

WASHINGTON LEGAL FOUNDATION

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May 23, 2017

Via Email [FOIA Request@cms.hhs.gov RO3FOIA@cms.hhs.gov]

CMS, Philadelphia Regional Office

Attn: FOIA Office

Suite 216, The Public Ledger Building

150 South Independence Mall West

Philadelphia, PA 19106

Re: Freedom of Information Act Request

Dear Sir or Madam:

This is a Request under the Freedom of Information Act (FOIA), 5 U.S.C. § 552. Pursuant to FOIA, Washington Legal Foundation (WLF) requests that the Centers for Medicaid & Medicare Services (CMS) produce the material set forth in this letter. All of the materials relate to a White Paper that was released on January 24, 2017 entitled "Healthcare Payer Strategies to Reduce the Harms of Opioids." In particular, WLF is interested in obtaining documents relating to the Healthcare Fraud Prevention Partnership (HFPP), a group established by CMS and HHS to detect and prevent healthcare fraud through data and information sharing. The request includes both documents within the immediate control of CMS and those maintained by a CMS contractor (referred to by CMS as "Trusted Third Party" or "TTP").

Pursuant to FOIA, WLF requests the following materials from CMS:

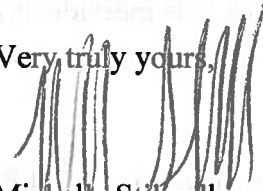
- (1) Any document that lists each of the current members of HFPP, and any document that identifies the individual(s) who represent those members for HFPP proceedings.
- (2) Any document that lists individuals and/or members who serve on the Executive Board of HFPP, or have served on the Executive Board at any time in the past year.
- (3) All minutes of any meetings of HFPP or of its Executive Board at which opioid misuse or opioid use disorder was discussed, including the October 20, 2016 "Special Session" on Marketplace Fraud and Opioids; and any other similar documents that reflect what occurred at such meetings.

- (4) Any notice of the “Special Session” disseminated to the public, either in the Federal Register or elsewhere.
- (5) All draft approaches developed in October 2016 and all other documents that were made available to the members who attended the “Special Session,” and any input, revisions, or modifications that were provided in response to these documents by the members during this session.
- (6) All documents that were prepared by any member of HFPP and supplied to CMS regarding the “Special Session” or the White Paper.
- (7) All documents prepared by the Executive Board or the Trusted Third Party regarding the drafting and release of the White Paper, including documents relating to any meetings of the Executive Board at which the White Paper was discussed.
- (8) Any contracts, entered into between CMS (or any other government body) and the Trusted Third Party (both current TTP and the TTP at the time of the “Special Session” if different), that relates to work to be performed by the Trusted Third Party with respect to HFPP.
- (9) A copy of the charter that established HFPP in fall 2012 and was signed by then-HHS Secretary Kathleen Sebelius and then-U.S. Attorney General Eric Holder.
- (10) The Memorandum of Understanding, prepared in or around 2013, that established the legal framework for HFPP.

This Request also covers any material of the types called for herein that come into existence between the date of this Request and the date of CMS’s final response.

Washington Legal Foundation is a non-profit charitable organization whose purpose is to advance the public interest. Accordingly, we ask CMS to waive any fees and charges that would normally be imposed in connection with CMS’s handling of this request.

Very truly yours,



Michelle Stilwell
Staff Attorney
Washington Legal Foundation