

ONE HUNDRED EIGHTEENTH CONGRESS  
**Congress of the United States**  
**House of Representatives**  
COMMITTEE ON ENERGY AND COMMERCE  
2125 RAYBURN HOUSE OFFICE BUILDING  
WASHINGTON, DC 20515-6115

Majority (202) 225-3641  
Minority (202) 225-2927

April 15, 2024

Sir Andrew Witty  
UnitedHealth Group, Inc.  
9900 Bren Road East  
Minnetonka, MN 55343

Dear Mr. Witty:

The cyberattack and resulting prolonged downtime of Change Healthcare systems has disrupted the entire American health care system. Since the disruption began on February 21, 2024, patients have faced delays and uncertainty in accessing care, and providers have struggled to provide services in the face of cash flow disruptions.<sup>1</sup> Change Healthcare is a central player in the country's health care system, which has been upended by the recent breach. We are interested in your efforts to secure Change Healthcare's systems since it was acquired by your company and the efforts you are taking to restore system functionality and support patients and providers affected by the attack.

On February 21, UnitedHealth Group (along with its subsidiaries, "UnitedHealth") announced that Change Healthcare, which merged with UnitedHealth's Optum subsidiary in 2022, had experienced a cyberattack on its platforms, and that UnitedHealth had taken all Change Healthcare technologies offline to contain the incident.<sup>2,3</sup> Critical services affecting patient care—including billing services, claims transmittals, and eligibility verifications—remained inoperable. Though UnitedHealth first notified users that it expected the disruption to "last at least through the day," several products have now been inoperable for over a month.<sup>4</sup>

Over the past several weeks, UnitedHealth has provided updates on its response and the ongoing investigation, including a briefing for Committee members on April 8. However, many

---

<sup>1</sup> *Cyberattack Paralyzes the Largest U.S. Health Care Payment System*, The New York Times (Mar. 7, 2024).

<sup>2</sup> Optum, *Incident Report for Optum Solutions* (Feb. 21, 2024) (<https://solution-status.optum.com/incidents/hqpjz25fn3n7>).

<sup>3</sup> Optum, *Optum and Change Healthcare Complete Combination* (Oct. 3, 2022) (<https://www.optum.com/en/about-us/news/page.hub.optum-and-change-healthcare-complete-combination.html>).

<sup>4</sup> See note 2.

details of the cyberattack remain unclear or undisclosed, including whether personal protected information has been compromised.<sup>5</sup> And recent reports of a second ransom demand in exchange for four terabytes of data that allegedly contain personally identifiable information, such as medical records and payment information, have created fresh concerns about further damage from this cyberattack.<sup>6</sup>

Change Healthcare's platforms reportedly touch one out of every three U.S. patient records.<sup>7</sup> Its systems process roughly 15 billion transactions annually, and are linked to approximately 900,000 physicians, 118,000 dentists, 33,000 pharmacies, and 5,500 hospitals nationwide.<sup>8,9</sup> The breadth of Change Healthcare's infrastructure all but ensures that the scope of the current disruption, and any disruption in Change Healthcare services, will be extensive.

There have been reports of providers struggling to make payroll due to Change Healthcare's inability to process payments.<sup>10</sup> Simultaneously, with pharmacies unable to verify coverage, many patients have been forced to pay out of pocket for crucial medication, including cancer therapy drugs and insulin.<sup>11</sup>

These widespread impacts have required federal intervention to support patients and providers. By March 13, the Centers for Medicare & Medicaid Services (CMS) had made accelerated payments to Part A providers and advanced payment options available for providers in Part B. On March 15, CMS issued guidance to state Medicaid agencies providing them with flexibilities to make expedited interim payments to affected Medicaid providers.<sup>12,13</sup> Though these interventions have been helpful to support providers, these short-term approaches are unlikely able to supplant a return to full functionality of Change Healthcare systems.

---

<sup>5</sup> UnitedHealth Group, *Information on the Change Healthcare Cyber Response* (Mar. 20, 2024) (<https://www.unitedhealthgroup.com/ns/changehealthcare.html>).

