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August 10, 2006

Mark B. McClellan, M.D., Ph.D.
Administrator
Center for Medicare and Medicaid Services
Hubert H. Humphrey Building
200 Independence Avenue, SW
Washington, DC 20201

Dear Dr. McClellan:

As you know, the Centers for Medicare and Medicaid Services frequently provide guidance to States on the Medicaid program in the form of "Dear State Medicaid Director" or "Dear State Health Officer" letters. For years, those letters have been posted on the CMS (formerly HCFA) website and, thus, have been widely available to the public.

Unfortunately, for some time now those letters have been functionally unavailable on the CMS website. While they appear to be posted in an archive, they are not in a format that is readable by most word processing programs (if any), they are not titled, and they are not searchable. Some are available on the site but can only be found if one disregards the instructions on the Overview page and searches for them outside the archives. This leaves officials, scholars, advocates, the public, and my staff unable to refer to them.

I would ask that CMS do two things. First, please send to me a disk with all of the letters in either Adobe Acrobat or MSWord or another word processing format that is generally readable by standard computers. I would ask that you do so by the close of business on August 17.

Second, please arrange for all of these letters to be re-posted on the CMS website in a manner that is generally readable by standard computers, with titles, with dates, and in a computer-searchable format. I would ask that you do so by the end of August.

If you have any questions regarding this request, please do not hesitate to contact Brian Cohen on my staff at (202) 225-5051. Thank you for your attention to this matter.

Sincerely,

Henry A. Waxman
Ranking Minority Member