



Director
Office for Civil Rights
Washington, D.C. 20201

May 28, 2019

Randy Brauer, Director
James Slade, Deputy Director, and
Kimberly Snowden, Director, Customer Accessibility Resource Staff
Offices of Hearings and Inquiries
Centers for Medicare and Medicaid Services
7500 Security Blvd., S1-13-25
Baltimore, MD 21244

Dear Mr. Brauer:

Thank you for your recent submissions of documentation verifying that all provisions of the Commitment to Action (CTA) between the U.S. Department of Health and Human Services (HHS) Office for Civil Rights (OCR) and the Centers for Medicare and Medicaid Services (CMS) have been satisfied. The CTA resolved complaints, alleging that CMS and its contractors failed to provide Medicare beneficiaries who are blind or have low vision with notice of their rights and other Medicare benefits materials in accessible formats, in violation of Section 504 of the Rehabilitation Act of 1973 (Section 504). The documentation that CMS submitted throughout the course of the CTA and subsequent monitoring period verifies that CMS has satisfied the provisions of the CTA. OCR also verified that CMS developed and implemented a robust Long Term Action Plan (LTAP) to ensure CMS' ongoing compliance with Section 504 and its ability to provide equal access and effective communication for individuals with disabilities across all of its programs and services.

Furthermore, the documentation that CMS submitted illustrates the concrete steps that CMS has taken since the beginning of the CTA monitoring period to ensure compliance with Section 504. Of particular note, CMS has established a Customer Accessibility Resource Staff (CARS) team dedicated to accessible communications for the public, including ensuring timely auxiliary aid fulfillment. The CARS team interacts directly with customers requesting information in accessible formats. Members of the CARS team also serve as Section 504 training and educational resources for CMS staff and primary contractors, who do work directly on behalf of CMS.

OCR is satisfied that the monitoring period under the CTA is complete based on the documentation that CMS has submitted; CMS' willingness to continue to cooperate with and obtain technical assistance from OCR; and CMS' demonstrated commitment to ongoing program-wide Section 504 compliance. OCR would like to thank you for your cooperation with its investigation of these matters and looks forward to its continued partnership and collaboration with CMS.

Please be advised that the closure of the monitoring of these complaints does not preclude OCR from conducting any other complaint investigations or compliance reviews of CMS or any of its contractors, should the need arise. Notwithstanding the conclusion of the monitoring of the

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CTA, CMS acknowledges that it will continue to comply with Section 504. Please know that OCR is always available to provide technical assistance to CMS regarding program access issues like those addressed in the CTA.

We greatly appreciate your cooperation regarding this matter. If you have any questions, please do not hesitate to contact Barbara J. Holland, Regional Manager, Mid-Atlantic Region at (215) 861-4436, or via email at Barbara.Holland@hhs.gov.

Sincerely,

/s/

Roger Severino
Director