

A BILL

To abolish the Center for Medicare and Medicaid Innovation, repeal section 1115A of the Social Security Act, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the “Center for Medicare and Medicaid Innovation Abolition Act of 2026”.

SECTION 2. FINDINGS.

Congress finds the following:

(1) The Center for Medicare and Medicaid Innovation (CMMI), a component of the Centers for Medicare & Medicaid Services, Department of Health and Human Services, tests new payment and service delivery models in Medicare and Medicaid.

(2) By directing the practice of medicine through payment experiments, the CMMI expends money drawn from the Treasury on objects that are not among the enumerated powers of Congress, exceeding the “general Welfare” clause of Article I, Section 8, Clause 1, which James Madison explained in Federalist No. 41 is limited by the specific powers enumerated after it and confers no separate power to spend for any object Congress may choose.

(3) The functions of the CMMI are not “necessary and proper for carrying into Execution” any power vested by the Constitution in the Government of the United States and therefore find no support in Article I, Section 8, Clause 18, which Madison in Federalist No. 44 described as a means of executing powers already granted rather than a source of new ones, as the Anti-Federalist writer Brutus warned in his first essay of 1787 it would otherwise become.

(4) The CMMI exercises lawmaking power by issuing rules and standards that carry the force of law, contrary to Article I, Section 1, which vests “All legislative Powers herein granted” in the Congress alone, which may not transfer them to officers unaccountable to the people at the ballot box.

(5) In carrying out its functions, the CMMI disregards the Ninth Amendment, which provides that “The enumeration in the Constitution, of certain rights, shall not be construed to deny or disparage others retained by the people,” including the right of the people to order their own lives, property, and affairs free of federal direction in matters the Constitution does not commit to the Federal Government.

(6) The Constitution delegates to the United States no power over health care. By directing the practice of medicine through payment experiments, the CMMI exercises powers that the Tenth

Amendment reserves “to the States respectively, or to the people,” contrary to Federalist No. 45, in which Madison described the powers delegated to the Federal Government as “few and defined” and those remaining in the States as “numerous and indefinite.”

(7) The Declaration of Independence affirms that governments are instituted to secure the unalienable rights of the people and derive “their just powers from the consent of the governed,” and it charged the Crown with having “erected a multitude of New Offices, and sent hither swarms of Officers to harass our people, and eat out their substance.” The CMMI perpetuates the centralized administration the Declaration condemned.

(8) Abolishing the Center for Medicare and Medicaid Innovation and repealing section 1115A of the Social Security Act will reduce the size and cost of the Federal Government, return to the States and to the people the powers the Constitution reserves to them, and restore the constitutional principles of limited government and enumerated powers.

SECTION 3. ABOLITION OF THE CENTER FOR MEDICARE AND MEDICAID INNOVATION.

(a) In General.—The Center for Medicare and Medicaid Innovation, a component of the Centers for Medicare & Medicaid Services, Department of Health and Human Services, is hereby abolished effective immediately following the enactment of this Act.

(b) Wind-Down Operations.—Immediately following the enactment of this Act, the President shall designate an appropriate official to expeditiously wind down the operations of the Center for Medicare and Medicaid Innovation, ceasing all functions, none of which shall be transferred to any other department or agency of the Federal Government.

(c) Transfer of Assets and Liabilities.—All assets, liabilities, contracts, property, and records of the Center for Medicare and Medicaid Innovation shall be transferred to the designated official under subsection (b) for appropriate disposition.

(d) Employee Transition.—Employees of the Center for Medicare and Medicaid Innovation shall be offered opportunities for reassignment within the federal government or provided with severance and retraining assistance as prescribed by existing federal law.

SECTION 4. REPEAL OF PROVISIONS OF LAW ESTABLISHING THE CENTER FOR MEDICARE AND MEDICAID INNOVATION.

(a) In General.—Section 1115A of the Social Security Act (42 U.S.C. 1315a), and any other provision of law establishing the Center for Medicare and Medicaid Innovation or vesting functions in the Center for Medicare and Medicaid Innovation, are hereby repealed.

(b) Conforming Amendments.—The United States Code and all other relevant Federal laws are amended by—

(1) striking all references to the Center for Medicare and Medicaid Innovation and to any office, officer, or function established in or vested in the Center for Medicare and Medicaid

Innovation;

(2) terminating every function of the Center for Medicare and Medicaid Innovation, no part of which shall be reassigned to any other department or agency of the Federal Government; and

(3) making such other conforming changes as necessary to reflect the repeal and the permanent abolition of the Center for Medicare and Medicaid Innovation.

(c) Effective Date.—The repeal under this section shall take effect immediately following the enactment of this Act.

SECTION 5. TRANSITION PROVISIONS.

(a) No Restoration of Prior Structures.—No element of the Center for Medicare and Medicaid Innovation shall revert to its organizational structure as it existed prior to the establishment of the Center for Medicare and Medicaid Innovation, and no function of the Center for Medicare and Medicaid Innovation shall be restored to any predecessor department, agency, or office.

(b) Permanent Abolition.—No department, agency, office, or other entity shall be established to carry out the functions of the Center for Medicare and Medicaid Innovation abolished by this Act.

SECTION 6. SEVERABILITY.

If any provision of this Act, or the application thereof to any person or circumstance, is held invalid, the remainder of the Act and the application of such provision to other persons or circumstances shall not be affected thereby.