

Mary McDevitt, MD  
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October 3, 2022

Honorable Xavier Becerra  
Secretary U.S. Department of Health and Human Services  
200 Independence Ave. SW  
Washington, D.C. 20201

Dear Secretary Becerra,

The ACO/REACH program scheduled to start in January 2023, will represent a breach of contract with enrollees, like myself, who chose the Traditional Medicare program. We do not need a middleman (Insurance company) to “Manage” our care. Myself and millions of other seniors selected Traditional Medicare so that we could see any physician and be admitted to a hospital of our choice.

I’m sure you are aware that the ACO/REACH entities will not save money, as the fraudulent “Upcoding” that is prevalent in the Medicare Advantage programs will continue in ACO/REACH. I do not understand why this fraudulent practice continues, as there have been multiple audits and reviews that document this activity, two of which are noted below: **2021:** OIG audit of Humana for 2015 identified \$197.7 million in overpayments. **National Law Review, Vol 1 #116.** **2013-2014:** Initial Whistleblowers lawsuits filed by Ronda Osinik and Dr. James Taylor. The DOJ brought action against Kaiser Foundation Health Plan, Inc., the Kaiser Foundation Health Plan of Colorado, the Permanente Medical Group, Inc., and the Colorado Permanente Medical Group P.C., to recover treble damages and civil penalties for violation of the **False Claims Act** and **conspiracy to violate the False Claims Act. DOJ Case 3:13-cv-03891-EMC Filed 10/25/21.**

In addition, MedPAC has shown repeatedly that the Medicare Advantage plans cost more than Traditional Medicare. **MedPac Report to Congress, March 2021.**

Of even greater concern is that these overpayments to Medicare Advantage Plans and the ACO/REACH entities will threaten the solvency of the Medicare Trust. Future seniors will not tolerate an increase in their Medicare premiums deducted from their Social Security payments as long as their taxpayer dollars are siphoned off by Insurance companies and Wall Street equity firms.

Attached is a Resolution from the Sonoma Valley Democratic Club, which demands that you stop the ACO/REACH program.

Thank you for your consideration of this important and vital concern of seniors in the Traditional Medicare program.

Mary McDevitt, MD  
Secretary, Sonoma Valley Democratic Club  
Attachment: Resolution

cc: Honorable Joseph R. Biden  
The White House  
1600 Pennsylvania Ave  
Washington, DC 20500

cc: Mike Thompson  
268 Cannon Office Building  
Washington, DC 20515