

From: **James E. Enstrom** <jenstrom@ucla.edu>
Date: Tue, Aug 10, 2021 at 8:50 AM
Subject: Fwd: Grave Concerns About Misuse of US Medicare Records
To: Medicare Privacy <Privacy@cms.hhs.gov>

August 10, 2021

Medicare.gov Privacy Policy
<https://www.medicare.gov/privacy-policy>
Privacy@cms.hhs.gov

Dear Medicare Privacy,

Please carefully read my July 27, 2021 email letter below to the Nature Editor. Then, please explain in detail how the Harvard TH Chan School of Public Health and the Emory University Rollins School of Public Health have gained access to massive amounts of presumably confidential personal and medical information on at least 69 million Medicare beneficiaries. Also, please explain how these authors can claim "Written informed consent of individuals was not required due to the nature of the study." I believe that release of this massive amount of Medicare information without informed consent is in violation of the Medicare.gov Privacy Policy (<https://www.medicare.gov/privacy-policy>). The authors never obtained permission from me or the other beneficiaries for release of their confidential medical information. Because these investigators possess data on most Americans at least 65 years of age, I contend that individual subjects can be identified with this data, even if Medicare officials have not released their names and their street addresses. Thus, I request the opportunity to demonstrate to you that individuals can be specifically identified with the de-identified data that Harvard and Emory possess, in direct violation of their Medicare privacy rights.

Thank you very much for your consideration of this important request.

Sincerely yours,

James E. Enstrom, PhD, MPH, FFACE
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----- Forwarded message -----

From: **JAMES ENSTROM** <jenstrom@ucla.edu>
Date: Tue, Jul 27, 2021 at 6:00 PM
Subject: Grave Concerns About Misuse of US Medicare Records
To: Nature Editor <nature@nature.com>

July 27, 2021

Nature Editor
Nature Portfolio Journals
nature@nature.com

Re: Grave Concerns About Misuse of US Medicare Records

Dear Nature Editor,

I have grave concerns about a manuscript that is currently under consideration for publication by a Nature Portfolio Journal: "Long-term air pollution exposure and incident dementia in American elderly population: a national cohort study (2000-2018)" by Liuhua Shi, et al. of Emory University (<https://www.researchsquare.com/article/rs-514522/v1>). I just conducted a detailed peer-review of a similar ES&T manuscript "Low-concentration air pollution and mortality in American older adults: A national cohort analysis (2001-2017)" by Liuhua Shi, et al. My grave concerns about this now rejected ES&T manuscript are clearly stated in my 31-page July 8, 2021 Review (<http://scientificintegrityinstitute.org/ESTJEEAdd070821.pdf>). In spite of repeated requests during the past month, the Emory Institutional Review Board (<http://www.irb.emory.edu/>) has failed to confirm the validity of the authors' claim "This study was approved by the Institutional Review Board of Emory University and a waiver of informed consent was granted." This claim is contained in both manuscripts.

The authors possess massive personal and medical data on 69 million US Medicare beneficiaries, including myself. The authors never obtained permission from me or the other beneficiaries for release of their confidential medical information. Because the authors possess data on most Americans at least 65 years of age, I contend that individual subjects can be identified with this data, even if Medicare officials have not released their names and their street addresses. Thus, I request that you obtain proof that the authors have proper Emory IRB and US DHHS Human Subjects Protection access to the Medicare data used in their manuscripts. Also, I request that the authors release to me all the de-identified data that they possess on about 500 Medicare beneficiaries in a specific zip code. I want the opportunity to demonstrate that at least some of these beneficiaries can be personally identified, in direct violation of their Medicare privacy rights.

Please acknowledge that you have received this email message and will address my requests.

Thank you very much for your assistance regarding this important matter.

Sincerely yours,

James E. Enstrom, PhD, MPH, FFACE
Retired UCLA Research Professor (Epidemiology)
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<http://scientificintegrityinstitute.org/>
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