

October 13, 2020

**Please Sign Onto Bipartisan Letter to Secretary Azar on
Reporting Requirements of the
COVID-19 Provider Relief Fund**

Dear Representative Moore:

I am writing on behalf of the National Alliance of Safety-Net Hospitals to ask you to sign onto a letter being circulated by a bipartisan group of your colleagues, Reps. David McKinley (R-WV), Mike Thompson (D-CA), Roger Marshall (R-KS), Mike Levin (D-CA), Frank Lucas (R-OK), and Tom O'Halleran (D-AZ), asking Health and Human Services Secretary Alex Azar to return to reporting requirements for the Provider Relief Fund that it established on June 19.

The Congressionally-established Provider Relief Fund has provided much-needed resources to safety-net hospitals as they encountered the dual challenge of drastically reduced revenue at the same time they were incurring unusually high costs both preparing for incoming COVID-19 patients and then treating those patients, whose care has proven especially costly.

As a condition of receiving Provider Relief Funds, hospitals have provided HHS financial information and attested to it based on an FAQ that HHS published on June 19 telling hospitals how to define lost revenue related to COVID-19. On September 19, however, HHS announced that it was dramatically changing how it wanted hospitals to quantify lost revenue and as a result, safety-net hospitals, many of which were already operating on thin margins and which did everything in their power to conserve their resources, may be required to return some – and in some cases, much – of their Provider Relief Fund money to the federal government

This bipartisan letter asks Secretary Azar to reinstate the June 19 reporting requirements so that hospitals across the country can continue serving their communities through the COVID-19 crisis and will still be there to serve their communities when this crisis is over. You can read the text of the letter below.

To sign the letter, please contact Kirsten Wing of Representative McKinley's office and Kirsten.Wing@mail.house.gov or Faith Williams of Representative Levin's office at Faith.Williams@mail.house.gov. The deadline for signing this letter is October 22, so we urge you to sign on today.

We appreciate your attention to this request and we welcome any questions you may have about how the September 19 reporting requirements could threaten the ability of hospitals, including private safety-net hospitals, to use the provider relief funds in service to their communities.

Sincerely,

Ellen Kugler
Executive Director



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

Dear Secretary Azar:

The Provider Relief Fund (PRF) authorized under the CARES Act has helped to provide America's health care providers with the resources needed to deliver essential public services during the COVID-19 pandemic. These funds have been deployed to help protect the safety of frontline providers and patients, and in many cases, have helped enable providers to keep their doors open.

On September 19, 2020, the Health and Human Services Department (HHS) announced changes to the PRF reporting requirements that will force many hospitals and other providers to return some of this vital funding and jeopardize patients' access to care while the nation continues to battle the COVID-19 pandemic. This represents an about-face from the stipulations that HHS outlined months ago, which providers based their planning upon during an already tumultuous fiscal environment. HHS should return to PRF reporting requirements established on June 19, 2020.

Congress has acted several times this year to add funding for the Public Health and Social Services Emergency Fund to reimburse health care providers for COVID-19-related health care expenses and lost revenues. Eligible providers are required to submit reports and maintain documentation to ensure compliance with payment rules. On June 19, HHS released a frequently asked question defining lost revenue as any revenue lost due to COVID-19 and said providers should "use any reasonable method of estimating the revenue during March and April 2020 compared to the same period had COVID-19 not appeared." Providers applied for and budgeted the use of PRF funds based on this HHS guidance. However, on September 19, HHS changed the definition of lost revenue, placing many struggling providers in an untenable situation. Now, funding is only accessible for COVID-19-related expenses and lost revenue up to the amount of a provider's 2019 net patient operating income. This change will dramatically reduce the amount of lost revenue providers can claim, create a massive administrative burden, and force many struggling providers to return some of their payments.

This sudden and dramatic shift has created numerous problems for the nation's hospitals at the very same time they continue to be our first line of defense against the COVID-19 pandemic. We therefore urge you to reinstate the June 19 requirements so that our frontline providers are able to focus their





full resources on protecting the health and safety of the communities they serve.

We thank you for your attention to this matter. Should you have any questions please contact Kirsten Wing of Representative McKinley's office and Kirsten.Wing@mail.house.gov or Faith Williams of Representative Levin's office at Faith.Williams@mail.house.gov.

Sincerely,

David B. McKinley P.E.
Member of Congress

Mike Thompson
Member of Congress

Roger Marshall, M.D.
Member of Congress

Mike Levin
Member of Congress

Frank D. Lucas
Member of Congress

Tom O'Halleran
Member of Congress

