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United States Senate

COMMITTEE ON FINANCE

WASHINGTON, DC 20510-6200

KOLAN DAVIS, STAFF DIRECTOR AND CHIEF COUNSEL
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August 11, 2005

Via Electronic Transmission
Original via USPS Mail

The Honorable Mark McClellan
Administrator
Centers for Medicare and Medicaid Services
Department of Health and Human Services
200 Independence Avenue, SW
Washington, DC 20201

Dear Dr. McClellan:

Two weeks ago in the Washington Post I read about David Shipp's efforts to find out why his wife of 49 years died. As a result of that article and some preliminary interviews, I am concerned that the quality improvement organizations (QIO), whose activities include investigating patient complaints, have misplaced their priorities.

To date, I have requested that the Centers for Medicare and Medicaid Services (CMS) provide a briefing to my staff about the QIOs' role in ensuring that Medicare beneficiaries receive adequate care and access to quality related information about providers.

In addition, I would appreciate the following information, prior to the requested briefing, but, in no event later than September 7, 2005.

- 1) Copies of the most current quality improvement contracts for each QIO in Regions II, IV and IX.
- 2) For each of the QIOs identified in response to question #1 please provide the following:
 - a. a list identifying the name of the current QIO board members, including a vitae;
 - b. a description of each current board members' duties and responsibilities, if applicable;
 - c. the amount of compensation provided to each board member in FY 2003, 2004, and through July 30, 2005;
 - d. a list identifying every trip taken by each board member in FY 2003, 2004, and through July 30, 2005, including the location of the trip, the purpose of the trip, the number of days and the amount of reimbursement the board member received for the trip.

- 3) Copies of each and every monitoring report for the QIOs identified in response to question #1 prepared by CMS. In the event a report, evaluation or other material was prepared on behalf of one or more QIOs please also include that material.
- 4) For any QIO identified in response to question #1, copies of reports or other documents resulting from CMS evaluations performed at the conclusion of the most recent three-year contract.
- 5) For any QIO identified in response to question #1, please list all other CMS and/or HHS funds awarded to the QIO in FY 2003 and 2004. For the funds identified please identify the date the funds were provided, whether the funds were awarded through a competitive process or as a sole source contract, and the amount of the grant/contract.
- 6) For any QIO identified in response to question #1, please provide a list of organizations with which the QIO is collaborating, including a brief description of the nature of the collaboration.
- 7) Copies of the 2003 and 2004 annual reports to Congress on QIO operations.
- 8) A list of all QIO performance audits performed by or on behalf of CMS/HHS in the last five years and copies of any performance audits of QIOs identified in response to question #1.
- 9) A list of all QIOs that are currently or have been subject to corporate integrity agreements (CIA) negotiated with, among others, the Department of Health and Human Services Office of Inspector General or any other Federal organization for the period of 2000 through July 2005.
- 10) A description of any steps CMS has taken to ensure that board members of QIOs do not have a conflict of interest(s) and a copy of all related policies, procedures, or other documentation.
- 11) A copy of the information provided to David Shipp by CMS or his respective QIO, Health Care Excel, relating to the review of his complaint.

In complying with this request, please respond by repeating the enumerated request, followed by the accompanying response; attach and identify all relevant documents or data by title and the number(s) of the enumerated request(s) to which they are responding. Should you have questions regarding any of these requests, or if some or a portion of the materials requested are maintained in a format different than that requested, please be sure to contact the Committee, so that such issues can be discussed in advance. I have also requested that my staff contact your office shortly after your receipt of this document request letter to determine whether or not CMS has any questions regarding this request that can be resolved in advance to avoid future delays. I am also prepared to accept documents on a rolling schedule.

In closing, thank you for your attention to this important matter. Should you have any questions regarding this letter, please do not hesitate to contact Emilia DiSanto or Diann Johnson at (202) 224-4515. All correspondences should be sent electronically in PDF searchable format to thomas_novelli@finance-rep.senate.gov. All original material should be sent via USPS mail.

Sincerely,

A handwritten signature in blue ink that reads "Chuck Grassley". The signature is written in a cursive, slightly slanted style.

Charles E. Grassley
Chairman