

**Congress of the United States**  
**House of Representatives**  
**Washington, DC 20515**  
**August 10th, 2020**

The Honorable Alex Azar  
Secretary, Department of Health and Human Services  
200 Independence Ave, SW  
Washington, DC 20201

Dear Secretary Azar,

Last month, the Department of Health and Human Services (HHS) announced its efforts to procure rapid, point-of-care diagnostic testing equipment and tests and send them to every single one of the 15,400 skilled nursing facilities in the country<sup>1</sup>. Yet there remain several issues that must be addressed for the plan to be effective. I write to seek clarification and urge improvements to your department's efforts to establish regular rapid testing at nursing homes.

While your rapid testing aims are a step in the right direction, the cost burden that your plan shifts onto already-strained nursing homes is severe. Initially, HHS aimed to provide a 6-week supply of tests to nursing homes along with their testing equipment<sup>2</sup>, but a later report<sup>3</sup> indicated that facilities would only be receiving enough kits to test residents once and staff twice. LeadingAge, a national senior care organization, estimates that the cost of weekly testing could total up to \$38,000 per week per facility<sup>3</sup> – a significant drain on nursing homes' budgets at a time when they are already strained. We all agree more testing is needed, however, we must ensure our nursing homes have the monetary support to sustain the ongoing testing.

I also seek clarification regarding the time frame your department has given for the delivery of these devices. Admiral Brett Giroir, HHS's designated testing czar, asserted that 2400 testing machines – enough for less than a sixth of American nursing homes – would be distributed by “mid-August,” but the Center for Medicare and Medicaid Services (CMS) indicated that it could take until November to get every nursing home a testing machine as promised.<sup>3</sup> Even once the rapid test machines are all distributed, a shortage of the test kits needed to operate them is expected<sup>4</sup>. If facilities are not able to purchase test kits, their testing machines would be rendered useless until more become available.

Delays in testing for nursing homes can be deadly – the worst outbreaks in Stanislaus county have been at nursing homes. To help keep seniors and caregivers in the Central Valley safe, I seek your answers on the following questions:

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<sup>1</sup> <https://skillednursingnews.com/2020/07/federal-government-will-send-point-of-care-covid-19-testing-units-kits-to-all-nursing-homes-in-u-s/>

<sup>2</sup> <https://skillednursingnews.com/2020/07/hhs-to-provide-400-tests-as-part-of-initial-nursing-home-round-with-25-test-cost-afterwards/>

<sup>3</sup> <https://apnews.com/267eb99ba143f39d9d51dee32f0512a8>

<sup>4</sup> <https://skillednursingnews.com/2020/07/as-covid-19-testing-devices-ship-out-to-nursing-homes-securing-adequate-supplies-could-take-six-months/>

1. Does HHS have a plan to ensure that skilled nursing facilities are able to procure test kits without additional financial strain? If so, what is this plan?
2. Your department promised to deliver the 2400 most-needed testing machines and their accompanying starter tests by mid-August. The middle of August is this Saturday. Are you still on track to deliver these tests by then? If not, when will those machines be delivered?
3. What are your contingencies for a situation in which machines are rendered useless by a lack of available kits?
4. Looking into the future, what steps will HHS take to prevent future COVID-19 outbreaks in skilled nursing facilities and quickly and effectively respond to outbreaks when they happen?

Thank you for your time and effort, and I look forward to your response.

Sincerely,



Josh Harder

U.S. Representative (CA-10)