

DEPARTMENT OF HEALTH & HUMAN SERVICES
Centers for Medicare & Medicaid Services
7500 Security Boulevard, Mail Stop C5-11-06
Baltimore, Maryland 21244-1850



Office of Strategic Operations and Regulatory Affairs/Freedom of Information Group

Refer to: Control Number 020720247119 and PIN 99GM

3/26/2024

Aaron Siri
Siri & Glimstad LLP
745 Fifth Ave.
Suite 500
New York, NY 10151

Dear Mr. Siri:

This letter is in response to your Freedom of Information Act (5 U.S.C. §552) request of 2/7/2024, which you sent to the Centers for Medicare & Medicaid Services (CMS). Within your correspondence, you requested records relating to the Centers for Medicare & Medicaid Services' (CMS) reliance on the National Committee for Quality Assurance (NCQA) to determine which vaccine indicators are included in the Adult Immunization Status measures as reflected on page 130 of the "Advance Notice of Methodological Changes for Calendar Year (CY) 2025 for Medicare Advantage (MA) Capitation Rates and Part C and Part D Payment Policies".

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 responsive to your request. CMS does not determine which vaccines are included in the Adult Immunization Status measure. It is a HEDIS measure developed by the National Committee for Quality Assurance (NCQA). You would need to contact NCQA for any information about how they decided which vaccines to include.

If you believe that the information withheld should not be exempt from disclosure, or this response constitutes an adverse determination, you may appeal. By filing an appeal, you preserve your rights under FOIA and give the agency a chance to review and reconsider your request and the agency's decision.

Your appeal must be mailed within 90 days from the date of receipt of this letter, to:

Principal Deputy Administrator
Centers for Medicare and Medicaid Services
Room C5-16-03

7500 Security Blvd.
Baltimore, Maryland 21244-1850

Please clearly mark both the envelope and your letter “Freedom of Information Act Appeal.”

If you would like to discuss our response before filing an appeal to attempt to resolve your dispute without going through the appeals process, you may contact Kenyetta Stringfellow or the CMS FOIA Public Liaison for assistance at:

Desiree Gaynor
CMS FOIA Public Liaison
Centers for Medicare & Medicaid Services
7500 Security Blvd., MS C5-11-06
Baltimore, Maryland 21244-1850
Telephone: (410) 786-5353 fax (443)-380-7260

If you are unable to resolve your FOIA dispute through our FOIA Public Liaison, the Office of Government Information Services (OGIS), the Federal FOIA Ombudsman’s office, offers mediation services to help resolve disputes between FOIA requesters and Federal agencies. The contact information for OGIS is:

Office of Government Information Services
National Archives and Records Administration
8601 Adelphi Road–OGIS
College Park, MD 20740-6001

Telephone: 202-741-5770
Toll-Free: 1-877-684-6448
E-mail: ogis@nara.gov
Fax: 202-741-5769

Sincerely yours,

Desiree Gaynor

Desiree Gaynor
Director, Division of FOIA Analysis – A
Freedom of Information Group