

DEPARTMENT OF HEALTH & HUMAN SERVICES
Centers for Medicare & Medicaid Services
200 Independence Avenue SW
Washington, D.C. 20201



OFFICE OF LEGISLATION

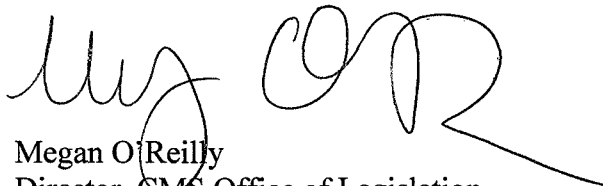
NOV 15 2016

The Honorable Charles E. Grassley
Chairman
Committee on the Judiciary
United States Senate
Washington, DC 20510

Dear Chairman Grassley:

We are in receipt of your letter of November 1, 2016, regarding the Senate Committee on the Judiciary's planned hearing on November 30 to discuss Mylan N.V.'s EpiPen product, entitled "Oversight of the EpiPen Crisis and Settlement: Where is the Federal Government in Looking out for Taxpayers and Patients?". With regard to the anticipated focus of the Committee's hearing, the Department of Justice advised you by letter on November 14 that it has not agreed to any settlement with any potential party. As such, the Department of Justice followed its longstanding practice to decline requests for non-public information about pending matters and investigations. As the Centers for Medicare & Medicaid Services refers all questions regarding potential litigation or settlement to the Department of Justice, CMS is also unable to send a witness to testify on this topic or provide further information at this time.

Sincerely,



Megan O'Reilly
Director, CMS Office of Legislation