

# United States Senate

SPECIAL COMMITTEE ON AGING  
WASHINGTON, DC 20510-6400  
(202) 224-5364

May 21, 2015

The Honorable Gene Dodaro  
Comptroller General  
U.S. Government Accountability Office  
441 G. Street N.W.  
Washington, D.C. 20548

Dear Mr. Dodaro:

I am writing to respectfully request that the Government Accountability Office (GAO) review the Department of Health and Human Services' (HHS) enhanced enrollment screening procedures for Medicare.

The Patient Protection and Affordable Care Act, as amended by the Health Care and Education Reconciliation Act of 2010, known together as the Affordable Care Act (ACA), provided the federal government with new authority to combat fraud, waste, and abuse in Medicare. Among these new authorities, the ACA authorized HHS to implement new provisions affecting provider and supplier enrollment that are designed to strengthen Medicare's enrollment standards and procedures and help prevent the enrollment of fraudulent providers and suppliers.

The ACA required the Secretary of HHS to impose enhanced oversight and screening measures on providers and suppliers enrolling in Medicare, including designating a level of screening according to the assessed risk of fraud, waste, and abuse with respect to the category of provider or supplier. At a minimum, all providers and suppliers to be subject to licensure checks, and HHS has the authority to require additional screening procedures, such as criminal background checks, depending on the type of risk presented by the type of provider or supplier.

The Centers for Medicare & Medicaid Services (CMS) and the HHS Office of Inspector General (OIG) issued a final rule in February 2011 to implement many of the new screening procedures required by the ACA, including the risk-based screening process. In addition, CMS

contracted with a national enrollment screening contractor to conduct automated screenings to check that existing and newly enrolling providers and suppliers have valid licensure, accreditation, a National Provider Identifier (NPI), and are not on the OIG list of providers and suppliers excluded from participating in federal health care programs. CMS also contracted with a new site visit contractor to conduct site visits for certain providers to determine whether sites are legitimate and the providers meet certain Medicare standards. Additionally, the ACA required all providers and suppliers enrolled in Medicare prior to March 25, 2011 to revalidate their enrollment information under the new enrollment screening criteria.

To better understand the implementation and effectiveness of the enhanced revalidation and provider and supplier enrollment processes, I respectfully request you to study the following:

1. For the enrollment revalidation required by ACA, the new requirements providers and suppliers were required to meet for revalidation and the outcomes of the revalidation process, including any challenges faced or lessons learned by CMS or its enrollment contractors,
2. Enrollment screening activities that are to be performed by the national enrollment screening contractor, the results of the contractor's activities since implementation, and whether the contract has adequate oversight provisions,
3. Site visit activities that are to be performed by the national site visit contractor, the results of the contractor's activities since implementation, and whether the contract has adequate oversight provisions, and
4. Actions CMS has taken to assess its risk-based screening strategy to determine the strategy's effectiveness in preventing the enrollment of potentially fraudulent or otherwise unqualified providers and suppliers into Medicare.

Thank you for your attention to this request. Please contact Cathy Yu with the Committee staff at (202) 224-7752 with any questions.

Sincerely,

A handwritten signature in blue ink that reads "Claire McCaskill". The signature is fluid and cursive, with the first name "Claire" being the most prominent.

Claire McCaskill  
Ranking Member  
US Senate Special Committee on Aging

cc: Susan Collins  
Chairman  
US Senate Special Committee on Aging