

United States Senate

WASHINGTON, DC 20510

April 7, 2020

Vice President Mike Pence
The White House
Office of the Vice President
1600 Pennsylvania Avenue, N.W.
Washington, DC 20500

The Honorable Alex Azar
Secretary
U.S. Department of Health and Human Services
200 Independence Avenue S.W.
Washington D.C. 20201

Dear Vice President Pence and Secretary Azar:

We write to follow up on the Department of Health and Human Services (HHS) Office of the Inspector General (OIG) report (OEI-06-20-00300) detailing the significant challenges hospitals across the country are facing as the number of coronavirus cases continues to grow. We urge HHS to provide hospitals, nursing homes, and other essential community health providers with the financial support necessary to prevent, prepare for, and respond to the coronavirus pandemic immediately.

Front line health care workers across the country are facing widespread shortages of personal protective equipment (PPE) and other necessary supplies and equipment. According to the HHS OIG report, hospitals have also reported shortages of cleaning supplies, bed sheets, toilet paper, and other basic equipment. At the same time hospitals are reporting increased costs associated with preparing for an influx of COVID-19 patients, their cash flow is limited as a result of cancelling elective procedures and other routine services, and they are having difficulty maintaining and supporting adequate staff. We have also heard from other health care providers in our states – from skilled nursing facilities to community health centers to hospice providers – that they face similar challenges with supplies and staffing.

As you know, Congress included \$100 billion as part of the Public Health and Social Services Emergency Fund (Emergency Fund) in the recently passed *Coronavirus Aid, Relief, and Economic Security (CARES) Act* to give hospitals and other front line providers resources for protective equipment, preparation, and surge capacity necessary to manage the spread of this disease. While we appreciate that HHS has expressed an intent “to distribute the funds in a way that is fast, fair, simple and transparent,” we are concerned by recent reports indicating the Trump Administration intends to delay the distribution of essential funds from the Emergency Fund and use them to retroactively reimburse hospitals for providing care to uninsured Americans. Holding Emergency Fund resources hostage with the intent to distribute them retroactively to certain hospitals for care provided to uninsured individuals would limit our capacity to manage this crisis, and result in an unequal distribution of resources that would come too little, too late.

The best way to provide much needed support to hospitals, skilled nursing facilities, community health centers, hospice providers, and other providers across the country is to immediately distribute an initial round of funding from the Emergency Fund and ensure the remainder of the Fund is distributed in a manner that is transparent and equitable.

We agree that HHS should take additional steps to help support hospitals and other providers who care for the uninsured and protect uninsured patients from high out-of-pocket costs. However, the best way to reduce the burden of uncompensated care on hospitals across the country is to ensure all Americans have access to comprehensive, affordable health insurance – not to withhold the resources hospitals and other front line providers desperately need today to prepare for the spread of the coronavirus. We urge you to reconsider reopening enrollment for the Affordable Care Act and work with the remaining states to expand their Medicaid programs. Doing so would allow all Americans to sign up for health coverage and reduce the potential burden of uncompensated care on hospitals across the country.

We look forward to working with you to ensure the Emergency Fund is operationalized immediately to provide equitable, up-front support to the hospitals, nursing homes, and other health care providers caring for our communities during this crisis.

Sincerely,

Sherrod Brown
United States Senator

Michael F. Bennet
United States Senator

Robert P. Casey, Jr.
United States Senator

Thomas R. Carper
United States Senator

Robert Menendez
United States Senator

Benjamin L. Cardin
United States Senator

Debbie Stabenow
United States Senator