

ONE HUNDRED FOURTEENTH 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

January 15, 2016

The Honorable Andy Slavitt
Acting Administrator
Centers for Medicare and Medicaid Services
7500 Security Boulevard
Baltimore, MD 21244

Dear Administrator Slavitt:

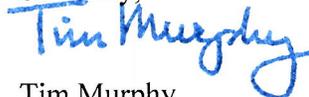
Thank you for appearing before the Subcommittee on Oversight and Investigations on Tuesday, December 8, 2015, to testify at the hearing entitled "An Overdue Checkup Part II: Examining the ACA's State Insurance Marketplaces."

Pursuant to the Rules of the Committee on Energy and Commerce, the hearing record remains open for ten business days to permit Members to submit additional questions for the record, which are attached. The format of your responses to these questions should be as follows: (1) the name of the Member whose question you are addressing, (2) the complete text of the question you are addressing in bold, and (3) your answer to that question in plain text.

To facilitate the printing of the hearing record, please respond to these questions with a transmittal letter by the close of business on Friday, January 29, 2016. Your responses should be mailed to Dylan Vorbach, Legislative Clerk, Committee on Energy and Commerce, 2125 Rayburn House Office Building, Washington, D.C. 20515 and e-mailed in Word format to Dylan.Vorbach@mail.house.gov.

Thank you again for your time and effort preparing and delivering testimony before the Subcommittee.

Sincerely,



Tim Murphy
Chairman
Subcommittee on Oversight and Investigations

cc: The Honorable Diana DeGette, Ranking Member, Subcommittee on Oversight and Investigations
Attachment

Attachment - Additional Questions for the Record

The Honorable Tim Murphy

1. Mr. Slavitt, I'm concerned about CMS' ability to keep adequate track of Federal loan funds. As I requested during the hearing, please provide the subcommittee with CMS's conclusions regarding OIG's findings that funds were misspent by the Washington State exchange. How much was misspent, according to CMS? How does CMS's conclusion differ from OIG's?
2. In response to OIG conclusions regarding funds misspent by state exchanges, what plans have you put in place to recover Federal loan dollars? Have you changed CMS processes after the OIG alert to better find misuse of federal dollars by state exchanges? Please explain.
3. During the hearing, you mentioned that CMS has produced a variety of visual representations of the state exchange program. Please provide the subcommittee with any charts relevant to state exchange financial sustainability.

The Honorable David McKinley

1. Mr. Slavitt, during the hearing, you expressed that you were sure some employees had lost their jobs during the failure of state exchanges. Please provide the subcommittee with all available names of those who have been held accountable for misallocated funds in the state exchange system.

The Honorable Marsha Blackburn

1. Mr. Slavitt, during the hearing, you told me that you have access to a full accounting of all Federal outlays to state exchanges, totaling \$4.5 billion. Please provide the subcommittee with these figures, including details on misallocated funds that are yet to be recovered.

The Honorable Michael C. Burgess, M.D.

1. Mr. Slavitt, during the hearing, we discussed the implementation of Sec. 1311-H of the Affordable Care Act, as it pertained to provider quality. Has CMS ever excluded a provider from accessing state exchanges based on quality? If yes, please explain the nature of each exclusion.

The Honorable Bill Flores

1. Mr. Slavitt, what is the remaining balance on each state exchange's Federal loan?

The Honorable Markwayne Mullin

1. Mr. Slavitt, during the hearing, we discussed the math behind calculating state exchanges' provider user fees. Please provide the subcommittee with a detailed description of the calculations CMS employed in arriving at the established user fees.