<sup>6</sup> *Change Healthcare Faces Second Ransomware Dilemma Weeks After ALPHV Attack*, The Register (Apr. 8, 2024).

<sup>7</sup> See note 1.

<sup>8</sup> *With Cyberattack Fix Weeks Away, Health Providers Slam United*, The New York Times (Mar. 8, 2024).

<sup>9</sup> United States Securities and Exchange Commission, *Change Healthcare Inc. Amendment No. 1 to Form S-1 Registration Statement* (<https://www.sec.gov/Archives/edgar/data/1756497/000095012318012316/filename1.htm>) (accessed Mar. 21, 2024).

<sup>10</sup> *Patients or Payroll? US Healthcare Hack Creates Hard Choices*, Reuters (Mar. 7, 2024).

<sup>11</sup> *Patients Struggle to Get Lifesaving Medication After Cyberattack on a Major Health Care Company*, NBC News (Mar. 6, 2024).

<sup>12</sup> United States Department of Health and Human Services, *Readout of Biden-Harris Administration Convening with Health Care Community Concerning Cyberattack on Change Healthcare* (Mar. 12, 2024) (press release).

<sup>13</sup> United States Department of Health and Human Services, *Readout of Biden-Harris Administration's Follow Up Meeting with Insurers Concerning Cyberattack on Change Healthcare* (Mar. 19, 2024) (press release).

The health care system is rapidly consolidating at virtually every level, creating fewer redundancies and more vulnerability to the entire system if an entity with significant market share at any level of the system is compromised. It is important for policymakers to understand the events leading up to, during, and after the Change Healthcare cyberattack. In order to understand better the steps UnitedHealth has taken to address this situation, we request information about the impact of the cyberattack, the actions the company is taking to secure its systems, and the outreach to the health care community in the aftermath. Please provide responses to the following questions by April 29, 2024:

Status and Impact of Cyberattack and System Restoration

1. Please describe all of the Change Healthcare systems that have been restored and, for each system, whether the system has been restored to pre-attack functionality or, if not, what functionality issues remain.
2. How many transactions have been affected or interrupted by the disruption since February 21, 2024? Please provide a breakdown of the number of failed, interrupted, or delayed transactions by function or service (e.g., claims submission, insurance verification, prescription processing, etc.).
3. How many failed, interrupted, or delayed transactions involved a service or product reimbursable by a public or publicly funded payer (including Affordable Care Act plans, Medicare Advantage Organizations, Medicaid Managed Care Organizations, or Medicare Part D sponsors)? Please provide the aggregate value of payments impacted by these transactions.
4. What is the total value of the payments impacted by failed, interrupted, or delayed transactions since February 21, 2024? What is the total value of payments that have been resolved?
5. Please provide a breakdown of the number of patients, physicians, advanced practice providers, dentists, pharmacies, hospitals, laboratories, and any other health care provider that had a transaction affected by the outage. Within each category, please identify the number of affected parties that are owned or operated by UnitedHealth.

Identification and Immediate Response to Cyberattack

6. Please provide a timeline of the cyberattack and UnitedHealth's immediate response, including:
  - a. how and when the breach was detected;
  - b. for each Change Healthcare platform, how long was the platform compromised before the company shut it down;

- c. whether UnitedHealth attempted to isolate the breach before taking the entire Change Healthcare system offline; and
  - d. what steps UnitedHealth took to protect against further intrusion of its systems or to prevent further loss of data.
7. Please describe the steps UnitedHealth has taken to conduct any internal investigation(s) into the February 21, 2024, attack, as well as any preliminary findings and the date the investigation(s) will be complete.
8. Has UnitedHealth determined whether the cyberattack compromised protected health information? If so, please detail which data has been compromised and any efforts to notify affected parties that their data has been compromised. If UnitedHealth has not yet made such a determination, please detail any steps that UnitedHealth has taken and plans to take to make such a determination and when that process will be complete.

