

**Congress of the United States**  
**House of Representatives**

COMMITTEE ON OVERSIGHT AND REFORM

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WASHINGTON, DC 20515-6143

MAJORITY (202) 225-5051  
MINORITY (202) 225-5074  
<https://oversight.house.gov>

October 7, 2021

The Honorable Chiquita Brooks-LaSure  
Administrator  
Centers for Medicare and Medicaid Services  
200 Independence Avenue, S.W.  
Washington D.C. 20201

Dear Administrator Brooks-LaSure:

On August 17, 2021, we wrote you to regarding the more than \$144.26 billion in improper payments by Medicaid over the past two years.<sup>1</sup> You failed to respond.

Republican staff requested an update from CMS staff on September 2, 2021 about the status of the request. CMS staff responded five days later on September 7, 2021, informing Republican staff that “[w]e are still working on the reply to [the] ranking member’s letter. I am happy to stay in touch on this.”<sup>2</sup> Unfortunately, that has not been in case. Republican staff requested updates on September 8 and September 16, but CMS failed to respond.

Improper payments in the Medicaid program are an important issue for taxpayers. CMS’ own numbers show that in Fiscal Year (FY) 2019, Medicaid made \$57.36 billion<sup>3</sup> in improper payments representing 32.8 percent<sup>4</sup> of all improper payments across the federal government. According to CMS, in FY 2020, improper payments rose to \$86.9 billion, meaning more than 1 out of every 5 Medicaid payments were improper.<sup>5</sup> It is critical that we understand why these improper payments are occurring.

CMS’ apparent decision to subvert congressional oversight of the Medicaid program and inability to even provide updates via email is troubling. As the Committee tasked with rooting out waste, fraud, and abuse in the federal government, Committee Republicans renew our previous request for all state specific Medicaid improper payment rate information from 2015 to 2020. Please provide these documents as soon as possible but no later than October 21, 2021.

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<sup>1</sup> *2020 Estimated Improper Payment Rates for Centers for Medicare & Medicaid Services (CMS) Programs*, Cent. Medicare & Medicaid Services, Nov. 16, 2020, available at [https://www.cms.gov/newsroom/fact-sheets/2020-estimated-improper-payment-rates-centers-medicare-medicoid-services-cms-programs#\\_ftn1](https://www.cms.gov/newsroom/fact-sheets/2020-estimated-improper-payment-rates-centers-medicare-medicoid-services-cms-programs#_ftn1).

<sup>2</sup> Email from CMS to Republican Committee Staff, Sept. 7, 2021.

<sup>3</sup> *Supra n. 1.*

<sup>4</sup> *Id.*

<sup>5</sup> *Id.*

To ask any follow-up or related questions, please contact Committee on Oversight and Reform Republican staff at (202) 225-5074. The Committee on Oversight and Reform is the principal oversight committee of the U.S. House of Representatives and has broad authority to investigate “any matter” at “any time” under House Rule X. Thank you in advance for your cooperation with this inquiry.

Sincerely,



James Comer  
Ranking Member  
Committee on Oversight and Reform



Jody Hice  
Ranking Member  
Subcommittee on Government  
Operations



Glenn S. Grothman  
Ranking Member  
Subcommittee on National Security



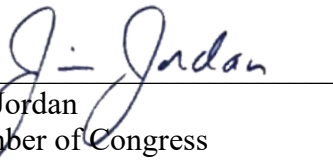
Michael Cloud  
Ranking Member  
Subcommittee on Economic and  
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Ralph Norman  
Ranking Member  
Subcommittee on Environment



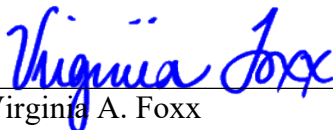
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Civil Liberties



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Member of Congress



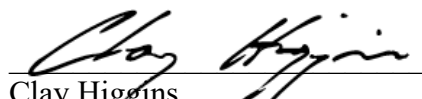
Paul A. Gosar, D.D.S.  
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Virginia A. Foxx  
Member of Congress




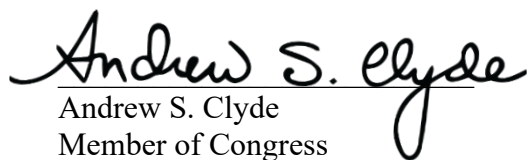
Bob Gibbs  
Member of Congress

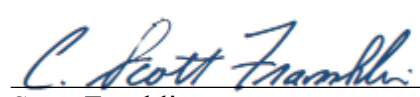
  
Clay Higgins  
Member of Congress


  
Pete Sessions  
Member of Congress

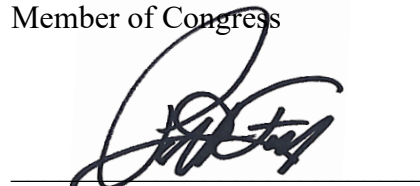
  
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Member of Congress

  
Jake LaTurner  
Member of Congress

  
Pat Fallon  
Member of Congress

  
Yvette Herrell  
Member of Congress

  
Byron Donalds  
Member of Congress

cc: The Honorable Carolyn Maloney, Chairwoman  
Committee on Oversight and Reform

The Honorable Gerald E. Connolly, Chairman  
Subcommittee on Government Operations

The Honorable Stephen F. Lynch, Chairman  
Subcommittee on National Security

The Honorable Raja Krishnamoorthi, Chairman  
Subcommittee on Economic and Consumer Policy

The Honorable Ro Khanna, Chairman  
Subcommittee on Environment

The Honorable Jamie Raskin, Chairman  
Subcommittee on Civil Rights and Civil Liberties