

Message

---

**From:** Richardson (she/her), Erin (CMS/OA) (b)(6)  
(b)(6)  
**Sent:** 2/27/2023 3:49:17 PM  
**To:** Lynk, Florence E [Florence.E.Lynk@hud.gov]  
**Subject:** RE: RE: CMS Administrator/ 2-27 BHM Reception

THANK YOU!!!

**From:** Lynk, Florence E <Florence.E.Lynk@hud.gov>  
**Sent:** Monday, February 27, 2023 10:45 AM  
**To:** Loewe, Erica P. EOP/WHO; (b)(6)  
**Cc:** Richardson (she/her), Erin (CMS/OA) <Erin.Richardson@cms.hhs.gov>; Tesfaye, Eden (CMS/) <eden.tesfaye@cms.hhs.gov>  
**Subject:** CMS Administrator/ 2-27 BHM Reception

Hi Erica,

Thanks so much for taking my call.

Reaching out and cc-ing CMS' Office of the Administrator to inquire about an invitation for the CMS Administrator Chiquita Brooks-LaSure to today's Black History Month reception.

As you know, the Administrator is the highest ranking Black official at HHS.

Thank you so much!  
Beth

Message

---

**From:** Richardson (she/her), Erin (CMS/OA) (b)(6)  
(b)(6)  
**Sent:** 2/27/2023 3:57:11 PM  
**To:** Tesfaye, Eden (CMS/); (b)(6)  
(b)(6)  
**Subject:** RE: RE: CMS Administrator/ 2-27 BHM Reception

I also emailed CLY and asked her to reinforce getting this addressed.

**From:** Tesfaye, Eden (CMS/) <eden.tesfaye@cms.hhs.gov>  
**Sent:** Monday, February 27, 2023 10:55 AM  
**To:** Lynk, Florence E <Florence.E.Lynk@hud.gov>; Loewe, Erica P. EOP/WHO (b)(6)  
**Cc:** Richardson (she/her), Erin (CMS/OA) <Erin.Richardson@cms.hhs.gov>  
**Subject:** RE: CMS Administrator/ 2-27 BHM Reception  
**Importance:** High

Beth, thank you so much. So much gratitude for your help here.

Erika – First and foremost, thank you so much for considering this request in the final hour. Please let us know if the Administrator can attend this event. As well as provide event details (time etc.) Additionally, what, if any, COVID-19 testing requirements are required for attendance?

If it's easier to talk via phone, I'm more than happy to give you a call, or feel free to call me at (b)(6)

**From:** Lynk, Florence E <Florence.E.Lynk@hud.gov>  
**Sent:** Monday, February 27, 2023 10:45 AM  
**To:** Loewe, Erica P. EOP/WHO (b)(6)  
**Cc:** Richardson (she/her), Erin (CMS/OA) <Erin.Richardson@cms.hhs.gov>; Tesfaye, Eden (CMS/) <eden.tesfaye@cms.hhs.gov>  
**Subject:** CMS Administrator/ 2-27 BHM Reception

Hi Erica,

Thanks so much for taking my call.

Reaching out and cc-ing CMS' Office of the Administrator to inquire about an invitation for the CMS Administrator Chiquita Brooks-LaSure to today's Black History Month reception.

As you know, the Administrator is the highest ranking Black official at HHS.

Thank you so much!

Beth

Message

**From:** Richardson (she/her), Erin (CMS/OA) (b)(6)  
(b)(6)  
**Sent:** 2/27/2023 4:02:59 PM  
**To:** Tesfaye, Eden (CMS/); (b)(6)  
(b)(6)  
**Subject:** RE: RE: CMS Administrator/ 2-27 BHM Reception

I'm floored at how she wasn't on the list here....

**From:** Tesfaye, Eden (CMS/) <eden.tesfaye@cms.hhs.gov>  
**Sent:** Monday, February 27, 2023 10:58 AM  
**To:** Richardson (she/her), Erin (CMS/OA) <Erin.Richardson@cms.hhs.gov>  
**Subject:** RE: CMS Administrator/ 2-27 BHM Reception

Beth is amazing. We're trying to hit folks from all side. I called WH PPO and asked why the number 3 and senior most Black women at HHS was not invited. There are trying to get her in with Cab Affairs. Might be worth flagging for them on your end as well.

**From:** Richardson (she/her), Erin (CMS/OA) <Erin.Richardson@cms.hhs.gov>  
**Sent:** Monday, February 27, 2023 10:57 AM  
**To:** Tesfaye, Eden (CMS/) <eden.tesfaye@cms.hhs.gov>  
**Subject:** RE: CMS Administrator/ 2-27 BHM Reception

I also emailed CLY and asked her to reinforce getting this addressed.

**From:** Tesfaye, Eden (CMS/) <eden.tesfaye@cms.hhs.gov>  
**Sent:** Monday, February 27, 2023 10:55 AM  
**To:** Lynk, Florence E <Florence.E.Lynk@hud.gov>; Loewe, Erica P. EOP/WHO (b)(6)  
**Cc:** Richardson (she/her), Erin (CMS/OA) <Erin.Richardson@cms.hhs.gov>  
**Subject:** RE: CMS Administrator/ 2-27 BHM Reception  
**Importance:** High

Beth, thank you so much. So much gratitude for your help here.

Erika – First and foremost, thank you so much for considering this request in the final hour. Please let us know if the Administrator can attend this event. As well as provide event details (time etc.) Additionally, what, if any, COVID-19 testing requirements are required for attendance?

If it's easier to talk via phone, I'm more than happy to give you a call, or feel free to call me at (b)(6)

**From:** Lynk, Florence E <Florence.E.Lynk@hud.gov>  
**Sent:** Monday, February 27, 2023 10:45 AM  
**To:** Loewe, Erica P. EOP/WHO (b)(6)  
**Cc:** Richardson (she/her), Erin (CMS/OA) <Erin.Richardson@cms.hhs.gov>; Tesfaye, Eden (CMS/) <eden.tesfaye@cms.hhs.gov>  
**Subject:** CMS Administrator/ 2-27 BHM Reception

Hi Erica,

Thanks so much for taking my call.

Reaching out and cc-ing CMS' Office of the Administrator to inquire about an invitation for the CMS Administrator Chiquita Brooks-LaSure to today's Black History Month reception.

As you know, the Administrator is the highest ranking Black official at HHS.

Thank you so much!  
Beth

Message

---

**From:** Hebert, Krista (CMS/CMCS) (b)(6)  
(b)(6)

**Sent:** 5/5/2023 4:19:36 PM

**To:** Schubel, Jessica L. EOP/WHO: (b)(6)

**CC:** Rashid, Mehreen (CMS/CMCS) (b)(6)  
(b)(6) Tsai, Daniel  
(CMS/CMCS) (b)(6)  
(b)(6) Briskin, Perrie  
(CMS/CMCS) (b)(6)  
(b)(6) Vitolo, Sara (CMS/CMCS)  
(b)(6) Costello, Anne Marie  
(CMS/CMCS) (b)(6)  
(b)(6)

**Subject:** TN Follow-Up from Medicaid Check-In (Bi-Weekly)

Hi Jessica,

As a follow up to your question about TN - the TN 1115 team confirmed that the STCs include our rigorous M&E expectations for the waiver of retroactive eligibility, and the state has been actively engaged with us on meeting those expectations. Please let us know if you have any further questions on this one.