#### Cybersecurity Protocols and Dedicated Resources

9. Please describe if UnitedHealth modified its cybersecurity incident response, prevention, and detection processes—including staffing, budget, and/or operating structure—after its acquisition of Change Healthcare in October 2022.
10. Health Insurance Portability and Accountability Act (HIPAA)-covered entities are required to conduct risk assessments to identify “potential risks and vulnerabilities to the confidentiality, integrity, and availability of electronic protected health information.”<sup>14</sup> Please provide:
  - a. UnitedHealth’s most recent risk assessment relevant to Change Healthcare prior to February 21, 2024, including the date of the risk assessment and a list of risks and vulnerabilities identified; and
  - b. A list of all risk assessments completed for Change Healthcare since UnitedHealth completed its acquisition of Change Healthcare in October 2022, and a description of each analysis. If UnitedHealth has not conducted any risk analyses for Change Healthcare products since it acquired the company, please provide a detailed description of whether and how UnitedHealth has otherwise maintained compliance with relevant HIPAA requirements since the acquisition.
11. HIPAA-covered entities are also required to “implement security measures sufficient to reduce risks and vulnerabilities to a reasonable and appropriate level.”<sup>15</sup> Please provide a list of security measures implemented in response to UnitedHealth’s latest risk assessment for Change Healthcare products, including the implementation date for each

---

<sup>14</sup> 45 C.F.R. § 164.308 (a)(1)(ii)(A).

<sup>15</sup> 45 C.F.R. § 164.308 (a)(1)(ii)(B).

measure. If UnitedHealth has not implemented any such measures, please provide a detailed description of how UnitedHealth has maintained compliance with relevant HIPAA requirements since acquiring Change Healthcare.

12. HIPAA-covered entities are required to develop contingency plans to respond to emergencies or other disruptions that affect systems containing electronic protected health information.<sup>16</sup> Please provide UnitedHealth's most recent contingency plan prior to February 21, 2024, for Change Healthcare, including the date the plan was last updated.
13. On January 24, 2024, the Department of Health and Human Services (HHS) released voluntary, healthcare-specific performance goals to strengthen cyber preparedness, improve cybersecurity, and protect patient health information.<sup>17</sup> Did UnitedHealth evaluate or modify its cybersecurity protocol for conformance with these guidelines? If so, what was the result of the evaluation? If not, why not?

#### Response to the Health Care Community

14. Did UnitedHealth conduct affirmative outreach to hospitals, pharmacies, other providers, and patients upon learning of the system breach and taking Change Healthcare offline? If so, how and when did UnitedHealth make these notifications?
15. Please list and describe all emergency programs, services, or functions that UnitedHealth has instituted to support Change Healthcare users (including, but not limited to, providers, pharmacies, payers, and patients) during the system outage.
16. Please provide the following information about Optum's Temporary Funding Assistance Program:
  - a. The number of applicants to the program since its inception;
  - b. The number of applicants that have been provided with a loan under the program;
  - c. The average and median loan amount requested per application;
  - d. The average and median loan amount provided per application;
  - e. The number of applicants granted funding through the program since its inception;

---

<sup>16</sup> 45 C.F.R. § 164.308 (a)(7).

<sup>17</sup> Administration for Strategic Preparedness and Response, *HHS Releases New Voluntary Performance Goals to Enhance Cybersecurity Across the Health Sector and Gateway for Cybersecurity Resources* (Jan. 24, 2024) (press release).

- f. The number of applicants granted funding through the program who are UnitedHealth-owned providers;
  - g. The total amount of funds distributed since the program's inception;
  - h. The total amount distributed to UnitedHealth-owned providers;
  - i. The amount UnitedHealth has budgeted for loans under the program;
  - j. Copies of all versions of the terms and conditions agreement associated with participation in the program along with a description of when each version was in effect and whether and how new versions of the terms and conditions were retroactively applied to prior loan agreements;
  - k. UnitedHealth's criteria for evaluating applications and determining funding amounts, and whether and how the criteria have changed from the program's inception to date;
  - l. The company's process for extending the deadline for returning advance payments if users have yet to return to pre-disruption cash flow, as well as the terms of any extensions; and
  - m. The expected duration of the program.
17. UnitedHealth has encouraged users to use its alternative platforms, including its new iEDI system, during the outage.<sup>18</sup>
- a. What services or functions does UnitedHealth's new iEDI system provide providers and payers during the outage as compared to the Change Healthcare systems that were taken down?
  - b. How many transactions have been processed through UnitedHealth's new iEDI system since the beginning of the outage?
  - c. Did UnitedHealth engage a third party to attest to the security of its new iEDI system before encouraging users to use the platform?
18. UnitedHealthcare has temporarily suspended prior authorization reviews for some services and for some of its plans.

