

The Honorable Mitch McConnell
Majority Leader
United States Senate
Washington, DC 20510

The Honorable Nancy Pelosi
Speaker of the House
United States House of Representatives
Washington, DC 20515

The Honorable Chuck Schumer
Minority Leader
United States Senate
Washington, DC 20510

The Honorable Kevin McCarthy
Minority Leader
United States House of Representatives
Washington, DC 20515

April X, 2020

Dear Speaker Pelosi and Leaders McConnell, McCarthy, and Schumer:

As Congress takes action to advance “phase 4” legislation responding to the novel coronavirus (COVID-19) pandemic, the undersigned organizations strongly urge you to advance legislation that ensures all families across our nation have the ability to seek the care they need to stay healthy.

We encourage you to build on past bipartisan efforts and **ensure all individuals have equitable access to testing and treatment for COVID-19; equip states with sufficient financial support to combat the crisis; provide protection and support to the health workforce on the frontlines of the pandemic; assure access and capacity in the health system; and protect against high and unexpected health care costs.**

The United States is facing a public health emergency greater than any we have seen in several generations. As of April X, the United States had approximately 500,000 confirmed COVID-19 cases and 23,000 deaths, affecting countless families across the country, from every Congressional district, from every geography, and from every socio-economic level. What’s more, evidence is emerging that our communities of color are suffering greater infections and deaths due to COVID 19, exacerbating already profound health disparities.

The following, targeted recommendations will provide immediate support to communities that need relief. We urge you to address these key areas in your next response package:

Ensure access to affordable health insurance coverage. Central to our national defense to COVID-19 is ensuring that every individual in this nation can access screening and treatment. Exacerbating this goal, COVID-19 has created a significant economic downturn and tens of millions of individuals have lost their jobs, economic security, and their source of employer-sponsored health insurance. To safeguard that those who have lost their jobs due to COVID-19 can access testing and treatment and medical, oral, and other health needs, it is critical that Congress open and strengthen the individual health insurance market to the uninsured by providing enhanced premium tax credits and COBRA subsidies; opening a national special enrollment period; and providing financial assistance for low-income, uninsured patients in the health insurance exchange in non-Medicaid expansion states.

We also urge you to leverage Medicaid coverage by offering a state option for 100% Federal Medical Assistance Percentages (FMAP) for all uninsured individuals, regardless of immigration status, for COVID-19

screening and treatment, and by replicating the 100% FMAP and phasedown for states newly expanding Medicaid. Finally, it is critical that you immediately invest in robust consumer assistance, particularly in the communities hit hardest by the pandemic such as communities of color, to help newly uninsured individuals navigate health programs and enrollment. Such assistance can be the lynchpin to assuring that newly unemployed individuals and others know about and are availing themselves of health insurance options available to them and their families.

Provide states, localities, and tribes with the financial support they need. Support for states, localities, territories, and tribes in previous COVID-19 relief packages was inadequate to the scale of the economic downturn and the scope of the pandemic. Congress should build upon previous COVID-19 relief packages and provide states, localities, territories, and tribes the support needed to address public health demands, cover COVID-19 related needs, protect vital state-run programs, and help states absorb the economic impact of this crisis and related economic downturn.

To this end, we urge Congress to provide an additional, short-term increase in FMAP for states, localities, territories, and tribes approximately doubling the percentage increase to FMAP provided for in Section 6008 of the Families First Coronavirus Response Act. We also urge that Congress double the levels of funding for the Coronavirus Relief Fund, provided for in Section 5001 of the Coronavirus Aid, Relief, and Economic Security (CARES) Act. Congress also must maintain current EMAP funding levels for the Children's Health Insurance Program (CHIP). Finally, state and localities should be provided the flexibility to protect essential health care providers from economic distress by utilizing federal health care funding to make retainer payments to essential health care providers. All funding policies described above should be provided for the duration of the pandemic and for the recovery period after the pandemic (for example, continued for 12 months after the pandemic ends).

Protect the health and safety of essential workers. Congress must ensure that all workers on the frontlines of this pandemic have the ability to be safe as they do their jobs. This not only protects their health but also protects the health of all families by maintaining essential services and maximum surge-capacity in the health care system. Congress should require full transparency and national coordination around the production and distribution of personal protective equipment (PPE). To address current safety concerns and prepare the nation for returning to workplaces, Congress also should require the Occupational Safety and Health Administration (OSHA) issue an emergency temporary standard on infectious disease that would provide protections to all workers for the duration of the pandemic. Finally, Congress should dramatically improve paid sick leave for workers affected by the pandemic by removing exemptions for certain employers, improving the level of support for lower-wage workers, and expanding access to the benefit.

