

**Congress of the United States**  
**Washington, DC 20515**

July 7, 2020

The Honorable Seema Verma  
Centers for Medicare & Medicaid Services  
7500 Security Boulevard  
Baltimore, MD 21244

Dear Administrator Verma:

We write today concerning the Centers for Medicare and Medicaid Services (CMS) actions to ensure complete COVID-19 data and infection control survey reporting on the Nursing Home Compare website. Without this critical information, families, ombudsmen, and regulators and policymakers are left in the dark about the true magnitude of this crisis.

On June 4<sup>th</sup>, CMS published the first results of its nationwide nursing home data collection project and Focused Infection Control Surveys. Although this data was released after a troubling delay of over 10 weeks after the survey announcement and over six weeks after the data collection announcement, the information remains very incomplete. Hundreds of facilities have not reported their case, staffing, or personal protective equipment information to CMS, including over 130 facilities combined in our states, and thousands of infection surveys remain hidden from the public.

CMS has acknowledged that the case data published on June 4<sup>th</sup> contained several errors, including inaccurate and incomplete numbers. The results of the infection control surveys were also unrealistically glowing, citing fewer than 3% of facilities with deficiencies and only two instances of any harm out of over 5,700 surveys. Truly implausible results after years of concerning reports, more than 50,000 resident deaths from COVID-19, and numerous requests from facilities for federal support in obtaining personal protective equipment.

We respectfully request a prompt response to the following questions regarding missing data and CMS's corrective actions:

1. How many facilities failed to provide complete data regarding cases, deaths, staffing, and personal protective equipment? Please provide a list of facilities for each reporting week, including facility name, location, and the specific categories of data missing each week.
2. What actions has CMS taken to obtain complete data from facilities? Please include any written or oral communications, any fines or other financial or non-financial penalties assessed or threatened, and the timeline and names and locations of the facilities for these actions. If no action has been taken for a particular facility, please indicate so and any actions CMS intends to undertake as well as the timeline.
3. What actions has CMS taken to ensure the accuracy of data reported thus far as well as the accuracy of its publication? Please include timelines, names and locations of

facilities, and the specific actions undertaken, as well as CMS's determination of the accuracy of the information currently published.

4. What actions has CMS undertaken to verify the accuracy of the Focused Infection Control Surveys? Please include any investigations, written or oral communications, or other actions, with timelines and names and locations of facilities. Please also include any corrective actions taken to ensure state surveyors are conducting complete surveys. If no actions have been taken, please indicate so and any actions CMS intends to undertake as well as the timeline.
5. When does CMS intend to publish the remaining Focused Infection Control Surveys?

Thank you for your attention to this important issue.

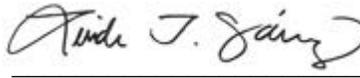
Sincerely,

  
Lloyd Doggett

  
Bill Pascrell

  
Terri A. Sewell

  
Stephanie Murphy

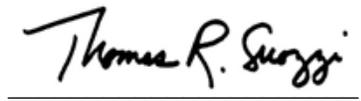
  
Linda T. Sánchez

  
Bradley S. Schneider

  
Steven Horsford

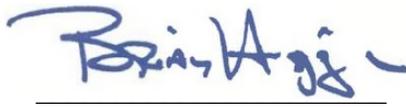
  
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