

Congress of the United States
Washington, DC 20515

April 16, 2020

The Honorable Alex M. Azar II
Secretary
U.S. Department of Health and Human Services
200 Independence Avenue SW
Washington, DC 20201

Dear Secretary Azar,

Thank you for providing the Appropriations Committee with an update of HHS's efforts on health providers funding, the status of the \$100 Billion Hospital Fund Allocation Process; ramping up testing capabilities, and the state of play regarding personal protective equipment, among other areas of interest. However, I left the call again with serious concerns about the timing and criteria for the next tranches of funding for hotspots and providers that treat very few Medicare beneficiaries, including children's hospitals, pediatricians, obstetricians, dentists, and those that serve many Medicaid and uninsured patients.

When I spoke with Assistant Secretary Hargan on Monday, April 6, 2020, he stated the formulas and timeline for the next tranches of funding would be ready in seven to ten days. However, you stated today, HHS will need a week to a week-and-a-half to finalize the formulas and timeline. This is unacceptable and unfair to the hotspots, like my home state of Connecticut, that were disproportionately harmed by the first tranche formula, given the state has substantial enrollment in Medicare Advantage. As I stated in the letter I sent last week with Senator Murray, time is of the essence, and now further delays in getting money to the hotspots will almost certainly exacerbate the emergency situation states are dealing with as a result of COVID-19.

I am very troubled like many of my colleagues about the status of nursing homes. It is unconscionable that many nursing homes and senior living facilities feel they have been going through alone without federal guidance. These settings are ticking time bombs, as we have seen around the country, and it is critical that we provide them with the support they need to keep our most vulnerable safe and out of hospitals that are already struggling with capacity.

I also remain alarmed at how little testing is being carried out nationwide. In early March, you stated there would be millions of tests, but we have not seen that happening on the ground. Experts tell us that before we can even consider easing shelter-in-place requirements, there must be a massive increase in our capacity for diagnostic testing and serological testing. We are nowhere near the millions of tests per day that experts believe we need to identify all coronavirus cases, put these individuals in self-quarantine to avoid exposing others, and contact trace to further test and quarantine those individuals.

By Monday, April 20, I request answers to the following questions:

- When can we expect the timeline and criteria for when money will be disbursed to hotspots?
- Please provide the list of grantees, and the amounts of payments, of the initial tranche of \$30 billion.
- Please provide the timeline and criteria for the distribution of funds to providers and hospitals that see few Medicare patients.
- Additionally, how will the Department be communicating with Congress and the public about the disbursements of these funds and announcing awards as they are made?
- When can nursing homes and senior living facilities, including those that do not participate in Medicaid or Medicare, anticipate additional guidance? Further, how will this be distributed to the states, localities, residents, and their loved ones?
- Please provide the data you stated CMS had regarding the state of play in nursing homes. Do you need additional resources to expand data collection for nursing homes and senior living facilities?
- Please provide the Administration's strategy for increasing testing to the scale that will be necessary to sufficiently monitor the transmission of COVID-19 to ensure that any reduction in social distancing efforts can be done in a manner that protects the health and safety of Americans. Do you need additional resources in order to achieve this goal?
- Please provide the data CMS has collected on testing related to race, ethnicity, and other demographics. Do you need additional resources to expand data collection for this purpose through CMS and CDC?

Given the urgent circumstances, I reiterate that a response to these questions is requested no later than Monday, April 20.

As always, I stand ready to work with you to protect the health and safety of the American people, who deserve answers to these questions.

Sincerely,

A handwritten signature in black ink that reads "Rosa DeLauro". The signature is written in a cursive style and is enclosed in a thin black rectangular border.

Rosa DeLauro
Chair
House Appropriations Committee
Subcommittee on Labor, Health and
Human Services, Education
and Related Agencies