Best,  
Krista

Message

---

**From:** OToole, Meghan (CMS/OA); (b)(6)  
(b)(6)  
**Sent:** 2/28/2023 3:14:31 PM  
**To:** Richardson (she/her), Erin (CMS/OA); (b)(6)  
(b)(6); Ellis (she/her), Kyla  
(CMS/OA); (b)(6)  
(b)(6)  
**Subject:** RE: RE: Huddle

Thank you!

**From:** Richardson (she/her), Erin (CMS/OA) <Erin.Richardson@cms.hhs.gov>  
**Sent:** Tuesday, February 28, 2023 10:14 AM  
**To:** OToole, Meghan (CMS/OA) <Meghan.OToole1@cms.hhs.gov>; Ellis (she/her), Kyla (CMS/OA) <Kyla.Ellis@cms.hhs.gov>  
**Subject:** RE: Huddle

Makes sense re: OLA,ASL,OL.

Natalie Quillian  
Nani Coloretti  
Richard Revesz

(b)(6)

**From:** OToole, Meghan (CMS/OA) <Meghan.OToole1@cms.hhs.gov>  
**Sent:** Tuesday, February 28, 2023 10:12 AM  
**To:** Ellis (she/her), Kyla (CMS/OA) <Kyla.Ellis@cms.hhs.gov>; Richardson (she/her), Erin (CMS/OA) <Erin.Richardson@cms.hhs.gov>  
**Subject:** RE: Huddle

Do either of you by chance have the email addresses for the following people?

Natalie Quillian  
Nani Coloretti  
Richard Revesz

Erin – I am also adding Aviva, OLA, ASL, and OL to this so they are aware.

**From:** Ellis (she/her), Kyla (CMS/OA) <Kyla.Ellis@cms.hhs.gov>  
**Sent:** Tuesday, February 28, 2023 9:38 AM  
**To:** OToole, Meghan (CMS/OA) <Meghan.OToole1@cms.hhs.gov>; Richardson (she/her), Erin (CMS/OA) <Erin.Richardson@cms.hhs.gov>; Yao, Kristiana (CMS/OA) <Kristiana.Yao1@cms.hhs.gov>  
**Subject:** RE: Huddle

Perfect, that will serve as the update. 😊

**From:** OToole, Meghan (CMS/OA) <Meghan.OToole1@cms.hhs.gov>  
**Sent:** Tuesday, February 28, 2023 9:37 AM  
**To:** Richardson (she/her), Erin (CMS/OA) <Erin.Richardson@cms.hhs.gov>; Yao, Kristiana (CMS/OA)

<Kristiana.Yao1@cms.hhs.gov>; Ellis (she/her), Kyla (CMS/OA) <Kyla.Ellis@cms.hhs.gov>

**Subject:** RE: Huddle

Thanks – I will email it to her soon.

**From:** Richardson (she/her), Erin (CMS/OA) <Erin.Richardson@cms.hhs.gov>

**Sent:** Tuesday, February 28, 2023 9:35 AM

**To:** OToole, Meghan (CMS/OA) <Meghan.OToole1@cms.hhs.gov>; Yao, Kristiana (CMS/OA)

<Kristiana.Yao1@cms.hhs.gov>; Ellis (she/her), Kyla (CMS/OA) <Kyla.Ellis@cms.hhs.gov>

**Subject:** RE: Huddle

We didn't get to tell her about the email, FYI

**From:** Richardson (she/her), Erin (CMS/OA)

**Sent:** Tuesday, February 28, 2023 8:50 AM

**To:** OToole, Meghan (CMS/OA) <Meghan.OToole1@cms.hhs.gov>; Yao, Kristiana (CMS/OA)

<Kristiana.Yao1@cms.hhs.gov>; Ellis (she/her), Kyla (CMS/OA) <Kyla.Ellis@cms.hhs.gov>

**Subject:** RE: Huddle

Will do. Thanks!

**From:** OToole, Meghan (CMS/OA) <Meghan.OToole1@cms.hhs.gov>

**Sent:** Tuesday, February 28, 2023 8:48 AM

**To:** Yao, Kristiana (CMS/OA) <Kristiana.Yao1@cms.hhs.gov>; Richardson (she/her), Erin (CMS/OA)

<Erin.Richardson@cms.hhs.gov>; Ellis (she/her), Kyla (CMS/OA) <Kyla.Ellis@cms.hhs.gov>

**Subject:** RE: Huddle

Erin or Kyla – could you please flag for Chiquita that I will be sending her this morning the email on the IRA negotiation timeline to send out today? I'm just getting the list of email addresses together to include.

Thanks!

Meghan

**From:** Yao, Kristiana (CMS/OA) <Kristiana.Yao1@cms.hhs.gov>

**Sent:** Tuesday, February 28, 2023 8:23 AM

**To:** Richardson (she/her), Erin (CMS/OA) <Erin.Richardson@cms.hhs.gov>; Ellis (she/her), Kyla (CMS/OA)

<Kyla.Ellis@cms.hhs.gov>

**Cc:** OToole, Meghan (CMS/OA) <Meghan.OToole1@cms.hhs.gov>

**Subject:** Huddle

Good morning,

The HHS rural review process meeting was moved to 9am, so Meghan and I will miss Huddle. We'll be sure to read out what we get from the conversation, though the limiting factor seems to be visibility into what EOP is driving towards. We laid out the CMS equities/context with Stacy yesterday.

Best,

Kristiana

Message

**From:** (b)(6) Administrator (CMS/OA); (b)(6)  
(b)(6)  
**Sent:** 3/1/2023 11:45:31 PM  
**To:** OToole, Meghan (CMS/OA); (b)(6)  
(b)(6); Seshamani, Meena  
(CMS/OA); (b)(6)  
**CC:** Richardson (she/her), Erin (CMS/OA); (b)(6)  
(b)(6); Ellis (she/her), Kyla  
(CMS/OA); (b)(6)  
(b)(6)  
**Subject:** RE: RE: Timeline for IRA negotiation materials

Meghan and Meena, thanks you and to the team! I know it was a ton of work to put this together. Let me know how it goes, and if I need to get involved again—happy to do so if necessary.

