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. 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.” 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 in improper payments representing 32.8 percent 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. 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.

2 Email from CMS to Republican Committee Staff, Sept. 7, 2021.
3 Supra n. 1.
4 Id.
5 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 Consumer Policy

Ralph Norman
Ranking Member
Subcommittee on Environment

Nancy Mace
Ranking Member
Subcommittee on Civil Rights and Civil Liberties

Jim Jordan
Member of Congress

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

Virginia A. Foxx
Member of Congress

Bob Gibbs
Member of Congress
Clay Higgins
Member of Congress

Pete Sessions
Member of Congress

Fred Keller
Member of Congress

Andy Biggs
Member of Congress

Andrew S. Clyde
Member of Congress

Scott Franklin
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