

**Congress of the United States**  
**Washington, DC 20515**

June 23, 2015

Andy Slavitt  
Acting Administrator  
Center for Medicare and Medicaid Services  
Department of Health and Human Services  
Hubert H. Humphrey Building, Room 445-G  
200 Independence Avenue, SW  
Washington, DC 20201

Dear Acting Administrator Slavitt:

We are writing regarding the ongoing investigations into Universal Health Services (UHS), a for-profit hospital management company with over 200 behavioral health facilities located throughout the U.S. Recent news reports have highlighted alarming incidences of mismanagement and negligence raising questions about the company's ability to provide quality care to Medicare and Medicaid beneficiaries.

As you may be aware, there are ongoing federal investigations at 21 UHS-owned facilities, and recently, the U.S. Department of Justice (DOJ) Criminal Frauds Section began an investigation of the parent company. In addition to criminal fraud investigations of UHS corporate and three facilities in Florida, there is an ongoing False Claims Act investigation by the DOJ Civil Division and the Department of Health and Human Services' Office of the Inspector General of 18 additional UHS facilities. We are deeply concerned about this expanding federal probe not only because UHS facilities operate in our districts but because UHS is the nation's largest provider of inpatient behavioral health services, operating one in five inpatient mental health beds<sup>i</sup> with \$4.3 billion of Medicare and Medicaid revenue in 2014.<sup>ii</sup>

Media and press reports point toward a troubling number of quality of care and patient safety failures at UHS-owned facilities. *The Boston Globe* published a series of articles in 2013 and 2014 citing staffing failures, "cutting corners," negligent care, and even patient deaths across Arbour Health System facilities in Massachusetts.<sup>iii</sup> Particularly problematic was Arbour HRI, a UHS psychiatric hospital in Brookline that federal investigators have cited for clinical deficiencies that may have hindered patients' recoveries.<sup>iv</sup> In addition to UHS corporate, DOJ is investigating three facilities in Florida, including Wekiva Springs Center, River Point Behavioral Health, and National Deaf Academy.

In December 2014, *The Chicago Tribune* in conjunction with Northwestern University's Medill Watchdog published a series of articles detailing violence, sexual assaults, patient runaways, and lack of security staff at Rock River Academy in Illinois, Foundations for Living in Ohio, and other facilities. As a result of these alarming stories, the Illinois Department of Children and Families placed Rock River Academy under an intake hold and enhanced monitoring. This facility, which UHS has chosen to close, is currently under federal investigation.

We also are concerned by reports of retaliation against employees who expose problems at UHS facilities. A 2011 report by the University of Illinois at Chicago (UIC) on Hartgrove Hospital concluded that "Hartgrove staff were reportedly told by UHS officials (parent company) that anyone suspected of providing information to the UIC reviewers would be fired."<sup>v</sup>

Given the serious allegations of fraud, negligence, and staff retaliation, we have serious concerns about the welfare of patients. We respectfully request an update regarding HHS' investigation and additional information on any actions that CMS or HHS plan to take in response to the grave allegations against UHS.

Thank you in advance for your attention and cooperation with our request. We look forward to hearing more from you on this matter.

Sincerely,



Joseph P. Kennedy, III  
Member of Congress



Danny Davis  
Member of Congress

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<sup>i</sup> UHS at Bank of America Merrill Lynch Leveraged Finance Conference. December 2, 2014. p.3.  
Universal Health Services, Inc. Form 10-Q for the period ending September 30, 2014. Nov. 7, 2014. p.30.  
Percent of behavioral segment from U.S. military – UHS Q1 2014 Earnings Call. April 25, 2014. p. 4.

<sup>ii</sup> UHS Investor Presentation at Ratings Agency Meetings. November 7, 2014. Slide 6.

Net Revenue of behavioral segment. UHS Form 10-K for the year ending December 31, 2014. Filed February 26, 2015. p.142.

<sup>iii</sup> <http://uhsbehindcloseddoors.org/2014/06/series-of-reports-chronicle-uhs-failures-in-massachusetts/>

<sup>iv</sup> <http://www.bostonglobe.com/lifestyle/health-wellness/2014/05/29/federal-investigators-find-lack-treatment-for-mentally-ill-patients-arbour-hri-ceo-leaves/qy5YZZo364KjVgr9UHLueP/story.html>

<sup>v</sup> [http://articles.chicagotribune.com/2011-09-28/health/ct-met-psych-hospital-report-20110928\\_1\\_uic-report-psychiatric-hospital-sexual-assaults](http://articles.chicagotribune.com/2011-09-28/health/ct-met-psych-hospital-report-20110928_1_uic-report-psychiatric-hospital-sexual-assaults)