



In this Issue:

Capital Minute

[House Members Send Letter to White House Regarding Surprise Bills](#)

[ACEP Endorses Legislation to Provide Sick Leave and Liability Protections to Health Care Workers](#)

[Pharmaceutical Executives Testify Before House Committee Regarding COVID Vaccine](#)

[Senate Committee Advances Several COVID-Related Bills](#)

[House Committee Continues COVID-19 Oversight](#)

[NEMPAC Charity Match](#)

[HHS Secretary Alex Azar Extends Public Health Emergency Declaration](#)

[Regs & Eggs: Concerns and Skepticism about HHS' Transition to New Hospital Data Collection System](#)

[ACEP Meets with the Government Accountability Office to Discuss Federal Response to COVID-19](#)

Capital Minute

Tune in to a Special Edition of the Capital Minute on Thursday, July 30 at 3pm ET! Our regular bi-weekly schedule will resume from there. [Click here](#) to register for this and future viewings.

House Members Send Letter to White House Regarding Surprise Bills

Today, 15 members of the House Republican Doctors Caucus sent a [letter](#) to President Trump highlighting the serious issue of surprise medical billing and expressing their interest in working with the Administration to develop an equitable solution that protects patients. However, they also expressed strong concerns regarding a ban on balance billing without any additional reforms, which has been a recent idea suggested by the White House. As the letter states: "Providers must have some mechanism to dispute unfairly low payments. Many providers are already struggling to keep their doors open during the coronavirus pandemic because of revenue loss, and we believe taking this approach could exacerbate their existing financial woes, reduce the number of providers available for emergency care, and ultimately threaten patients' access to care." The letter follows a meeting these lawmakers had with the Administration earlier this week.

The lawmakers who signed the letter include Reps. Phil Roe (R-TN), Andy Harris (R-MD), Larry Bucshon (R-IN), Neal Dunn (R-FL), Mike Burgess (R-TX), Roger Marshall (R-KS), Brian Babin (R-TX), Paul Gosar (R-AZ), Greg Murphy (R-NC), Ralph Abraham (R-LA), Scott DesJarlais (R-TN), John Joyce (R-PA), Buddy Carter (R-GA), Mark Green (R-TN), and Jeff Van Drew (R-NJ).

ACEP Endorses Legislation to Provide Sick Leave and Liability Protections to Health Care Workers

On July 16, ACEP provided a [letter of support](#) for legislation recently introduced by Rep. Mike Kelly (R-PA), the "Essential Workforce Parity Act" (H.R. 7538).

The legislation addresses a shortcoming of earlier COVID-19 response legislation, the "Families First Coronavirus Response Act" (P.L. 116-127), that exempted emergency physicians and other health care providers from provisions requiring employers to provide employees with paid sick leave. Emergency physicians have been on the front lines of the pandemic since the beginning and are among the most at risk of infection and are deserving of the same level of employment protections granted to other employees.

H.R. 7538 also establishes liability protections that are nearly identical to other ACEP-endorsed legislation, the "Coronavirus Provider Protection Act" (H.R. 7059). It would provide liability protections for care provided during the COVID-19 emergency, as well as 60 days following the termination of the emergency declaration, account for Federal, State, or local guidance/recommendations in response to COVID-19, including manpower, with reasonable exclusions for harm as a result of gross negligence or willful misconduct.

Pharmaceutical Executives Testify Before House Committee Regarding COVID Vaccine

On July 21, the House Energy and Commerce Oversight and Investigations Subcommittee held a hearing entitled, "Pathway to a Vaccine: Efforts to Develop a Safe, Effective and Accessible COVID-19 Vaccine." Witnesses included executives from companies (AstraZeneca, Johnson & Johnson, Merck, Moderna, and Pfizer) developing COVID vaccines. The five key messages from the hearing: vaccine makers want the government to be in charge of allocating and distributing any vaccines; Democrats are worried what the vaccine will cost; Republicans expressed concern about the companies' domestic production capabilities and whether any of their materials came from China; the manufacturers are not concerned about White House pressure to produce a vaccine before it's ready; and there should be a national campaign to assuage American's fears and skepticism about the vaccine.

To view the hearing, [click here](#).

