



Charles N. Kahn III
President and CEO

February 10, 2022

The Honorable Xavier Becerra
Secretary
U.S. Department of Health and Human Services
200 Independence Avenue, SW
Washington, DC 20201

Dear Secretary Becerra:

On behalf of the Federation of American Hospitals (FAH), thank you for your leadership and unwavering support of hospitals and frontline caregivers throughout the COVID-19 pandemic.

The FAH is the national representative of more than 1,000 leading tax-paying hospitals and health systems throughout the United States. FAH members provide patients and communities with access to high-quality, affordable care in both urban and rural areas across 46 states, plus Washington, DC and Puerto Rico. Our members include teaching, acute, inpatient rehabilitation, behavioral health, and long-term care hospitals and provide a wide range of inpatient, ambulatory, post-acute, emergency, children's, and cancer services.

We greatly appreciate the Biden Administration for its recent renewal of the COVID-19 Public Health Emergency (PHE) as well as its commitment to provide 60 days advance notice of the lifting of the PHE. Since the initial declaration by HHS in January 2020, the PHE continues to provide substantial flexibilities that are essential to ensuring our ability to care for both COVID-19 and non-COVID-19 patients alike. While we are encouraged by the recent downward trend in Omicron infections nationwide, we believe that the threat of COVID-19 and the operational challenges it continues to impose on providers and caregivers remain. COVID-19 case counts and hospitalizations remain highly elevated with a 7-day moving average well above 200,000 cases and 100,000 hospitalizations. Daily COVID-19 related deaths average more than 2,500 Americans.¹ Given COVID-19's sustained damage, unpredictable nature, and the threat of new variants that can quickly emerge, we urge you to continue to appropriately extend the PHE well beyond its current expiration date in April 2022.

¹ <https://www.nytimes.com/interactive/2021/us/covid-cases.html>

In addition, once the Biden Administration eventually moves to end the PHE, we respectfully request that it provide more than a 60-day notice to states and health care providers.² Unwinding the complex web of PHE waiver-authorized operations, programs, and procedures – which will have been in place and relied on for more than two years – is a major undertaking that, if rushed, risks destabilizing fragile health care networks that patients rely on for care.

We thank HHS for all it has done to support hospitals and other health care providers in our battle against COVID-19, and for your pledge to provide timely and clear expectations on the lifting of the PHE. In the meantime, we will continue our joint work towards the day when a return to normalcy is within reach for all Americans and the PHE is truly over. If you have any questions or wish to discuss these issues further, please do not hesitate to reach out to me or a member of my staff at 202-624-1534.

Sincerely,

A handwritten signature in black ink, appearing to read "Andrew W. Kim". The signature is fluid and cursive, with a large, sweeping initial "A".

² <https://ccf.georgetown.edu/wp-content/uploads/2021/01/Public-Health-Emergency-Message-to-Governors.pdf>