

# Top Health Dem Seeks to Block AI Prior Authorization in Medicare

May 14, 2026, 4:26 PM EDT

**Erin Durkin**

Health policy reporter

An influential House Democrat is eyeing a congressional procedure to block a Trump administration pilot program implementing prior authorization protocols using artificial intelligence in traditional Medicare.

- Rep. Suzan DelBene has been outspoken about constituents' objections to the program, saying it is "costing us more" and causing people to have delayed and denied care.
- The Government Accountability Office determined that the model is subject to certain congressional procedures that allow lawmakers to review the program and enact a joint resolution of disapproval, which would block the program's implementation.

An influential House Democrat is eyeing a congressional procedure to block a Trump administration pilot program implementing prior authorization protocols using artificial intelligence in traditional Medicare.

The Centers for Medicare & Medicaid Services started testing the new initiative in January in six states for certain services in Medicare. But Rep. Suzan DelBene (D-Wash.), chair of the Democratic Congressional Campaign Committee, has been **outspoken about constituents' objections**. The lawmaker has sought to block the model through standalone legislation and the appropriations process.

"On a program that supposedly is supposed to be saving us money, it's costing us more," she said. "We've seen people have delayed and denied care that ends up making their healthcare situation worse."

CMS Administrator Mehmet Oz responded to a congressional inquiry DelBene initiated in a **May 8 letter**, exclusively provided by DelBene's office, saying the agency will audit the companies participating in the model, and those with a high rate of inaccuracy may be terminated from the program. The companies will also not receive payment or their payment will be recouped if a denial of coverage is successfully appealed.

“He says they can be appealed, but we know this is a huge burden on patients and providers,” DelBene told Bloomberg Government, referring to denials.

Oz’s response said the model aligns with HHS Secretary Robert F. Kennedy Jr.’s goal to “fix prior authorization” in Medicare Advantage: “enough review to protect patients from inappropriate care, but not so much that it interferes with their timely access to medically necessary care.”

DelBene sent questions to CMS in August, after the agency announced its intention to implement the model. “While prior authorization is often described as a cost-containment strategy, in practice it increases provider burden, takes time away from patients, limits patients’ access to life-saving care, and creates unnecessary administrative burden,” she and 18 of her House Democrat colleagues wrote.

The group asked CMS a series of questions such as how the companies’ algorithms would be reviewed, what performance metrics will be, and if the agency has studied how prior authorization in traditional Medicare can increase physician burnout.

## **Prior Authorizations in Medicare**

Traditional Medicare, unlike Medicare Advantage which is provided by private insurers, rarely uses prior authorization. But the new CMS model uses private companies to implement and streamline prior authorization processes in traditional Medicare for certain services, and in return, they “receive a percentage of the expenditures associated with averted wasteful, inappropriate care as a result of their reviews,” according to CMS.

This week, the Government Accountability Office **determined** that the model is subject to certain congressional procedures that allow lawmakers to review the program and enact a joint resolution of disapproval, which would block the program’s implementation. The Health and Human Services Department had tried to argue the model should not be subject to these rules, according to the GAO report.

“We are also looking at that as a legislative avenue,” DelBene said.

CMS did not respond to a request for comment about the letter or the decision from the GAO.

To contact the reporter on this story: **Erin Durkin** in Washington  
at [edurkin@bloombergindustry.com](mailto:edurkin@bloombergindustry.com)