

EXHIBIT D

March 26, 2019

The Freedom of Information Group
Centers for Medicare & Medicaid Services
Room N2-20-16
7500 Security Boulevard
Baltimore, MD 21244-1850

Dear FOIA officer,

Pursuant to the Freedom of Information Act, 5 U.S.C. Section 552, NPR is requesting:

- Federal Minimum Data Set (MDS) facility specific data on antipsychotic drug use N0410A by each Medicare certified skilled nursing facility and Medicaid certified skilled nursing facility in each of the 50 states and the District of Columbia for Q4 2011 and for Q3 2018.

We would appreciate having this information in user-friendly spread sheet formats for each of these dates, as CMS provided in the examples here: <http://www.canhr.org/stop-drugging/archives/339>

As in examples in the link above, please also include the census for each facility according to “assessed residents with a response” and “assessed residents with no response,” as well as the number of days (0-7) that residents received antipsychotic drugs according to MDS data.

In order to help you determine my status for the purpose of assessing fees, you should know that I am a representative of the news media affiliated with NPR and that this request is made as part of news gathering and not for commercial use.

I ask for a waiver of all fees for this request. Disclosure of the requested information to me is in the public interest because it is likely to contribute significantly to public understanding of the operations of the government related to the use of antipsychotic drugs in nursing homes, the CMS “National Partnership to Improve Dementia Care in Nursing Homes,” and the impact on beneficiaries of the Medicare and/or Medicaid programs.

If you have any questions about handling this request, you may telephone me at 310-815-4261 (office). I can also be reached by email: ijaffe@npr.org.

Sincerely,

Ina Jaffe

Correspondent, NPR News

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