**From:** OToole, Meghan (CMS/OA) <Meghan.OTOole1@cms.hhs.gov>  
**Sent:** Tuesday, February 28, 2023 5:12 PM  
**To:** (b)(6) Administrator (CMS/OA); (b)(6)  
**Cc:** Richardson (she/her), Erin (CMS/OA) <Erin.Richardson@cms.hhs.gov>; Ellis (she/her), Kyla (CMS/OA) <Kyla.Ellis@cms.hhs.gov>; Seshamani, Meena (CMS/OA) <Meena.Seshamani@cms.hhs.gov>  
**Subject:** Timeline for IRA negotiation materials

(b)(6)

[Sean.Mccluskie@hhs.gov](mailto:Sean.Mccluskie@hhs.gov); [Stacy.Sanders@hhs.gov](mailto:Stacy.Sanders@hhs.gov); [Elizabeth.Gramling@hhs.gov](mailto:Elizabeth.Gramling@hhs.gov); [Samuel.Bagenstos@hhs.gov](mailto:Samuel.Bagenstos@hhs.gov);  
[PaulR.Rodriguez@hhs.gov](mailto:PaulR.Rodriguez@hhs.gov); [Kamara.Jones@hhs.gov](mailto:Kamara.Jones@hhs.gov); [Caroline.Cicccone@hhs.gov](mailto:Caroline.Cicccone@hhs.gov); [Melanie.Egorin@hhs.gov](mailto:Melanie.Egorin@hhs.gov);  
[Alex.Graf@hhs.gov](mailto:Alex.Graf@hhs.gov);

[Jonathan.Blum@cms.hhs.gov](mailto:Jonathan.Blum@cms.hhs.gov); [Erin.Richardson@cms.hhs.gov](mailto:Erin.Richardson@cms.hhs.gov); [Meghan.OTOole1@cms.hhs.gov](mailto:Meghan.OTOole1@cms.hhs.gov);  
[Meena.Seshamani@cms.hhs.gov](mailto:Meena.Seshamani@cms.hhs.gov); [Cheri.Rice@cms.hhs.gov](mailto:Cheri.Rice@cms.hhs.gov); [Kristina.Martin@cms.hhs.gov](mailto:Kristina.Martin@cms.hhs.gov);  
[Bruce.Alexander@cms.hhs.gov](mailto:Bruce.Alexander@cms.hhs.gov); [elizabeth.dervan@cms.hhs.gov](mailto:elizabeth.dervan@cms.hhs.gov); [Kathleen.Cantwell@cms.hhs.gov](mailto:Kathleen.Cantwell@cms.hhs.gov);

Hi everyone,

Thank you all for your collaboration so far on implementation of the Inflation Reduction Act. I am writing today because the timeline for implementing the Negotiation Program was tight from the onset, but our timelines have gotten even tighter to publish all the program instruction necessary to implement the Program and announce 10 Part D drugs selected for negotiation on September 1. We are now at the point where we are at risk for missing our statutory deadlines.

The attached slides show our expected timeline for the materials that need to be issued for the Negotiation Program as of December 2022 (slide 1), the current status (slide 2), and the revised timeline that we need to meet for policy, operational, and legal reasons (slide 3). To meet this, we not only need to hit all our deadlines in the revised timeline, but also need to shave time off from our current trajectory. CMS considers June 30<sup>th</sup> to be a drop-dead date that CMS will issue the revised Negotiation Program guidance.



There are several issues that have necessitated this conversation and a revised timeline for the items that need to be issued for the Negotiation Program, including:

1. The briefing schedule and clearance process are taking longer than planned due to extended discussions on decisions and missed deadlines.
  - The delay in the Inflation Rebate Program guidance resulted in a delay to the Negotiation Program guidance.
  - The deadline for round 1 of the negotiation guidance was missed by several days, which delayed both round 2 of segment 1 and segment 2 from entering clearance.
2. There are significant litigation risks related to the timing of PRA packages and negotiation guidance. Per legal  
**(b)(5)**
3. In order for manufacturers to be able to understand the program and take the operational steps they need to take, there needs to be at least 60 days between all guidances being issued and September 1. **(b)(5)**  
**(b)(5)**
4. There is a risk of congressional oversight from both sides of the aisle from missed deadlines and delayed guidance.

Given the delays, CMS revised our timeline (below) as a best-case scenario for all of the items that need to be out and final before September 1. Truly, every day matters in meeting these deadlines.

What we would like to ask of everyone in order to successfully meet the statutory deadlines and implementation goals is the following:

1. Everyone to commit to meeting deadlines for clearance in order to achieve this timeline.
  - The full timeline is below, but for the negotiation guidance, the key dates are:
    - March 2, COB – Deadline for comments on round 1 of initial negotiation guidance segment 2
    - March 10, COB– Deadline for comments for final round of clearance on segment 1 and segment 2 together
    - March 13 – Pens down on initial negotiation guidance showstopper review and comms materials
    - March 16 – Publish initial negotiation guidance for 30-day comment period
    - June 27 – Pens down on revised negotiation guidance showstopper review and comms materials
    - June 30 – Publish revised negotiation guidance
2. Everyone to commit to resolving open issues quickly, making decisions, and not rehashing those decisions.
3. Everyone to commit to being available to have meetings as soon as possible to discuss unresolved issues.
4. Flexibility by OMB to shorten the timeline for review of PRA packages. This is the only way that the timeline below will work.

We deeply appreciate the extraordinary amount of work everyone is doing.

Thanks,  
Chiquita

Timeline Key:

- Green is the
- Blue is program guidance,
- Orange is PRA package for offer/counter offer exchange,
- Red is the PRA package for small biotech exception, and
- Purple is the manufacturer agreement.

Revised Timeline:

March 2, COB – Deadline for comments on round 1 of initial negotiation guidance segment 2  
March 10, COB – Deadline for comments on round 2 of initial negotiation guidance segment 2  
March 13 – Pens down on initial negotiation guidance showstopper review and comms materials  
March 16 – Publish initial negotiation guidance for 30-day comment period

(Pens down March

15)  
March 27 – 60-day comment period closes for PRA package for small biotech exception (Assumes 30-day OMB review)  
April 6 – OFR to publish PRA package for offer/counter offer exchange for 60-day comment period  
April 15 – Comment period closes for initial negotiation guidance  
April 22 – OFR to publish PRA package for small biotech exception for 30-day comment period (Assumes 30-day OMB review)

(Assumes 30-day OMB review)

May 8 – Begin internal briefings on revised negotiation guidance  
May 22 – 30-day comment period closes for PRA package for small biotech exception (Assumes 30-day OMB review)  
May 22 – OMB finalizes PRA package for small biotech exception (Assumes 30-day OMB review)  
May 30 – Start clearance for revised negotiation guidance

(Assumes 30-day OMB review)

June 5 – 60-day comment period closes for PRA package for offer/counter offer exchange  
June 21 – Target small biotech exception request date (Assumes 30-day OMB review)  
June 27 – Pens down on revised negotiation guidance showstopper review and comms materials  
June 30 – Publish revised negotiation guidance  
July 3 – Publish manufacturer template agreement

(Assumes 30-day OMB review)

(Assumes 30-day OMB review)

July 14 – OFR to publish PRA package for offer/counter offer exchange for 30-day comment  
August 13 – 30-day comment period closes for PRA package for offer/counter offer exchange  
September 1 – Publish 10 Part D drugs selected for negotiation  
September 12 – OMB finalizes PRA package for offer/counter offer process  
October 1 – Manufacturers sign negotiation agreement

Message

---

**From:** Tesfaye, Eden (CMS/); (b)(6)  
(b)(6)  
**Sent:** 3/2/2023 1:47:50 AM  
**To:** OToole, Meghan (CMS/OA); (b)(6)  
(b)(6) Ellis (she/her), Kyla  
(CMS/OA) (b)(6)  
**CC:** Richardson (she/her), Erin (CMS/OA); (b)(6)  
(b)(6)  
**Subject:** Re: Re: FYI - MA Stakeholder Letter

Very helpful. Thank you, Meghan!

