

April 29, 2026

The Honorable Scott Kupor  
Director  
U.S. Office of Personnel Management  
1900 E Street, NW  
Washington, DC 20415

**RE: Support for FEHB Program Oversight and Efficiency Improvements --  
with Serious Concerns Regarding Federal Employee PII and HIPAA Compliance**

Dear Director Kupor:

On behalf of the more than 200,000 managers, supervisors, and executives in the federal government represented by the Federal Managers Association (FMA), I again thank you for taking the time to speak to our members at FMA's 88<sup>th</sup> annual National Convention and Management Training Seminar last month. We appreciate your willingness to connect with managers and the workforce in our mutual goals of improving the efficiency and effectiveness of the federal government.

Today, I write to specifically express our support for the Office of Personnel Management's (OPM) ongoing efforts to improve the effectiveness, accountability, and fiscal integrity of the Federal Employees Health Benefits (FEHB) Program. FEHB is a large, complex employer-sponsored health benefit systems, and prudent stewardship of this program is certainly warranted.

**Support for Enhanced Oversight and Program Efficiency**

I commend OPM's commitment to strengthening oversight of FEHB carriers and implementing reforms designed to eliminate waste, reduce improper payments, and ensure that federal employees receive high-quality, cost-effective health coverage. Measures that promote greater transparency in carrier pricing, enhance audit capabilities, improve coordination of benefits, and establish clearer performance standards are reasonable and necessary steps toward a more accountable and efficient program.

Efforts to modernize claims processing, strengthen fraud detection, and improve outcomes data at the aggregate or de-identified level are consistent with OPM's statutory responsibilities and the public interest. We at FMA support the expansion of such systemic improvements, and I encourage OPM to pursue these goals with urgency.

**Serious Concerns Regarding Collection of Individual-Level Personally Identifiable Information**

However, I write with significant concern regarding any initiative that involves the broad collection, aggregation, or centralized storage of individually identifiable health data pertaining

to federal employees. Oversight and efficiency improvements must not come at the cost of the privacy rights and civil liberties of the federal workforce.

Federal employees, like all Americans, retain constitutionally and statutorily protected privacy interests in their personal health information. The collection of individual-level data regarding diagnoses, prescriptions, mental health treatment, reproductive health decisions, or other sensitive medical matters raises profound and serious concerns, including:

- The potential for misuse of sensitive health data, including its use in employment decisions, security clearance adjudications, or disciplinary proceedings.
- The creation of centralized databases that represent high-value targets for cyberattacks, foreign adversaries, and data breaches -- a threat that is not theoretical, given the devastating 2015 OPM data breach affecting more than 21 million individuals.
- The chilling effect on federal employees seeking necessary medical care, particularly for mental health, substance use treatment, or other stigmatized conditions, if they fear their health records are subject to government surveillance or disclosure.

### **HIPAA Compliance and Safeguarding of Protected Health Information**

I urge OPM to ensure that any data collection or analytical activities undertaken in connection with FEHB oversight are conducted in full compliance with the Health Insurance Portability and Accountability Act (HIPAA), the Privacy Act of 1974, and all applicable federal privacy statutes and regulations. Specifically, I call on OPM to:

- Prohibit the collection of individually identifiable health information for FEHB oversight purposes except where strictly necessary and authorized by law, with clearly defined use limitations.
- Require that any health data used for program analysis be de-identified in accordance with HIPAA's Safe Harbor or Expert Determination standards before use.
- Conduct a thorough Privacy Impact Assessment (PIA) for all new data systems or data-sharing arrangements involving FEHB enrollment or claims information.
- Establish robust data security controls, access restrictions, audit logging, and breach notification protocols consistent with NIST standards and HIPAA Security Rule requirements.
- Prohibit the disclosure of individual federal employee health data to other federal agencies, contractors, or third parties absent explicit legal authority, employee consent, or a valid law enforcement process subject to judicial oversight.
- Implement a formal process for federal employees to access, correct, and receive notice regarding the use of their health-related information held by OPM or its contractors.

Effective government requires both accountability and the protection of individual rights. These goals are not incompatible. OPM can and must achieve meaningful FEHB program improvements without creating a surveillance infrastructure over the health lives of federal employees. I respectfully urge OPM to adopt the strongest possible privacy protections as a foundational principle in any FEHB oversight initiative.

Respectfully,

A handwritten signature in blue ink that reads "Linda S. Lentjes". The signature is written in a cursive style with a large, stylized initial "L".

Linda S. Lentjes  
National President