan health care law placed more authority in the hands of the Administrator than ever before. As CMS now has the responsibility for restructuring insurance markets across the country, Dr. Berwick’s lack of experience in the areas of health plan operations and insurance regulation raise serious concerns about his qualifications for this position.

Furthermore, his past record of controversial statements, and general lack of experience managing an organization as large and complex as CMS should disqualify him being confirmed as the CMS Administrator.

You repeatedly pledged, both as a candidate and as President that you would usher in a new era of transparency in our government. However, the process used in the enactment of the health care law, combined with the end-run around Congress with the recess appointment of Dr. Berwick, both contradict your pledge.

Withdrawing Dr. Berwick's nomination would be a positive first step in rebuilding the trust of the American people. The occupant of this important position, which affects the health care of so many Americans on a daily basis, requires an individual with the appropriate experience and management ability. Our seniors and those who rely on Medicaid deserve no less.

Once you have withdrawn his nomination, we are confident we can all work together to find a nominee for Administrator we can support and confirm after appropriate hearings are held.

Sincerely,

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