Get [Outlook for iOS](#)

**From:** OToole, Meghan (CMS/OA) <Meghan.OToole1@cms.hhs.gov>  
**Sent:** Wednesday, March 1, 2023 8:46:06 PM  
**To:** Tesfaye, Eden (CMS/) <eden.tesfaye@cms.hhs.gov>; Ellis (she/her), Kyla (CMS/OA) <Kyla.Ellis@cms.hhs.gov>  
**Cc:** Richardson (she/her), Erin (CMS/OA) <Erin.Richardson@cms.hhs.gov>  
**Subject:** FW: FYI - MA Stakeholder Letter

Flagging this letter on the Advance Notice for the upcoming meeting with Juliet Choi, as APIAHF signed this.

**From:** Mary Beth Donahue <Mdonahue@bettermedicarealliance.org>  
**Sent:** Wednesday, March 1, 2023 5:40 PM  
**To:** Seshamani, Meena (CMS/OA) <Meena.Seshamani@cms.hhs.gov>; Turco, Molly (CMS/CM) <Molly.Turco@cms.hhs.gov>; Leah Hunter <lhunter@achp.org>; Richardson (she/her), Erin (CMS/OA) <Erin.Richardson@cms.hhs.gov>; Sanders, Stacy (HHS/IOS) <Stacy.Sanders@hhs.gov>; OToole, Meghan (CMS/OA) <Meghan.OToole1@cms.hhs.gov>; Egorin, Melanie (HHS/ASL) <Melanie.Egorin@hhs.gov>;  
(b)(6) (b)(6)

**Subject:** FYI - MA Stakeholder Letter

Good Afternoon All,

I wanted to share for your information the attached stakeholder letter to the Administrator highlighting concerns with policy provisions in the recent MA advance notice. Please let me know of any questions. Thank you.

Mary Beth

Message

**From:** OToole, Meghan (CMS/OA) (b)(6)  
(b)(6)  
**Sent:** 3/2/2023 9:10:17 PM  
**To:** Richardson (she/her), Erin (CMS/OA) (b)(6)  
(b)(6)  
**Subject:** RE: RE: IRA PRA timeline follow up

You didn't include yourself on the CMS list – was that intentional?

**From:** Cantwell, Kathleen (CMS/OSORA) <Kathleen.Cantwell@cms.hhs.gov>  
**Sent:** Thursday, March 2, 2023 12:27 PM  
**To:** Richardson (she/her), Erin (CMS/OA) <Erin.Richardson@cms.hhs.gov>; Seshamani, Meena (CMS/OA) <Meena.Seshamani@cms.hhs.gov>; Martin, Kristi (CMS/CM) <Kristina.Martin@cms.hhs.gov>; OToole, Meghan (CMS/OA) <Meghan.OToole1@cms.hhs.gov>  
**Subject:** RE: IRA PRA timeline follow up

Yes, of course. Invite to follow soon.

**From:** Richardson (she/her), Erin (CMS/OA) <Erin.Richardson@cms.hhs.gov>  
**Sent:** Thursday, March 2, 2023 12:14 PM  
**To:** Seshamani, Meena (CMS/OA) <Meena.Seshamani@cms.hhs.gov>; Martin, Kristi (CMS/CM) <Kristina.Martin@cms.hhs.gov>; OToole, Meghan (CMS/OA) <Meghan.OToole1@cms.hhs.gov>; Cantwell, Kathleen (CMS/OSORA) <Kathleen.Cantwell@cms.hhs.gov>  
**Subject:** FW: IRA PRA timeline follow up

FYI that I spoke with Stephanie this morning – they think they can do this shortened review, but she wants the PRA experts to talk through it. I also raised that we need to hit our guidance timelines and so that would be the second agenda item.

**Kathleen – can your team set up this meeting?**

**From:** Richardson (she/her), Erin (CMS/OA)  
**Sent:** Thursday, March 2, 2023 11:42 AM  
**To:** 'Akpa, Stephanie O. EOP/OMB' (b)(6); Gramling, Elizabeth (HHS/IOS) <Elizabeth.Gramling@hhs.gov>  
**Cc:** Cantwell, Kathleen (CMS/OSORA) <Kathleen.Cantwell@cms.hhs.gov>; Clare Pierce-Wrobel (b)(6); (b)(6); 'Young, Christen Linke L. EOP/WHO' (b)(6); Rodriguez, Paul (HHS/OGC) <PaulR.Rodriguez@hhs.gov>; Sanders, Stacy (HHS/IOS) <Stacy.Sanders@hhs.gov>; OToole, Meghan (CMS/OA) <Meghan.OToole1@cms.hhs.gov>; Kristi Martin (CMS/CM) (Kristina.Martin@cms.hhs.gov) <Kristina.Martin@cms.hhs.gov>; 'Aguilar, Brenda L. EOP/OMB' (b)(6); Fischbach, Aaron (OS/IOS) <Aaron.Fischbach@hhs.gov>  
**Subject:** IRA PRA timeline follow up

Stephanie,

Thanks for connecting this morning. As follow up from that call, you requested a CMS/HHS/WH call, including the PRA package experts to talk through: 1) the PRA timeline and any questions, and 2) the calendars for both the PRA and the negotiation guidance to ensure we meet the passback/publication timelines. As the Administrator noted in her email on Tuesday, we will need to make up time on the negotiation guidance as well in order to publish in time.

We'll work on promptly setting up a meeting, starting with the people listed below. Please feel free to add others once you get the invite.

WH:

- Stephanie
- Jaime
- Brenda
- Clare
- OMB counsel

HHS:

- Lizz
- Aaron
- Nikolaos Ipiotis
- Stacy
- OGC

CMS:

- Kathleen
- Martique Jones
- William Parham
- Meghan
- Kristi

**Erin Richardson** (she/her)  
Chief of Staff



**Confidentiality and Restricted Disclosure Notice:** *This e-mail is intended only for the use of the named addressee(s) and may contain information that is confidential, privileged or regulated under federal and/or state law, including The Privacy Act and HIPAA. If you are not the intended recipient, you are hereby notified that any dissemination, distribution or copying of this e-mail is strictly prohibited. If you have received this e-mail in error, please notify the sender immediately by replying to the e-mail and destroy all copies of the original message. If you are the intended recipient, you are notified that you have the obligation to ensure that any further dissemination, distribution or copying is consistent with applicable law.*

Message

---

**From:** OToole, Meghan (CMS/OA) <(b)(6)>  
<(b)(6)>  
**Sent:** 3/2/2023 9:31:09 PM  
**To:** Richardson (she/her), Erin (CMS/OA) <(b)(6)>  
<(b)(6)>  
**Subject:** RE: RE: IRA PRA timeline follow up

Ok – I will forward the invite.

**From:** Richardson (she/her), Erin (CMS/OA) <Erin.Richardson@cms.hhs.gov>  
**Sent:** Thursday, March 2, 2023 4:22 PM  
**To:** OToole, Meghan (CMS/OA) <Meghan.OTOole1@cms.hhs.gov>  
**Subject:** RE: IRA PRA timeline follow up

I just didn't b/c I was sending the email – but yes, I'll join if I can.

