

**Congress of the United States**  
**Washington, DC 20515**

October 22, 2020

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:

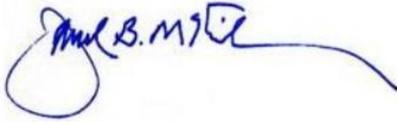
The Provider Relief Fund (PRF) authorized under the CARES Act has helped to provide America's health care providers with the resources needed to deliver essential public services during the COVID-19 pandemic. These funds have been deployed to help protect the safety of frontline providers and patients,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

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

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A. Drew Ferguson IV, DMD  
Member of Congress

/s/  
Alan Lowenthal  
Member of Congress

/s/  
Abby Finkenauer  
Member of Congress

/s/  
Alcee L. Hastings  
Member of Congress

/s/  
Abigail D. Spanberger  
Member of Congress

/s/  
Alex X. Mooney  
Member of Congress

/s/  
Adam B. Schiff  
Member of Congress

/s/  
Alma S. Adams, Ph.D.  
Member of Congress

/s/  
Adrian Smith  
Member of Congress

/s/  
Ami Bera, M.D.  
Member of Congress

/s/  
Adriano Espaillat  
Member of Congress

/s/  
Andy Barr  
Member of Congress

/s/  
Andy Levin  
Member of Congress

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Angie Craig  
Member of Congress

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Ann Wagner  
Member of Congress

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Anthony Brindisi  
Member of Congress

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Anthony G. Brown  
Member of Congress

/s/  
Austin Scott  
Member of Congress

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Ayanna Pressley  
Member of Congress

/s/  
Barbara Lee  
Member of Congress

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Ben Cline  
Member of Congress

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Betty McCollum  
Member of Congress

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Bill Pascrell, Jr.  
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Brian Fitzpatrick  
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Bryan Steil  
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Christopher H. Smith  
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Cindy Axne  
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Earl Blumenauer  
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Eddie Bernice Johnson  
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Eleanor Holmes Norton  
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Emanuel Cleaver, II  
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Filemon Vela  
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French Hill  
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Grace Meng  
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Ro Khanna  
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Scott R. Tipton  
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Steve Cohen  
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Steve Stivers  
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Zoe Lofgren  
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