

TOM DAVIS, VIRGINIA,
CHAIRMAN

CHRISTOPHER SHAYS, CONNECTICUT
DAN BURTON, INDIANA
ILEANA ROS-LEHTINEN, FLORIDA
JOHN M. MCHUGH, NEW YORK
JOHN L. MICA, FLORIDA
GIL GUTKNECHT, MINNESOTA
MARK E. SOUDER, INDIANA
STEVEN C. LATOURETTE, OHIO
TODD RUSSELL PLATTS, PENNSYLVANIA
CHRIS CANNON, UTAH
JOHN J. DUNCAN, JR., TENNESSEE
CANDICE MILLER, MICHIGAN
MICHAEL R. TURNER, OHIO
DARRELL ISSA, CALIFORNIA
JON C. PORTER, NEVADA
KENNY MARCHANT, TEXAS
LYNN A. WESTMORELAND, GEORGIA
PATRICK T. MCHENRY, NORTH CAROLINA
CHARLES W. DENT, PENNSYLVANIA
VIRGINIA FOXX, NORTH CAROLINA
JEAN SCHMIDT, OHIO
BRIAN P. BILBRAY, CALIFORNIA

ONE HUNDRED NINTH CONGRESS

Congress of the United States

House of Representatives

COMMITTEE ON GOVERNMENT REFORM

2157 RAYBURN HOUSE OFFICE BUILDING

WASHINGTON, DC 20515-6143

MAJORITY (202) 225-5074
FACSIMILE (202) 225-3974
MINORITY (202) 225-5051
TTY (202) 225-6852

<http://reform.house.gov>

HENRY A. WAXMAN, CALIFORNIA,
RANKING MINORITY MEMBER

TOM LANTOS, CALIFORNIA
MAJOR R. OWENS, NEW YORK
EDOLPHUS TOWNS, NEW YORK
PAUL E. KANJORSKI, PENNSYLVANIA
CAROLYN B. MALONEY, NEW YORK
ELIJAH E. CUMMINGS, MARYLAND
DENNIS J. KUCINICH, OHIO
DANNY K. DAVIS, ILLINOIS
WM. LACY CLAY, MISSOURI
DIANE E. WATSON, CALIFORNIA
STEPHEN F. LYNCH, MASSACHUSETTS
CHRIS VAN HOLLEN, MARYLAND
LINDA T. SANCHEZ, CALIFORNIA
C.A. DUTCH RUPPERSBERGER,
MARYLAND
BRIAN HIGGINS, NEW YORK
ELEANOR HOLMES NORTON,
DISTRICT OF COLUMBIA

BERNARD SANDERS, VERMONT,
INDEPENDENT

August 10, 2006

Mark B. McClellan, M.D., Ph.D.
Administrator
Center for Medicare and Medicaid Services
Hubert H. Humphrey Building
200 Independence Avenue, SW
Washington, DC 20201

Dear Dr. McClellan:

As you know, the Centers for Medicare and Medicaid Services frequently provide guidance to States on the Medicaid program in the form of "Dear State Medicaid Director" or "Dear State Health Officer" letters. For years, those letters have been posted on the CMS (formerly HCFA) website and, thus, have been widely available to the public.


Unfortunately, for some time now those letters have been functionally unavailable on the CMS website. While they appear to be posted in an archive, they are not in a format that is readable by most word processing programs (if any), they are not titled, and they are not searchable. Some are available on the site but can only be found if one disregards the instructions on the Overview page and searches for them outside the archives. This leaves officials, scholars, advocates, the public, and my staff unable to refer to them.

I would ask that CMS do two things. First, please send to me a disk with all of the letters in either Adobe Acrobat or MSWord or another word processing format that is generally readable by standard computers. I would ask that you do so by the close of business on August 17.

Second, please arrange for all of these letters to be re-posted on the CMS website in a manner that is generally readable by standard computers, with titles, with dates, and in a computer-searchable format. I would ask that you do so by the end of August.

If you have any questions regarding this request, please do not hesitate to contact Brian Cohen on my staff at (202) 225-5051. Thank you for your attention to this matter.

Sincerely,



Henry A. Waxman
Ranking Minority Member