---

<sup>18</sup> UnitedHealth Group, *UnitedHealth Group Update on Change Healthcare Cyberattack* (Mar. 7, 2024) (press release).

- a. For which services has UnitedHealthcare suspended prior authorization requirements? Please explain the rationale for suspending prior authorization for some, but not other, services.
  - b. Why has UnitedHealthcare only suspended prior authorization requirements for Medicare Advantage plans and not other types of insurance products?
  - c. When prior authorization resumes, does UnitedHealthcare intend to pursue reimbursements from providers who provided services during the suspension that normally would have required prior authorization and may have been denied? In other words, will there be retroactive prior authorization reviews or has UnitedHealthcare completely waived its Medicare Advantage prior authorization policies for a period of time?
19. On March 10, 2024, HHS urged UnitedHealth to provide Medicaid agencies with a list of providers impacted in their states.<sup>19</sup> Has UnitedHealth made these lists available to state Medicaid agencies?
20. Please describe any support that UnitedHealth is specifically providing to patients inside and outside its network who have been impacted by the Change Healthcare outage, including, but not limited to, any reimbursement support for covered services or prescription drugs paid for out-of-pocket during the outage. This description should also include UnitedHealth's plan for identifying patients who paid out of pocket during the disruption, its process for distributing reimbursements, and its timeframe for distributing payments.

### Recovery

21. Please provide a timeline for remaining system recovery work and any other relevant benchmarks.
22. What effects, if any, will the most recent ransom demand have on system recovery?
23. What assurances, including third-party attestation, will UnitedHealth provide users as to the security of Change Healthcare as it is restored?
24. Will you commit to releasing publicly an after-action report on the cyberattack on Change Healthcare, including steps UnitedHealth has taken to improve the security of Change Healthcare's systems and prevent prolonged system downtime?
25. Given the reduced redundancies of a consolidated health care system, Congress has an interest in understanding risk mitigation within the system. Does Change Healthcare or

---

<sup>19</sup> United States Department of Health and Human Services, *Letter to Health Care Leaders on Cyberattack on Change Healthcare* (Mar. 10, 2024) (press release).

Sir Andrew Witty

April 15, 2024

Page 8

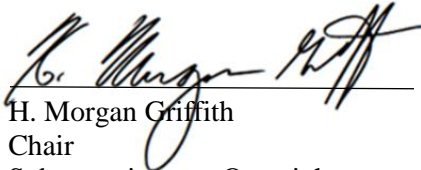
UnitedHealth hold an insurance policy against the risk of cyberattacks that it expects to avail itself of in this situation? If so, please provide the details of such policy.

We appreciate your urgent attention to this matter. If you have any questions, please contact the Majority Committee staff at (202) 225-3641 and the Minority Committee staff at (202) 225-2927.

Sincerely,



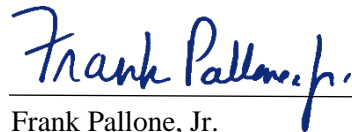
Cathy McMorris Rodgers  
Chair  
Committee on Energy and Commerce



H. Morgan Griffith  
Chair  
Subcommittee on Oversight  
and Investigations



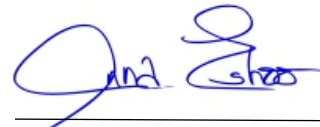
Brett Guthrie  
Chair  
Subcommittee on Health



Frank Pallone, Jr.  
Ranking Member  
Committee on Energy and Commerce



Kathy Castor  
Ranking Member  
Subcommittee on Oversight  
and Investigations



Anna G. Eshoo  
Ranking Member  
Subcommittee on Health