

Questions to Dr. Mehmet Oz from Senator Hawley

1. On your television program, you hosted various transgender advocates as well as a surgeon who performed transgender surgery. You also invited minor children to discuss switching genders and praised parents for helping their children “transition.”
 - a. Have your views on this issue changed since you hosted your television show?
 - b. Do you support President Trump’s position that gender transition procedures for minors should be banned?

Response A & B: Since I hosted the Dr. Oz show, medical research on this topic has shown that previous clinical approaches were not sufficiently evidence-based and contained inconsistencies. I look forward to administering President Trump’s policies, including by following his Executive Order entitled “Protecting Children from Chemical and Surgical Mutilation” which ends the reliance on guidance from the World Professional Association for Transgender Health (WPATH). The Executive Order directs HHS to publish a review of the existing literature on best practices for promoting the health of children who assert gender dysphoria, rapid-onset gender dysphoria, or other identity-based confusion. I look forward to examining this review and working with President Trump and Secretary Kennedy to develop CMS policies based on these principals.

- c. Do you support President Trump’s Executive Order barring biological men from competing in women’s sports?

Response: Yes.

- d. Do you believe that CMS has a role in promoting or supporting gender transition surgery in any way?

Response: If confirmed, I will follow President Trump’s Executive Orders and the law and take all appropriate CMS actions to end the chemical and surgical mutilation of children.

- e. In line with President Trump’s policies, will you commit never to issue a National Coverage Determination at CMS for “gender reassignment surgery” or equivalent procedures, including the use of hormone and puberty blockers?

Response: Yes.

- f. Will you support President Trump’s efforts to halt federal funding to hospitals that provide so-called “gender affirming care” to minors?

Response: I will fully support President Trump’s Executive Order which states that “it is the policy of the United States that it will not fund, sponsor, promote, assist, or support the so-called ‘transition’ of a child from one sex to another, and it will rigorously enforce all laws that prohibit or limit these destructive and life-altering procedures.” If confirmed, I look forward to working with President Trump and Secretary Kennedy to implement CMS policies that advance the Executive Order.

2. In the past, you have said you did not want to “interfere” with doctors prescribing puberty blockers for minor children.² Is that still your position?

Response: If confirmed, I will follow President Trump’s Executive Order and take all appropriate actions to end the chemical and surgical mutilation of children.

3. Do you believe the *Dobbs* decision overturning *Roe v. Wade*, which every Justice appointed by President Trump supported, was correctly decided?

Response: Yes.

4. In 2019, you opposed *state* limitations on abortion related to fetal heartbeat by describing the baby’s heartbeat as “little electrical exchanges in the cell that no one would hear or think about as a heart.” Is that still your position?

Response: I am unequivocally pro-life, and if confirmed, I look forward to advancing a pro-life agenda at CMS.

5. When describing a *state* pro-life law in 2019, you predicted that the state would face a “big sucking sound of businesses leaving.” Can you clarify your comments? As head of CMS, will you allow decisions to be influenced by corporate preferences?

Response: If confirmed, I look forward to advancing a pro-life agenda regardless of the views of special interests, and I commit to making sound decisions based on conservative principles and the facts.

6. You said in 2022, with regard to abortion, “As a physician, I’ve been in the room when there’s some difficult conversations happening. I don’t want the federal government involved with that, at all.” You have also said you do not want the federal government impinging on actions the states may make with regard to abortion. But many federal laws and regulations implicate life issues. President Trump’s administration has opposed federal funding for abortion, for example, at home and abroad. Will you support the President’s position and commit to upholding existing laws that prevent federal funds from being used for abortions?

Response: Yes. If confirmed, I will uphold existing laws and will follow President Trump's Executive Order on Enforcing the Hyde Amendment³ to end the use of Federal taxpayer dollars to fund or promote elective abortion. I have been clear about my support of the Hyde Amendment and my pro-life principles.

7. Certain states have *mandated* private insurance coverage for abortion, violating the Weldon Amendment. Will you work with CMS regional offices to withhold funds from states that refuse to comply with Weldon protections?

Response: If confirmed, I will work to ensure compliance with all applicable federal laws and protections, including those that protect conscience rights related to abortion.

8. Are you prepared to enforce all relevant federal statutes within CMS jurisdiction that protect conscience rights related to abortion, including the Weldon, Church, and Coats-Snowe Amendments?

Response: Yes. If confirmed, I commit to following the law, including those that protect conscience rights related to abortion.

9. Under President Trump, CMS approved waivers allowing states to exclude abortion-performing clinics from the Medicaid program. Will you support the President's policy and back similar waivers, should you be confirmed?

Response: If confirmed, I will review section 1115 waiver applications individually as they are submitted and supporting states seeking similar waivers as in the first Trump Administration. I look forward to working with states to improve health care outcomes and ensure Medicaid dollars are used appropriately in accordance with administration priorities.

10. Will you support action at the federal level to directly exclude abortion providers from the Medicaid program?

Response: If confirmed, I will follow President Trump's Executive Order on Enforcing the Hyde Amendment⁴ to protect taxpayers from funding or promoting abortion.

11. The Biden administration issued guidance via CMS suggesting that the Emergency Medical Treatment and Active Labor Act (EMTALA) *required* hospitals to perform abortions, overriding state pro-life laws. Will you return to the Trump policy and clarify that EMTALA does *not* mandate abortions?

Response: EMTALA protects access to emergency medical care for all patients, including pregnant women. I believe CMS can simultaneously enforce EMTALA and respect the many state laws protecting the unborn and the right of conscience in healthcare. If confirmed, I will review this guidance and look forward to working with CMS as well as Congress to ensure that both can be achieved.

12. Under President Trump, CMS required separate billing for plans that covered abortion in ACA marketplace plans. The Biden administration eliminated this requirement. Will you support returning to President Trump's policy of transparent billing practices and ensure that consumers pay properly-separated charges for abortion?

Response: If confirmed, I look forward to following the law and President Trump's Executive Order on Enforcing the Hyde Amendment⁵ to protect taxpayers from funding or promoting abortion and restoring this policy from the first Trump Administration.