**From:** OToole, Meghan (CMS/OA) <Meghan.OTOole1@cms.hhs.gov>  
**Sent:** Thursday, March 2, 2023 4:10 PM  
**To:** Richardson (she/her), Erin (CMS/OA) <Erin.Richardson@cms.hhs.gov>  
**Subject:** RE: IRA PRA timeline follow up

You didn't include yourself on the CMS list – was that intentional?

**From:** Cantwell, Kathleen (CMS/OSORA) <Kathleen.Cantwell@cms.hhs.gov>  
**Sent:** Thursday, March 2, 2023 12:27 PM  
**To:** Richardson (she/her), Erin (CMS/OA) <Erin.Richardson@cms.hhs.gov>; Seshamani, Meena (CMS/OA) <Meena.Seshamani@cms.hhs.gov>; Martin, Kristi (CMS/CM) <Kristina.Martin@cms.hhs.gov>; OToole, Meghan (CMS/OA) <Meghan.OTOole1@cms.hhs.gov>  
**Subject:** RE: IRA PRA timeline follow up

Yes, of course. Invite to follow soon.

**From:** Richardson (she/her), Erin (CMS/OA) <Erin.Richardson@cms.hhs.gov>  
**Sent:** Thursday, March 2, 2023 12:14 PM  
**To:** Seshamani, Meena (CMS/OA) <Meena.Seshamani@cms.hhs.gov>; Martin, Kristi (CMS/CM) <Kristina.Martin@cms.hhs.gov>; OToole, Meghan (CMS/OA) <Meghan.OTOole1@cms.hhs.gov>; Cantwell, Kathleen (CMS/OSORA) <Kathleen.Cantwell@cms.hhs.gov>  
**Subject:** FW: IRA PRA timeline follow up

FYI that I spoke with Stephanie this morning – they think they can do this shortened review, but she wants the PRA experts to talk through it. I also raised that we need to hit our guidance timelines and so that would be the second agenda item.

**Kathleen – can your team set up this meeting?**

**From:** Richardson (she/her), Erin (CMS/OA)  
**Sent:** Thursday, March 2, 2023 11:42 AM  
**To:** 'Akpa, Stephanie O. EOP/OMB' <(b)(6)> 'Gramling, Elizabeth (HHS/IOS)' <Elizabeth.Gramling@hhs.gov>

Cc: Cantwell, Kathleen (CMS/OSORA) <Kathleen.Cantwell@cms.hhs.gov>; Clare Pierce-Wrobe (b)(6)  
(b)(6) 'Young, Christen Linke L. EOP/WHO'  
(b)(6) Rodriguez, Paul (HHS/OGC) <PaulR.Rodriguez@hhs.gov>; Sanders, Stacy (HHS/IOS)  
<Stacy.Sanders@hhs.gov>; OToole, Meghan (CMS/OA) <Meghan.OToole1@cms.hhs.gov>; Kristi Martin (CMS/CM)  
(Kristina.Martin@cms.hhs.gov) <Kristina.Martin@cms.hhs.gov>; 'Aguilar, Brenda L. EOP/OMB'  
(b)(6); Fischbach, Aaron (OS/IOS) <Aaron.Fischbach@hhs.gov>

**Subject:** IRA PRA timeline follow up

Stephanie,

Thanks for connecting this morning. As follow up from that call, you requested a CMS/HHS/WH call, including the PRA package experts to talk through: 1) the PRA timeline and any questions, and 2) the calendars for both the PRA and the negotiation guidance to ensure we meet the passback/publication timelines. As the Administrator noted in her email on Tuesday, we will need to make up time on the negotiation guidance as well in order to publish in time.

We'll work on promptly setting up a meeting, starting with the people listed below. Please feel free to add others once you get the invite.

WH:

- Stephanie
- Jaime
- Brenda
- Clare
- OMB counsel

HHS:

- Lizz
- Aaron
- Nikolaos Ipiotis
- Stacy
- OGC

CMS:

- Kathleen
- Martique Jones
- William Parham
- Meghan
- Kristi

**Erin Richardson** (she/her)  
Chief of Staff



**Confidentiality and Restricted Disclosure Notice:** *This e-mail is intended only for the use of the named addressee(s) and may contain information that is confidential, privileged or regulated under federal and/or state law, including The Privacy Act and HIPAA. If you are not the intended recipient, you are hereby notified that any dissemination, distribution or copying of this e-mail is strictly prohibited. If you have received this e-mail in error, please notify the sender immediately by replying to the e-mail and destroy*

*all copies of the original message. If you are the intended recipient, you are notified that you have the obligation to ensure that any further dissemination, distribution or copying is consistent with applicable law.*



Message

---

**From:** Rice, Cheri (CMS/CM) (b)(6)  
(b)(6)  
**Sent:** 3/5/2023 6:46:46 PM  
**To:** Richardson (she/her), Erin (CMS/OA) (b)(6)  
(b)(6)  
**Subject:** RE: RE: 2024 Advance Notice on Medicare

Thanks Erin

**From:** Richardson (she/her), Erin (CMS/OA) <Erin.Richardson@cms.hhs.gov>  
**Sent:** Sunday, March 5, 2023 12:17 PM  
**To:** OToole, Meghan (CMS/OA) <Meghan.OTOole1@cms.hhs.gov>; Turco, Molly (CMS/CM) <Molly.Turco@cms.hhs.gov>; Rice, Cheri (CMS/CM) <Cheri.Rice@cms.hhs.gov>  
**Subject:** FW: 2024 Advance Notice on Medicare

**From:** Jane Gilbert (TRS) <jane.gilbert@trs.ky.gov>  
**Sent:** Friday, March 3, 2023 11:59 AM  
**To:** (b)(6) Richardson (she/her), Erin (CMS/OA) <Erin.Richardson@cms.hhs.gov>; Sanders, Stacy (HHS/IOS) <Stacy.Sanders@hhs.gov>; Egorin, Melanie (HHS/ASL) <Melanie.Egorin@hhs.gov>; Figueroa, Marvin (HHS/IEA) <Marvin.Figueroa@hhs.gov>  
**Subject:** 2024 Advance Notice on Medicare

Please find attached a letter on behalf of public purchaser and labor retirees about the impact of the 2024 MA Advance Notice. Thank you for your consideration.



**Jane Cheshire Gilbert, CPA**  
Director, Retiree Health Care  
Teachers' Retirement System  
479 Versailles Road  
Frankfort, Kentucky 40601  
502-848-8512

**CONFIDENTIALITY NOTICE:** This email, including any attachments, is intended only for the use of the individual or entity to which it is addressed and may contain confidential information that is legally privileged and exempt from disclosure under applicable law. If the reader of this message is not the intended recipient, you are notified that any review, use, disclosure, distribution or copying of this communication is strictly prohibited. If you have received this communication in error, please contact the sender by reply email and destroy all copies of the original message.

