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United States Senate

COMMITTEE ON THE JUDICIARY

WASHINGTON, DC 20510-6275

KOLAN L. DAVIS, *Chief Counsel and Staff Director*  
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October 27, 2017

**VIA ELECTRONIC TRANSMISSION**

The Honorable Seema Verma  
Administrator  
Centers for Medicare & Medicaid Services  
200 Independence Ave, S.W.  
Washington, D.C. 20201

Dear Administrator Verma,

I have written several letters about the effectiveness of the Centers for Medicare & Medicaid Services' (CMS) and accrediting organizations, such as The Joint Commission, in preventing and addressing complaints about the mistreatment of patients at hospitals and similar facilities.

As a result of the Committee's oversight, it appears that accrediting organizations do not currently have access to the Immediate Jeopardy and High Priority cases in CMS' Automated Survey Processing Environment (ASPEN) database and ASPEN Complaints/Incidents Tracking System (ACTS). Accrediting organizations have claimed that access to it would allow them to more quickly respond to complaints at facilities.

Please answer the following to better understand the information sharing between CMS and accrediting organizations:

1. Is it accurate that accrediting organizations do not have access to ASPEN and ACTS? If so, why are they prevented from that access and what steps will you take to provide them access?
2. Do you agree that accrediting organizations would benefit from access to this data and that they can be more effective in their investigatory and enforcement actions? Please explain.
3. How do you currently connect accrediting agencies with complaint information? Please explain.

Thank you in advance for your cooperation with this request. Please respond no later than November 10, 2017. If you have questions, contact Josh Flynn-Brown of my Judiciary Committee staff at (202) 224-5225.

Sincerely,

A handwritten signature in blue ink that reads "Chuck Grassley". The signature is written in a cursive, flowing style.

Charles E. Grassley  
Chairman  
Committee on the Judiciary