Senate Committee Advances Several COVID-Related Bills

On July 22, the Senate Homeland Security and Governmental Affairs Committee approved five coronavirus-related bills. They addressed supply chain issues, increased transparency, critical infrastructure designations, and interagency preparations for future pandemics, among other things. The bills included S. 4202, the "Federal Emergency Pandemic Response Act;" S. 4210, the "Securing Healthcare and Response Equipment (SHARE) Act of 2020;" S. 4153, the "National Response Framework Improvement Act of 2020;" S. 4157, the "National Infrastructure Simulation and Analysis Center Pandemic Modeling Act of 2020;" and S. 4158, the "PPE Supply Chain Transparency Act of 2020."

ACEP has been working with lawmakers on these issues in an effort to obtain additional PPE for emergency physicians and other frontline health care workers, create more transparency in the PPE supply chain, COVID-19's impact on racial and ethnic disparities, and generally ensuring the nation can not only meet the demands of the current crisis, but also prepare for similar future events.

To view the mark-up, [click here](#).

House Committee Continues COVID-19 Oversight

On July 22, the House Homeland Security Committee held a hearing entitled, "Examining the National Response to the Worsening Coronavirus Pandemic: Part II." FEMA Administrator Peter Gaynor was the sole witness.

To view the hearing, [click here](#).

NEMPAC Charity Match

While [making your annual contribution to NEMPAC in July](#), you will have the opportunity to select one of three COVID-19 related charities that ACEP will match 10 cents on every dollar of your donation. It is our way of thanking you for your support and giving back during these unprecedented times. Join your fellow ACEP members to support meaningful political and charitable involvement.

After making your donation online, you will be asked to select one of these charities for the match.

Eligible charities are:

- [GetUsPPE.org](#)

- [Emergency Medicine Foundation/COVID-19 EM Research](#)
- [American Foundation for Suicide Prevention](#)

[Click here](#) to make your donation and select a charity!

HHS Secretary Alex Azar Extends Public Health Emergency Declaration

On Thursday, the Secretary of the Department of Health and Human Services (HHS), Alex Azar, [extended](#) the COVID-19 public health emergency for another 90 days. This is the second time Secretary Azar has extended the public health emergency. It is now set to expire at the end of October.

The extension of the public health emergency means that the waivers and flexibilities that the Centers for Medicare & Medicaid Services (CMS) and other federal agencies have put into place to help health care practitioners and facilities respond to the pandemic (including those related to [telehealth](#) and [EMTALA](#)) will remain in place.

For more information about CMS' emergency waivers [click here](#), and for ACEP's summary of federal guidance related to COVID-19, [click here](#).

Regs & Eggs: Concerns and Skepticism about HHS' Transition to New Hospital Data Collection System

Last week, HHS announced a change in how states and hospitals are to report critical data about the COVID-19 pandemic. Instead of reporting data to the Centers for Disease Control and Prevention's (CDC) National Health Safety Network, states must report data from hospitals directly to the "HHS Protect system" or a system called TeleTracking. The decision to transition away from the CDC's National Health Safety Network made national headlines, with many public health experts questioning why HHS would make such a seismic decision in the middle of a pandemic. ACEP remains concerned about the policy change and is continuing to follow up with the CDC to better understand its implications.

Read the [Regs & Eggs blog](#) to learn more.

ACEP Meets with the Government Accountability Office to Discuss Federal Response to COVID-19

On Wednesday, ACEP Immediate Past President, Dr. Vidor Friedman, Board member, Dr. Alison Haddock, and ACEP staff met with the Government Accountability Office (GAO) to discuss ACEP's views on the federal response to COVID-19. The GAO is a federal oversight body that provides Congress and federal agencies with information about how federal taxpayer money is being spent. The Coronavirus Aid, Relief, and Economic Security (CARES) Act charged the GAO with evaluating different aspects of the federal response to the pandemic. To help inform its work, the GAO is reaching out to different stakeholders, including ACEP.

During our discussion, the GAO asked ACEP to provide feedback on the overall response, PPE-related issues, testing challenges, supply and drug shortages, and other topics. ACEP provided robust comments on all these important issues during the call and will follow-up as necessary to help the GAO with its work.

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