Message

**From:** OToole, Meghan (CMS/OA) (b)(6)  
(b)(6)  
**Sent:** 3/6/2023 11:06:40 PM  
**To:** Cantwell, Kathleen (CMS/OSORA) (b)(6) Seshamani, Meena  
(CMS/OA) (b)(6)  
(b)(6) Martin, Kristi  
(CMS/CM) (b)(6)  
**CC:** Richardson (she/her), Erin (CMS/OA) (b)(6)  
(b)(6)  
**Subject:** RE: RE: IRA PRA timeline follow up

Hi – for this meeting tomorrow on the PRA and guidance timelines, we wanted to check in on the clearance calendar for the revised guidance. Is that still under development, and so we could say in the meeting tomorrow that we will follow up on the clearance calendar on the revised guidance? We think it will be helpful for everyone to have that calendar when available.

And it doesn't sound like there are outstanding issues (besides with OGC) that need to be resolved on clearance for the initial guidance, but please let us know if there's anything that needs to be raised tomorrow.

Thanks,  
Meghan

**From:** Cantwell, Kathleen (CMS/OSORA) <Kathleen.Cantwell@cms.hhs.gov>  
**Sent:** Thursday, March 2, 2023 12:27 PM  
**To:** Richardson (she/her), Erin (CMS/OA) <Erin.Richardson@cms.hhs.gov>; Seshamani, Meena (CMS/OA) <Meena.Seshamani@cms.hhs.gov>; Martin, Kristi (CMS/CM) <Kristina.Martin@cms.hhs.gov>; OToole, Meghan (CMS/OA) <Meghan.OTOole1@cms.hhs.gov>  
**Subject:** RE: IRA PRA timeline follow up

Yes, of course. Invite to follow soon.

**From:** Richardson (she/her), Erin (CMS/OA) <Erin.Richardson@cms.hhs.gov>  
**Sent:** Thursday, March 2, 2023 12:14 PM  
**To:** Seshamani, Meena (CMS/OA) <Meena.Seshamani@cms.hhs.gov>; Martin, Kristi (CMS/CM) <Kristina.Martin@cms.hhs.gov>; OToole, Meghan (CMS/OA) <Meghan.OTOole1@cms.hhs.gov>; Cantwell, Kathleen (CMS/OSORA) <Kathleen.Cantwell@cms.hhs.gov>  
**Subject:** FW: IRA PRA timeline follow up

FYI that I spoke with Stephanie this morning – they think they can do this shortened review, but she wants the PRA experts to talk through it. I also raised that we need to hit our guidance timelines and so that would be the second agenda item.

**Kathleen – can your team set up this meeting?**

**From:** Richardson (she/her), Erin (CMS/OA)  
**Sent:** Thursday, March 2, 2023 11:42 AM  
**To:** 'Akpa, Stephanie O. EOP/OMB' (b)(6) 'Gramling, Elizabeth (HHS/IOS)' <Elizabeth.Gramling@hhs.gov>

Cc: Cantwell, Kathleen (CMS/OSORA) <Kathleen.Cantwell@cms.hhs.gov>; Clare Pierce-Wrobel (b)(6)  
(b)(6); 'Young, Christen Linke L. EOP/WHO'  
(b)(6); Rodriguez, Paul (HHS/OGC) <PaulR.Rodriguez@hhs.gov>; Sanders, Stacy (HHS/IOS)  
<Stacy.Sanders@hhs.gov>; OToole, Meghan (CMS/OA) <Meghan.OToole1@cms.hhs.gov>; Kristi Martin (CMS/CM)  
(Kristina.Martin@cms.hhs.gov) <Kristina.Martin@cms.hhs.gov>; 'Aguilar, Brenda L. EOP/OMB'  
(b)(6) Fischbach, Aaron (OS/IOS) <Aaron.Fischbach@hhs.gov>

**Subject:** IRA PRA timeline follow up

Stephanie,

Thanks for connecting this morning. As follow up from that call, you requested a CMS/HHS/WH call, including the PRA package experts to talk through: 1) the PRA timeline and any questions, and 2) the calendars for both the PRA and the negotiation guidance to ensure we meet the passback/publication timelines. As the Administrator noted in her email on Tuesday, we will need to make up time on the negotiation guidance as well in order to publish in time.

We'll work on promptly setting up a meeting, starting with the people listed below. Please feel free to add others once you get the invite.

WH:

- Stephanie
- Jaime
- Brenda
- Clare
- OMB counsel

HHS:

- Lizz
- Aaron
- Nikolaos Ipiotis
- Stacy
- OGC

CMS:

- Kathleen
- Martique Jones
- William Parham
- Meghan
- Kristi

**Erin Richardson** (she/her)  
Chief of Staff



**Confidentiality and Restricted Disclosure Notice:** *This e-mail is intended only for the use of the named addressee(s) and may contain information that is confidential, privileged or regulated under federal and/or state law, including The Privacy Act and HIPAA. If you are not the intended recipient, you are hereby notified that any dissemination, distribution or copying of this e-mail is strictly prohibited. If you have received this e-mail in error, please notify the sender immediately by replying to the e-mail and destroy*

*all copies of the original message. If you are the intended recipient, you are notified that you have the obligation to ensure that any further dissemination, distribution or copying is consistent with applicable law.*

Message

**From:** OToole, Meghan (CMS/OA); (b)(6)  
(b)(6)  
**Sent:** 3/6/2023 11:23:22 PM  
**To:** Martin, Kristi (CMS/CM); (b)(6)  
(b)(6) Cantwell, Kathleen  
(CMS/OSORA); (b)(6)  
(b)(6) Seshamani, Meena  
(CMS/OA) (b)(6)  
**CC:** Richardson (she/her), Erin (CMS/OA) (b)(6)  
(b)(6)  
**Subject:** RE: RE: IRA PRA timeline follow up

Thanks! And to clarify on the first question, we are wondering about the detailed clearance calendar between May 30 and June 30 for the revised guidance, and telling EOP that we will follow up with those details.

**From:** Martin, Kristi (CMS/CM) <Kristina.Martin@cms.hhs.gov>  
**Sent:** Monday, March 6, 2023 6:19 PM  
**To:** OToole, Meghan (CMS/OA) <Meghan.OTOole1@cms.hhs.gov>; Cantwell, Kathleen (CMS/OSORA) <Kathleen.Cantwell@cms.hhs.gov>; Seshamani, Meena (CMS/OA) <Meena.Seshamani@cms.hhs.gov>  
**Cc:** Richardson (she/her), Erin (CMS/OA) <Erin.Richardson@cms.hhs.gov>  
**Subject:** RE: IRA PRA timeline follow up

The team is working on getting the initial guidance back into clearance tonight. I will check in with them tomorrow and see where we are. As of now, this the calendar we are working from.

**From:** OToole, Meghan (CMS/OA) <Meghan.OTOole1@cms.hhs.gov>  
**Sent:** Monday, March 6, 2023 6:07 PM  
**To:** Cantwell, Kathleen (CMS/OSORA) <Kathleen.Cantwell@cms.hhs.gov>; Seshamani, Meena (CMS/OA) <Meena.Seshamani@cms.hhs.gov>; Martin, Kristi (CMS/CM) <Kristina.Martin@cms.hhs.gov>  
**Cc:** Richardson (she/her), Erin (CMS/OA) <Erin.Richardson@cms.hhs.gov>  
**Subject:** RE: IRA PRA timeline follow up

Hi – for this meeting tomorrow on the PRA and guidance timelines, we wanted to check in on the clearance calendar for the revised guidance. Is that still under development, and so we could say in the meeting tomorrow that we will follow up on the clearance calendar on the revised guidance? We think it will be helpful for everyone to have that calendar when available.

