

March 12, 2025

VIA ELECTRONIC SUBMISSION

Emily McClellan
Freedom of Information Act Coordinator
Department of Medical Assistance Services
600 East Broad Street, Suite 1300
Richmond, Virginia 23219

Re: Freedom of Information Act Request

To Whom it May Concern:

Please accept this letter as a request under the Virginia Freedom of Information Act ("FOIA"), Va. Code §§ 2.2-3700 *et seq.*, for the following documents:

- Any written communication, including, correspondence, memorandums, e-mails, text messages, or other communications, including drafts of such documents among and/or between employees of the Department of Medical Assistance Services ("DMAS") and the Centers for Medicare and Medicaid Services ("CMS") related to the Nansemond Indian Nation ("Nation"), Fishing Point Healthcare ("FPH"), and tribal health clinics or programs from October 1, 2024, through March 12, 2025.
- Any written communication, including, correspondence, memorandums, e-mails, text messages, or other communications, including drafts of such documents among and/or between employees of the Department of Medical Assistance Services ("DMAS") and the staff for Virginia's Senate Finance and Appropriations Committee and House Appropriations Committee regarding the Nation, FPH, and tribal health clinics or programs from October 1, 2024, through March 12, 2025.
- Any written communication, including, correspondence, memorandums, e-mails, text messages, or other communications, including drafts of such documents among and/or between employees of the Department of Medical Assistance Services ("DMAS") and Empower AI related to the Nation, FPH, and tribal health clinics or programs from October 1, 2024, through March 12, 2025.
- Such request shall specifically include, but not be limited to, any written communication regarding the Payment Error Rate Measurement ("PERM") audit conducted by CMS and/or its contractors related to Medicaid reimbursed services by FPH.
- Pursuant to Va. Code § 2.2-3704(G) and FOIA Advisory Council Opinion AO-02-24, please provide the responsive documents in the format regularly used in the course of business by DMAS. While emails and text messages may be provided in their native format or as .pdf documents, I am specifically requesting any Word, Excel, Powerpoint, etc., document to be provided electronically in the original format utilized by DMAS. I am also specifically requesting that the responsive documents not be altered in any way prior to production, including but not limited to bates stamping or converting a document from one form to another.

Thank you for your assistance. Please do not hesitate to call me with any questions or if you require any additional information.

Sincerely,

/s/ Kristine Pierce
Fishing Point Healthcare

cc: Jessie Barrington, Esquire [via email: Jessie@culturalheritagepartners.com]
Matthew Cobb, Esquire [via email: mcobb@williamsmullen.com]
Brian Pumphrey, Esquire [via email: bpumphrey@mcguirewoods.com]
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