Organize and build national public health capacity to safely move beyond large-scale "lock-downs". The future impact of COVID-19 on our communities is uncertain. Infection and death rates are predicted to increase in the short-term, and experts warn that depending on the effectiveness of our public health strategies, infections could either resurge, or, we could contain the pandemic and prevent further outbreaks. It is critical that public health experts and science drive our national strategies in combating COVID-19. In addition to providing a \$4.5 billion annual increase in public health funding to ensure that infrastructure is in place for this and future outbreaks, Congress should fund the Centers for Disease

Control and Prevention (CDC) at least \$3.6 billion in emergency supplemental funding to lead state efforts to oversee the monitoring and reporting of COVID-19, including comprehensive data collection, as well as to implement testing, tracing, and quarantine plans.

Congress also should ensure that experts at the CDC are leading and coordinating efforts with the National Institutes of Health (NIH), Centers for Medicare and Medicaid Services (CMS), Federal Emergency Management Agency (FEMA), Department of Defense (DOD), private payers, and providers to identify new approaches, best practices, and supporting tools to develop effective COVID-19 strategies as the pandemic's impact on our nation evolves. Moreover, U.S. federal agencies, including the CDC, should be provided flexibility in their procurement and hiring process to act as quickly as possible to secure the public health resources they need to fight the pandemic.

Given the growing evidence that this pandemic is disproportionately sickening and killing communities of color, it is critical that Congress require that CDC and the federal agencies develop strategies to combat COVID-19 that are focused on the unique needs of this population. Moreover, it is critical that Congress require that health and economic data based on race and ethnicity about the impact of the pandemic be collected, made available to researchers, and reported quickly and on a rolling-basis by CDC and other federal and state bodies.

Protect patient access to care and prohibit price gouging of health care services. To ensure that individuals have access to safe health care, Congress should provide that telemedicine services are subject to payment parity across all payers. Additionally, as families struggle with both health and economic uncertainties, Congress should enact comprehensive consumer protections from surprise medical bills and prevent price gouging of consumer medical equipment and provider medical equipment. As vaccines and treatment for COVID-19 are developed, Congress must ensure that these drugs remain accessible and affordable to all families by requiring that manufacturers keep prices low and rapidly scale-up production.

Prioritize children's health and well-being during the pandemic. While children make up a relatively small portion of the coronavirus patient population, almost every aspect of their daily lives has been disrupted by COVID-19. From the lack of access to well child visits, their regular child care providers, and education in schools; to increased family stress and economic instability due to job loss; and increased anxiety related to isolation; the crisis is having a devastating impact on children's health and well-being.

In addition to continuous, affordable coverage through Medicaid, CHIP, the individual market or employers, Congress must also ensure that children's access to routine services and supports are maintained through new and innovative methods. Specifically, children must be able to utilize telehealth whenever possible to maintain consistent access to their health care providers and the prevention, screening, and treatment services they need to ensure their well-being, including behavioral health, occupational health, and speech therapy services. Congress must also take immediate action to prevent and respond to the rise in child abuse and neglect stemming from COVID-related stress, especially when children lack interactions with the mandatory reporters (health care providers, educators, etc.) that would be most likely to identify these issues. This includes an immediate increase in funding for child welfare programs like CAPTA's Community-Based Child Abuse Prevention grants, the Promoting Safe and Stable Families Program, and the Title IV-E Prevention Program.

Ensure robust oversight of response efforts. Finally, it is critical that during this national emergency, we are rapidly and effectively evaluating the nation’s complex response. To this this end, the role of Inspector General (IG) has never been more important, and we urge Congress to place a moratorium on the Trump Administration taking hostile action toward the Administration’s Offices of Inspector General watchdogging the Administration’s response to COVID-19.

We stand ready to provide detailed specifications and technical assistance regarding each recommendation above. We urge you to act swiftly. This pandemic has affected every person in America, from every walk of life. The COVID-19 pandemic makes clear that our collective future is secure only when everyone in our nation has the opportunity for good health and is able to safely get the health care they need, when they need it. Please reach out to Jane Sheehan, Senior Federal Relations Manager at Families USA, JSheehan@familiesusa.org to discuss any of these recommendations.

Sincerely,

[signers]