

**Congress of the United States**  
**House of Representatives**  
**Washington, DC 20515-3302**

July 31, 2014

The Honorable Chuck Hagel  
Secretary of Defense  
1000 Defense Pentagon  
Washington, DC 20301-1000

Dear Secretary Hagel,

We are writing to express our concerns regarding the troubling reports of substandard health care provided by the Department of Defense (DoD) to the men and women in uniform as well as their families. We understand that DoD is currently reviewing its Military Treatment Facilities (MTFs) and we would like to encourage the Defense Health Agency (DHA) to use this as an opportunity to correct the problems and reassure our nation's heroes that they will not be subject to substandard health care. Given the ongoing investigation, we would like to draw your attention to one particular issue our offices are very concerned about - the completion of Root-Cause Analyses (RCAs).

To our understanding, under current practices the Department of Defense requires MTFs to conduct RCAs when a patient's life is lost or is seriously injured during a procedure at a MTF. We assume this takes place in order to locate the error in the health care system or medical procedure and to prevent similar events from reoccurring. Our offices see this as a vital tool in correcting and preventing medical problems that could have been avoided. However, we are concerned that DoD may not be adhering to its policy of completing and submitting RCAs and thus cannot locate or remedy the problems in their delivery of care - and leaving the system exposed to reoccurring problems that are, by all accounts, preventable.

On June 28, 2014, the New York Times reported that the 2001 DoD policy regarding RCAs is sparsely carried out - at a disturbing rate of less than half of the incidents reported. The Times noted that in 2012 there were 110 deaths, but only 44 RCAs were submitted. It was also reported that in 2013 there were 79 deaths and only 31 RCAs were submitted. While we find these reports very troubling, we would like to inquire into the validity of the information referenced by The New York Times. Is the DoD carrying out and submitting RCAs for every incident? Furthermore, are the individual services openly sharing this information with the Pentagon or other MTFs? The sharing of RCAs within DoD seems to be a logical step in addressing the current health care issues facing DoD.

In addition to our concerns regarding RCAs, we would also like to know why the families of victims - either severely injured or facing a loss of life during a procedure - are not made aware of these investigations and have no access to the actual cause of the problem. Many have

reported that they have been left in the dark after the terrible loss of a loved one, while many others report that they have received few assurances from the medical facility of actions taken to rectify holes in the system. As the Times pointed out in the same report, these investigations are prohibited from disclosure due to a 1986 law known as 1102. We understand the intentions of this law, but would like to make sure that this is not being used to obstruct the sharing of information between the Pentagon and the individual services, as well as preventing the due process and accountability for the families and soldiers which they serve. If these reports are true, it is our belief that this inherently contradicts the purpose of RCAs and hinders the ability of DoD from overhauling its health care so that it may deliver the highest quality care at MTFs.


We look forward to your response to our concerns above and appreciate your commitment to providing the highest level of quality service to our military, their families, and our nation's longest serving veterans.

Sincerely,


  
Renee Ellmers  
Member of Congress

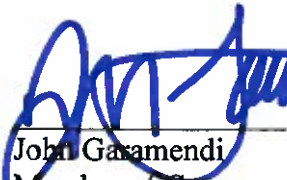
  
Fred Upton  
Member of Congress


  
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Richard Hudson  
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