

September 6, 2007

VIA EMAIL

The Honorable Michael O. Leavitt
Secretary, U.S. Department of Health and Human Services
200 Independence Avenue, S.W.
Washington, D.C. 20201

Dear Secretary Leavitt,

On behalf of the Consumer-Purchaser Disclosure Project, we are writing to express our wholehearted support for requiring the U.S. Department of Health and Human Services to release data on physician claims paid by Medicare, as articulated by the District of Columbia's U.S. District Court's August 22 decision in *Consumers' CHECKBOOK, Center for the Study of Services v. U.S. Department of Health and Human Services*. We urge you to release this data as soon as possible so that patients and their providers can begin to benefit from the quality improvements this information will generate.

The Consumer-Purchaser Disclosure Project is a group of leading employer, consumer, and labor organizations working to ensure that all Americans have access to publicly reported health care performance information. We believe that providing good, reliable information to consumers about the quality of individual provider performance will help them make informed decisions about health care for themselves and their families and drive quality improvement.

As Secretary of the U.S. Department of Health and Human Services, you have made health system transparency a top priority, noting that: "Every American should have access to a full range of information about the quality and cost of their health care options." But meaningful comparisons about provider performance are only possible through large, robust data sources, and the Medicare claims database is the single largest source of information about hospitals, physicians, and other providers. While we applaud your efforts to make some of this data available to the public, we believe greater access is needed to give consumers more complete information about their health care providers, and to drive significant improvements in quality.

To date, you have argued that your goals for greater transparency have been hampered by questions about the legality of releasing physician-identified Medicare claims data. The court's decision in *Consumers CHECKBOOK* should put that issue to rest, with a clear statement that release of this data is warranted because of the "important public interests at stake." This decision is a victory for patients and for the health care system as a whole. We strongly urge you not to appeal the court's decision and to move rapidly to release the Medicare claims data to the public as soon as possible.

Sincerely,



Peter V. Lee
Chief Executive Officer
Pacific Business Group on Health



Debra L. Ness
President
National Partnership for Women & Families

Cc: Daniel Meron, General Counsel