

# **EXHIBIT G**

Freedom of Information Act Appeal #032620197026 & #032520197107

July 9, 2019

Principal Deputy Administrator  
Centers for Medicare and Medicaid Services  
Room C5-16-03  
7500 Security Blvd.  
Baltimore, Maryland 21244-1850

Dear Principal Deputy Administrator,

This appeal is regarding FOIA Act requests #032620197026 & #032520197107 dated March 25, 2019.

Part of request #032620197026 quoted a CMS memo to state survey agency directors dated March 1, 2019. In that memo, CMS states, "CMS is also looking for opportunities to engage with corporate chains that have significant numbers of nursing homes identified as 'late adopters.' NPR requested the names of those corporate chains.

In the response to this FOIA request dated May 20, 2019, CMS stated that "After a careful search of the Centers for Medicare & Medicaid Services (CMS) files, i.e., a search reasonably calculated to locate records responsive to your request and employing reasonable standards, we were unable to locate any records."

It makes no sense that CMS says it is reaching out to work with corporate chains with large numbers of late adopter nursing homes and simultaneously says there are no documents that identify the chains that CMS is contacting.

NPR requests that you search again for the names of these chains.

CMS responded to request #032520197107 in the same letter. CMS states in its response letter that the "December 2017 notification document was provided to the identified late adopters through the Certification and Survey Provider Enhanced Reports (CASPER) Five Star Nursing Home Compare Provider Preview Report in December 2017. The notice consisted of the following." CMS' response letter then quotes the notice.

NPR would like a photocopy or link to the original notice in its entirety.

Sincerely,

Ina Jaffe

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