

Congress of the United States
Washington, DC 20515

May 2, 2018

The Honorable Robert Wilkie
Acting Secretary
U.S. Department of Veterans Affairs
810 Vermont Avenue SE
Washington, DC 20420

Dear Acting Secretary Wilkie:

We write with concern regarding the U.S. Department of Veterans Affairs (VA) continued delays in finalizing a contract with Cerner Corporation to implement a new commercial, off-the-shelf (COTS) electronic health record (EHR) system that is fully interoperable with the U.S. Department of Defense. On April 30, 2018, Politico reported numerous instances of unofficial advisors to the President who have become involved in negotiations for VA's EHR. Politico alleged that these unofficial advisors "effectively delayed the agreement for months."

As you know, former VA Secretary David Shulkin instituted a pause in contract negotiations with Cerner Corp. pending completion of an independent assessment by MITRE Corporation. That assessment was intended to provide an analysis of Cerner's ability to effectively implement an interoperable EHR and to assist VA in developing a contract with Cerner that would ensure VA's multi-billion dollar investment actually improved the delivery of veterans' healthcare at the VA. VA reportedly received MITRE's assessment and 51 recommendations on or about February 12, 2018. On March 15, 2018, VA updated their solicitation to reflect recommendations provided by MITRE.

Unfortunately, it has been over two months since VA received MITRE Corp's assessment and recommendations. While we were encouraged to see VA update their solicitation, the allegations reported by Politico are serious and compel us to request additional information on the following:

1. An explanation for VA's inability to execute a contract with Cerner between receipt of the MITRE assessment and former Secretary Shulkin's dismissal.
2. VA's analysis of the 51 recommendations provided by MITRE and whether VA disagreed with any of the recommendations.
 - a. If VA disagreed with a recommendation, please provide a detailed explanation of the disagreement.
3. A detailed list of recommendations incorporated in the March 15th solicitation update.
4. A timeline of meetings between VA officials and Cerner since receipt of MITRE's assessment, including meeting participants and a brief summary of topics covered at each meeting.

5. Remaining actions VA plans to take prior to executing a contract with Cerner, including an analysis as to why VA may believe those actions need to be completed prior to completing a contract with Cerner.
6. Any concerns identified by the Office of General Counsel in executing a contract prior to the confirmation of a Secretary to replace former Secretary Shulkin.

Modernization of the Department's electronic health record is a shared priority between the VA and Congress. We are committed to preventing unnecessary delays such as those reported by Politico from hindering implementation of a modern EHR for the VA. The 9 million veterans enrolled in the VA deserve effective and efficient delivery of healthcare and a modern EHR is an important reform needed to accomplish that mission.

Thank you for consideration of our requests.

Sincerely,


Ann McLane Kuster
Member of Congress


Julia Brownley
Member of Congress


Mark Takano
Member of Congress


J. Luis Correa
Member of Congress