

COMMITTEE ON WAYS AND MEANS

U.S. HOUSE OF REPRESENTATIVES  
WASHINGTON, DC 20515

March 24, 2021

The Honorable Josh Shapiro  
Pennsylvania Office of Attorney General  
Strawberry Square  
Harrisburg, PA 17120

Dear Attorney General Shapiro:

We write regarding your state's COVID-19 related nursing home death data. Significant questions remain unanswered as to why data from dozens of nursing homes in Pennsylvania continues to be missing from the state's publicly reported database. You are likely aware of recent public reports about the state of New York's effort to intentionally hide accurate data from the public and potentially from the federal government. Given that context and the missing Pennsylvania data, we are concerned that there may be a concerted effort in the state to conceal the true scope of COVID-19 related nursing home deaths. Perhaps something else explains the missing data, but we have yet to receive satisfactory answers for why the data remains missing.

We sent a letter to President Biden's nominee for Assistant Secretary of Health and former Pennsylvania Secretary of Health, Dr. Rachel Levine, asking for answers as to why nursing home death data remains missing. Dr. Levine has not responded to our letter, which we have enclosed for your reference. We ask that your office pursue answers to those same questions.

Additionally, the Republican members of the Pennsylvania delegation in the U.S. House of Representatives sent you a letter dated February 16, 2021. That letter asked whether your office plans to develop and publish a similar report to the report issued by New York Attorney General in January 2021. Our understanding is that your office has not yet replied to that letter.

Given this context and the U.S. House Ways and Means Committee's jurisdiction over Medicare reimbursement to skilled nursing facilities and congress's continued role in providing COVID-19 financial aid to states, it is imperative that we get answers to these questions. Therefore, we ask your office to provide the following:

1. Answers to the questions regarding Pennsylvania's missing nursing home data contained in our enclosed letter to Dr. Levine dated March 15, 2021.
2. Answers to the questions asked in the Pennsylvania Republican delegation's letter dated February 16, 2021, regarding whether you will publish a report on COVID-19 related nursing home death data in Pennsylvania.
3. An update on any and all efforts your office is undertaking to investigate the missing nursing home death data and Pennsylvania's policy of requiring nursing homes to admit or readmit COVID-19 infected patients.

If you have any questions, please contact Rachel Kaldahl (Rachel.Kaldahl@mail.house.gov) or Sean Clerget (Sean.Clerget@mail.house.gov) on the Ways and Means Committee Republican Oversight staff.

Sincerely,



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Kevin Brady  
Republican Leader  
Committee on Ways and Means



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Mike Kelly  
Republican Leader  
Subcommittee on Oversight  
Committee on Ways and Means



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Devin Nunes  
Republican Leader  
Subcommittee on Health  
Committee on Ways and Means



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Lloyd Smucker  
Committee on Ways and Means