



NEW YORK CITY DEPARTMENT OF

HEALTH AND MENTAL HYGIENE

Michelle Morse, MD, MPH

Acting Health Commissioner

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via electronic submission: [regulations.gov](https://www.regulations.gov)

Re: Request for Information: Ensuring Lawful Regulation and Unleashing Innovation to Make America Healthy Again

Dear Secretary Kennedy:

The NYC Department of Health and Mental Hygiene (DOHMH) appreciates the U.S. Department of Health and Human Services' (HHS) decision to solicit public input through a formal Request for Information (RFI) prior to proposing or finalizing major regulatory changes. In an era when trust in public institutions is vital to our collective well-being, offering an opportunity for public comment underscores a commitment to transparency, accountability, and evidence-based governance. With this in mind, we urge HHS and its subsidiary agencies to continue using a formal notice and comment process. The use of public notice and comment processes is an essential mechanism to ensure that policy is grounded in real-world expertise and community needs. RFIs can be helpful in soliciting stakeholder input but are not always an appropriate substitute.

We understand that the federal administration has made regulatory reform a key priority. As a public health agency responsible for the health and safety of over 8 million New Yorkers and many more who come to New York City to work and visit, we respect the goal of streamlining regulations and reducing unnecessary burdens. However, we encourage HHS to employ a cautious, thoughtful, and evidence-based approach that properly incorporates input. Deregulation must not come at a cost to the people we serve. Public health protections – often hard-won over decades – require robust, evidence-based analysis before any reconsideration. We urge HHS to weigh all reforms against their potential to widen disparities or place the public at risk.

Federal regulations have long played a crucial role in safeguarding Americans. For example, the Centers for Medicare and Medicaid Services (CMS) infection control standards in long-term care facilities have significantly reduced hospital-acquired infections and protected older adults. Similarly, the Environmental Protection Agency's (EPA) drinking water standards pursuant to the Safe Drinking Water Act have prevented outbreaks of waterborne illness, protected children from lead exposure, and ensured that millions of Americans – especially those in low-income and rural communities – have access to safe and clean water. These agency rules contribute directly to the public's ability to



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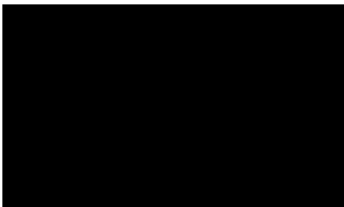
live longer, healthier lives – aligning closely with the principles of the Make America Healthy Again campaign, which envisions a nation where every individual has the opportunity to achieve optimal health regardless of background or income.

We urge HHS not to rescind or weaken such protections under the banner of deregulation. Doing so would endanger lives, erode public trust, and reverse decades of public health progress.

As HHS evaluates potential regulatory changes, we urge the Department to carefully consider the principles of federalism and the practical interdependence between federal, state, and local governance. Many municipal and state health laws and enforcement frameworks rely on federal standards – ranging from food labeling and environmental health to workplace safety and public benefits administration. Abrupt or unilateral changes to these federal regulations can create legal gaps, operational confusion, and costly compliance burdens at lower levels of government. [Executive Order 13132](#) (1999) directed federal agencies to assess the impact of regulatory actions on state and local governments and to consult with them meaningfully when such impacts are likely. We support the intergovernmental coordination encouraged by this Executive Order and recommend that HHS deepen its collaboration with jurisdictions like New York City, whose laws, public health programs, and enforcement activities are directly affected by federal regulatory shifts.

Thank you for the opportunity to provide input. We remain available to support HHS in reviewing regulations through a lens of health, science, and justice.

Sincerely,



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Acting Health Commissioner
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City of New York