Congress of the United States
Washington, DC 20515

April 26, 2006

The Honorable Michael O. Leavitt
Secretary
Department of Health and Human Services
200 Independence Avenue, SW
Washington, DC 20201

Dear Secretary Leavitt:

It has come to our attention that the Centers for Medicare and Medicaid Services has information regarding the performance of Part D prescription drug plan "call centers". These call centers are intended to provide critically needed information on plan policies and procedures for Medicare beneficiaries.

Based on press reports, Part D insurance companies have not been meeting federal standards in providing information to beneficiaries through their call centers. We are concerned about how these inaccuracies will affect beneficiaries' abilities to enroll and navigate the new Part D benefit – especially with the May 15th deadline looming in the very near future.

Moreover, we are concerned that CMS is withholding this information from beneficiaries -- and from Congress which has a critical role in oversight of CMS activities. We ask that you provide us -- and the public -- with this information immediately. It is also imperative that this information be presented in a format that allows beneficiaries, and those helping them enroll, to be able to identify specific plans and their performance evaluations. Aggregated data will not be of any help.

According to *The New York Times*, ("Deadline Near, Jams Are Seen for Drug Plan," April 24, 2006):

> *"A federal contractor is making thousands of calls to insurers to measure the performance of their call centers. Each insurer has received data on its own performance. In many cases, the reports say, federal standards were "not met."*
>
> *Medicare officials had said the data would be publicly available before May 15. Insurers are lobbying against disclosure, saying the federal standards are too stringent."*

The knowledge of problems at call centers would be extremely valuable for senior citizens and persons with disabilities who have not yet enrolled in a Part D plan or who might want to quickly change plans if they made a choice based on inaccurate information. Medicare beneficiaries, their families and Congress have the right to know about identified performance problems.

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Immediate and wide dissemination of this information is particularly vital given the Administration's refusal to extend the May 15th enrollment deadline for all people enrolled in Medicare. For the majority of beneficiaries who are trying to make informed choices in these last weeks, any decisions made based on faulty or incomplete information or coercion may not be corrected until the next plan year starting in January 2007.

Accordingly, we request that you provide us with this performance data immediately and present us with the mechanisms you are using to ensure that this information is widely disseminated to the public at the same time.

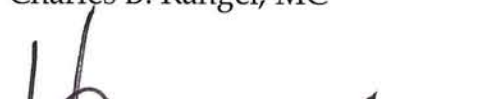
Thank you for your attention to this important, timely matter.

Sincerely,

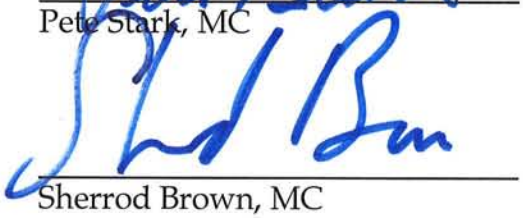
John D. Dingell, MC

Charles B. Rangel, MC

Pete Stark, MC



Henry Waxman, MC



Sherrod Brown, MC

Jan Schakowsky, MC