

ONE HUNDRED FIFTEENTH CONGRESS  
**Congress of the United States**  
**House of Representatives**

COMMITTEE ON ENERGY AND COMMERCE

2125 RAYBURN HOUSE OFFICE BUILDING  
WASHINGTON, DC 20515-6115

Majority (202) 225-2927  
Minority (202) 225-3641

December 4, 2017

The Honorable Seema Verma  
Administrator  
Centers for Medicare & Medicaid Services  
7500 Security Boulevard  
Baltimore, MD 21244

Dear Administrator Verma:

I write to you with concerns regarding potential conflicts of interest and impartiality in the Administration's reported rollback and rewrite of Centers for Medicare & Medicaid Services (CMS) rules. These concerns were prompted by a recent report that private sector consultants are being subcontracted through The MITRE Corporation (MITRE) to consult on the rewrite of certain CMS regulations.<sup>1</sup>

The Committee has a longstanding interest in ensuring that our government operates in a transparent and impartial manner. The subcontracting of private sector consultants – some of whom may maintain close relationships with industry – to assist in writing regulations raises a number of issues, including possible conflicts of interest, given the number of parties that could be affected by these rule changes.

Given the importance of these rules and the potentially far-reaching consequences of any changes made to them, I request a briefing on contractor and subcontractor involvement in CMS's rulemaking process. As part of this briefing, I would appreciate CMS explaining what steps the Agency has taken to ensure that the work it contracts out on behalf of the federal government is performed free of undue influence. This would include any information concerning protocols CMS has in place to screen prospective subcontractors and consultants for potential conflicts of interest, as well as measures CMS takes to ensure that the contractors the Agency hires to support rulemaking efforts are ultimately able to serve free of conflicts of interest.

---

<sup>1</sup> *How the Trump administration is reshaping health care – without Congress*, Politico (Sept. 13, 2017).

Please respond to this inquiry as soon as possible, but no later than December 18, 2017. Should you have any questions, please contact Miles Lichtman with the Democratic Committee Staff at (202) 225-3641.

Sincerely,

A handwritten signature in blue ink that reads "Frank Pallone, Jr." with a stylized flourish at the end.

Frank Pallone, Jr.  
Ranking Member