And it doesn't sound like there are outstanding issues (besides with OGC) that need to be resolved on clearance for the initial guidance, but please let us know if there's anything that needs to be raised tomorrow.

Thanks,  
Meghan

**From:** Cantwell, Kathleen (CMS/OSORA) <Kathleen.Cantwell@cms.hhs.gov>  
**Sent:** Thursday, March 2, 2023 12:27 PM  
**To:** Richardson (she/her), Erin (CMS/OA) <Erin.Richardson@cms.hhs.gov>; Seshamani, Meena (CMS/OA) <Meena.Seshamani@cms.hhs.gov>; Martin, Kristi (CMS/CM) <Kristina.Martin@cms.hhs.gov>; OToole, Meghan (CMS/OA) <Meghan.OTOole1@cms.hhs.gov>  
**Subject:** RE: IRA PRA timeline follow up

Yes, of course. Invite to follow soon.

**From:** Richardson (she/her), Erin (CMS/OA) <Erin.Richardson@cms.hhs.gov>  
**Sent:** Thursday, March 2, 2023 12:14 PM  
**To:** Seshamani, Meena (CMS/OA) <Meena.Seshamani@cms.hhs.gov>; Martin, Kristi (CMS/CM) <Kristina.Martin@cms.hhs.gov>; OToole, Meghan (CMS/OA) <Meghan.OTOole1@cms.hhs.gov>; Cantwell, Kathleen (CMS/OSORA) <Kathleen.Cantwell@cms.hhs.gov>  
**Subject:** FW: IRA PRA timeline follow up

FYI that I spoke with Stephanie this morning – they think they can do this shortened review, but she wants the PRA experts to talk through it. I also raised that we need to hit our guidance timelines and so that would be the second agenda item.

**Kathleen – can your team set up this meeting?**

**From:** Richardson (she/her), Erin (CMS/OA)  
**Sent:** Thursday, March 2, 2023 11:42 AM  
**To:** 'Akpa, Stephanie O. EOP/OMB' <(b)(6)>; 'Gramling, Elizabeth (HHS/IOS)' <Elizabeth.Gramling@hhs.gov>  
**Cc:** Cantwell, Kathleen (CMS/OSORA) <Kathleen.Cantwell@cms.hhs.gov>; Clare Pierce-Wrobel <(b)(6)>; <(b)(6)>; 'Young, Christen Linke L. EOP/WHO' <(b)(6)>; Rodriguez, Paul (HHS/OGC) <PaulR.Rodriguez@hhs.gov>; Sanders, Stacy (HHS/IOS) <Stacy.Sanders@hhs.gov>; OToole, Meghan (CMS/OA) <Meghan.OTOole1@cms.hhs.gov>; Kristi Martin (CMS/CM) (Kristina.Martin@cms.hhs.gov) <Kristina.Martin@cms.hhs.gov>; 'Aguilar, Brenda L. EOP/OMB' <(b)(6)>; Fischbach, Aaron (OS/IOS) <Aaron.Fischbach@hhs.gov>  
**Subject:** IRA PRA timeline follow up

Stephanie,

Thanks for connecting this morning. As follow up from that call, you requested a CMS/HHS/WH call, including the PRA package experts to talk through: 1) the PRA timeline and any questions, and 2) the calendars for both the PRA and the negotiation guidance to ensure we meet the passback/publication timelines. As the Administrator noted in her email on Tuesday, we will need to make up time on the negotiation guidance as well in order to publish in time.

We'll work on promptly setting up a meeting, starting with the people listed below. Please feel free to add others once you get the invite.

WH:

- Stephanie
- Jaime
- Brenda
- Clare
- OMB counsel

HHS:

- Lizz
- Aaron
- Nikolaos Ipiotis
- Stacy
- OGC

CMS:

- Kathleen
- Martique Jones

- William Parham
- Meghan
- Kristi

**Erin Richardson** (she/her)  
Chief of Staff



**Confidentiality and Restricted Disclosure Notice:** *This e-mail is intended only for the use of the named addressee(s) and may contain information that is confidential, privileged or regulated under federal and/or state law, including The Privacy Act and HIPAA. If you are not the intended recipient, you are hereby notified that any dissemination, distribution or copying of this e-mail is strictly prohibited. If you have received this e-mail in error, please notify the sender immediately by replying to the e-mail and destroy all copies of the original message. If you are the intended recipient, you are notified that you have the obligation to ensure that any further dissemination, distribution or copying is consistent with applicable law.*

Message

**From:** Montz, Ellen (CMS/CCIIO); (b)(6)  
(b)(6)  
**Sent:** 3/9/2023 12:27:10 PM  
**To:** Ellis (she/her), Kyla (CMS/OA); (b)(6)  
(b)(6); Richardson (she/her), Erin  
(CMS/OA); (b)(6)  
(b)(6); Pryor, Rachel  
(HHS/OS/IOS); (b)(6)  
(b)(6); Schubel, Jessica L.  
**Subject:** EOP/WHO; (b)(6)  
Fwd: Fwd: DC SBE Data Breach

Will get more information this morning and follow up.

Get Outlook for iOS

**From:** Stolbach, Jennifer (CMS/CCIIO) <Jennifer.Stolbach@cms.hhs.gov>  
**Sent:** Wednesday, March 8, 2023 9:44 PM  
**To:** Montz, Ellen (CMS/CCIIO) <Ellen.Montz@cms.hhs.gov>; Wu (he/him), Jeff (CMS/CCIIO) <Jeff.Wu@cms.hhs.gov>; Grant, Jeff (CMS/CCIIO) <jeffrey.grant1@cms.hhs.gov>  
**Cc:** Horner, Dawn (CMS/CCIIO) <Dawn.Horner@cms.hhs.gov>; Yates, Robert (CMS/CCIIO) <Robert.Yates@cms.hhs.gov>; Platte, Stacey (CMS/CCIIO) <Stacey.Platte1@cms.hhs.gov>; Green, Katie (CMS/CCIIO) <Kathryn.Green@cms.hhs.gov>; Wilson, Lisa (CMS/CCIIO) <lisa.wilson@cms.hhs.gov>; Biton, Czarina (CMS/CCIIO) <CZARINA.BITON@cms.hhs.gov>; Rosta (she/her), Sara (CMS/CCIIO) <Sara.Rosta@cms.hhs.gov>  
**Subject:** DC SBE Data Breach

Ellen, Jeff, and Jeff,

DCHBX experienced a data breach on Monday that at first, seemed to effect 11 consumers. They contacted the FBI who confirmed that while a few people's information had posted publicly for sale on the dark web, two enrollment files were hacked to access that information. By yesterday, the FBI determined that each enrollment file contained about 60,000 enrollees (the two files are the same each week so the 2<sup>nd</sup> enrollment file is mostly duplicates). Each enrollee file contains PII (Name, SSN, DOB, address, contact info, dependents). By today, the FBI had uncovered that among others, the breach included 1067 Congressional Employees, including Members and Staffers. The balance of the information breached was DCHBX Covered Lives. Currently, this investigation remains lead by the FBI's Cybersecurity Task Force.

