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United States Senate

COMMITTEE ON
HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS

WASHINGTON, DC 20510-6250

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May 22, 2012

The Honorable Kathleen Sebelius
Secretary
United States Department of
Health and Human Services
Hubert Humphrey Building, Room 416 G
200 Independence Avenue, SW
Washington, DC 20201

Dear Secretary Sebelius:

Thank you for your commitment to health care reform and, in particular, the goal of achieving better results in our nation's health care system, while at the same reducing burdensome costs for American families, businesses and government. You and I both share this important goal, and as you know, one of the best ways to reduce costs is to ensure that federal health care programs are properly managed with strong oversight. Effective management of key programs like Medicare and Medicaid help ensure that Americans get access to quality health care when they need it, and that taxpayer dollars that fund these programs are spent appropriately and effectively. Not only has this Administration made undeniable strides in curbing wasteful or improper spending in programs like Medicare and Medicaid, but it has also made protecting our communities from fraudulent practices or inadequate standards a high priority.

Despite our progress, there is always room to further strengthen the management our nation's health care programs. To that end, I wanted to follow up with you about a critical issue affecting the health and well being of some of our nation's most vulnerable children. You may recall that during a hearing held by the Senate Finance Committee earlier this year, you and I discussed the potential over-medicating of our nation's foster care children with mental health drugs known as psychotropics. This is a deeply disturbing problem that demands immediate attention.

At the request of the Senate Federal Financial Management Subcommittee that I chair, the Government Accountability Office (GAO) recently completed a multi-year investigation of the mind-altering psychotropic drugs prescribed for children in the foster care system. The results of this investigation, which were the basis for a hearing my subcommittee held on this topic on December 1, 2011, were very troubling and revealed a broken system in desperate need of reform. Specifically, the GAO investigation found that hundreds of children in the foster care system were concurrently prescribed five or more psychotropic drugs even though highly-regarded medical experts have found no evidence to support this level of medication for adults, let alone young children. The GAO also found that thousands of children were prescribed psychotropic drugs in dosages that far exceed levels recommended by the Food and Drug

Administration and medical literature. Perhaps most disturbing, even infants under the age of one year were prescribed these psychotropic drugs, when again, medical best practices would not support such useage. All of these prescriptions were paid for by Medicaid.


While I have no doubt that the appropriate use of psychotropic drugs serve a useful medical purpose, the GAO report details a series of problems stemming from inadequate monitoring and oversight. The GAO has further reported that nearly one in three states identified the overuse of psychotropic medications in their foster care populations as one of the most pressing issues facing the child welfare system nationwide. In fact, according to numerous studies, foster children are prescribed psychotropic medications at least three to seven times the rate of other children on Medicaid. We must do more, then, to ensure that medical standards and best practices are followed. Unless our Medicaid policies properly reflect best medical practices, the result will be damaging to the program's financial bottom line but, more importantly, to the health and welfare of our nation's foster care children.

I welcomed the assurances you have given that you and the Department are committed to pursue, as a high priority, solutions to the potential over-medication of our nation's foster care children. In our conversation, I recall you noting that the Department was not only closely following this issue, but also working to implement solutions to the systemic problems highlighted in the GAO report. I am writing to request an update on where those plans stand. For example, representatives of the Department testified last year that they would soon host a summit with state Medicaid agencies and other stakeholders to determine new policies and procedures that address medications for children in the foster care system. Bringing together the officials at your Department, the state Medicaid agencies, the state agencies that oversee foster care programs, and other key experts and stakeholders is a crucial step to determine the policy and program changes necessary to best serve our foster care children and their families.

I greatly appreciate your continued leadership at the Department and look forward to working with you on this critical issue.

With best personal regards, I am

Sincerely yours,



Tom Carper
Chairman
Subcommittee on Federal Financial
Management, Government Information,
Federal Services, and International Security