The FBI had asked DC to make notifications in a nonpublic way. DCHBX has notified OPM, Senate Disbursing Office, and Security Officer in the House. They have also notified the 11 people whose information was confirmed to have been posted. Their cyber security taskforce/IT vendor is still investigating how the breach occurred to ensure it doesn't happen again. Purvee also mentioned DC will offer credit monitoring for 3 years to affected consumers.

Drew Dawson in OL has reached to us to discuss, as OL has received a briefing request from Congress this evening. We'll bring Drew up to speed in the morning.

In the meantime, Purvee just shared the latest statement released by DC, again, reflecting the FBI's urging to not discuss this broadly while they continue to untangle:

We can confirm reports that data for some DC Health Link customers has been exposed on a public forum. We have initiated a comprehensive investigation and are working with forensic investigators and law enforcement. Concurrently, we are taking action to ensure the security and privacy of our users' personal information. We are in the process of notifying impacted customers and will provide identity and credit monitoring services. In addition, and out of an abundance of



caution, we will also provide credit monitoring services for all of our customers. The investigation is still ongoing and we will provide more information as we have more to share.

**Purvee Parekh Kempf**  
**Deputy Executive Director**  
DC Health Benefit Exchange Authority  
(202) 317-0297 | [Purvee.Kempf@dc.gov](mailto:Purvee.Kempf@dc.gov)



[www.DCHealthLink.com](http://www.DCHealthLink.com)

Please let me know if you have any questions.

Jen  
Jennifer B. Stolbach, MHS | Director, State Marketplace and Insurance Programs Group (SMIPG) | Center for Consumer Information and Insurance Oversight (CCIO) | Centers for Medicare & Medicaid Services (CMS) | ☎: 301-492-4350

Message

**From:** Ellis (she/her), Kyla (CMS/OA); (b)(6)  
(b)(6)  
**Sent:** 3/9/2023 4:07:50 PM  
**To:** Blum, Jonathan (CMS/OA); (b)(6)  
(b)(6)  
**CC:** Montz, Ellen (CMS/CCIIO); (b)(6)  
(b)(6) Richardson (she/her),  
Erin (CMS/OA); (b)(6)  
(b)(6)  
**Subject:** FW: FW: DC SBE Data Breach

Hi Jon,

See below for awareness. We will continue to follow-up as it evolves.

All the best,  
Kyla

**From:** Montz, Ellen (CMS/CCIIO) <Ellen.Montz@cms.hhs.gov>  
**Sent:** Thursday, March 9, 2023 7:27 AM  
**To:** Ellis (she/her), Kyla (CMS/OA) <Kyla.Ellis@cms.hhs.gov>; Richardson (she/her), Erin (CMS/OA) <Erin.Richardson@cms.hhs.gov>; Pryor, Rachel (HHS/OS/IOS) <Rachel.Pryor@hhs.gov>; Schubel, Jessica L. EOP/WHO  
(b)(6)  
**Subject:** Fwd: DC SBE Data Breach

Will get more information this morning and follow up.

Get [Outlook for iOS](#)

**From:** Stolbach, Jennifer (CMS/CCIIO) <Jennifer.Stolbach@cms.hhs.gov>  
**Sent:** Wednesday, March 8, 2023 9:44 PM  
**To:** Montz, Ellen (CMS/CCIIO) <Ellen.Montz@cms.hhs.gov>; Wu (he/him), Jeff (CMS/CCIIO) <Jeff.Wu@cms.hhs.gov>; Grant, Jeff (CMS/CCIIO) <jeffrey.grant1@cms.hhs.gov>  
**Cc:** Horner, Dawn (CMS/CCIIO) <Dawn.Horner@cms.hhs.gov>; Yates, Robert (CMS/CCIIO) <Robert.Yates@cms.hhs.gov>; Platte, Stacey (CMS/CCIIO) <Stacey.Platte1@cms.hhs.gov>; Green, Katie (CMS/CCIIO) <Kathryn.Green@cms.hhs.gov>; Wilson, Lisa (CMS/CCIIO) <lisa.wilson@cms.hhs.gov>; Biton, Czarina (CMS/CCIIO) <CZARINA.BITON@cms.hhs.gov>; Rosta (she/her), Sara (CMS/CCIIO) <Sara.Rosta@cms.hhs.gov>  
**Subject:** DC SBE Data Breach

Ellen, Jeff, and Jeff,

DCHBX experienced a data breach on Monday that at first, seemed to effect 11 consumers. They contacted the FBI who confirmed that while a few people's information had posted publicly for sale on the dark web, two enrollment files were hacked to access that information. By yesterday, the FBI determined that each enrollment file contained about 60,000 enrollees (the two files are the same each week so the 2<sup>nd</sup> enrollment file is mostly duplicates). Each enrollee file contains PII (Name, SSN, DOB, address, contact info, dependents). By today, the FBI had uncovered that among others, the breach included 1067 Congressional Employees, including Members and Staffers. The balance of the information breached was DCHBX Covered Lives. Currently, this investigation remains lead by the FBI's Cybersecurity Task Force.

The FBI had asked DC to make notifications in a nonpublic way. DCHBX has notified OPM, Senate Disbursing Office, and Security Officer in the House. They have also notified the 11 people whose information was confirmed to have been

posted. Their cyber security taskforce/IT vendor is still investigating how the breach occurred to ensure it doesn't happen again. Purvee also mentioned DC will offer credit monitoring for 3 years to affected consumers.

Drew Dawson in OL has reached to us to discuss, as OL has received a briefing request from Congress this evening. We'll bring Drew up to speed in the morning.

In the meantime, Purvee just shared the latest statement released by DC, again, reflecting the FBI's urging to not discuss this broadly while they continue to untangle:

We can confirm reports that data for some DC Health Link customers has been exposed on a public forum. We have initiated a comprehensive investigation and are working with forensic investigators and law enforcement. Concurrently, we are taking action to ensure the security and privacy of our users' personal information. We are in the process of notifying impacted customers and will provide identity and credit monitoring services. In addition, and out of an abundance of caution, we will also provide credit monitoring services for all of our customers. The investigation is still ongoing and we will provide more information as we have more to share.

**Purvee Parekh Kempf**  
**Deputy Executive Director**  
DC Health Benefit Exchange Authority  
(202) 317-0297 | [Purvee.Kempf@dc.gov](mailto:Purvee.Kempf@dc.gov)



[www.DCHealthLink.com](http://www.DCHealthLink.com)

Please let me know if you have any questions.

Jen

Jennifer B. Stolbach, MHS | Director, State Marketplace and Insurance Programs Group (SMIPG) | Center for Consumer Information and Insurance Oversight (CCIIO) | Centers for Medicare & Medicaid Services (CMS) | 📞: 301-492-4350