

COVID-19: A Weekly Update from Washington March 2-6, 2020

As the number of coronavirus cases continues to climb worldwide, both Congress and the Trump Administration have ramped up efforts to respond to the virus stateside. In addition to approving an \$8.3 billion supplemental coronavirus bill, several committees in both the House and Senate held hearings this week to examine everything from the US's interagency response to what steps the aviation industry is taking to quell the spread of the virus. The Trump Administration also made several pertinent announcements, all of which are discussed in more detail below.

President Signs Coronavirus Supplemental

The Senate voted 96-1 to send a coronavirus supplemental funding bill ([H.R. 6074](#)) to the President's desk for signature yesterday - two days after the House voted 415-2 to approve the measure. The package includes \$8.3 billion to combat the virus (with \$6.5 billion going to the Health and Human Services Department and \$1.25 billion going to the State Department and U.S. Agency for International Development). The bill also waives Medicare telehealth restrictions and would permit telehealth services to be covered regardless of the beneficiary location during the coronavirus emergency. Click [here](#) for a full section by section summary of the legislation. The President signed the legislation earlier today (Friday, March 6).

President Trump Meets With Pharma Execs to Discuss Coronavirus Vaccines and Antivirals

President Trump [met](#) with a number of pharmaceutical company executives at the White House Monday evening to discuss their progress on medications to combat the virus. During the meeting, drug manufacturers estimated that an antiviral treatment could be available within a few months, however a vaccine would likely not be ready until next year. The President called the meeting "very optimistic," although a handful of drug companies have since said that they are being cautious not to "over promise" on the timeline for vaccine availability. As Julie Gerberding, Merck Executive Vice President (and former CDC Director) said recently at a press briefing, vaccine development is "more complex" than therapeutics development. "The manufacturing is more difficult and because you're going to be delivering them to other healthy people for prevention so you have to make sure they're very, very safe," Gerberding added.

HHS Working to Meet Demand for Coronavirus Testing

Despite earlier estimates that as many as one million coronavirus test kits would be available nationwide by the end of this week, it now [appears](#) that the timeline for production is slipping

due to manufacturing delays. The Administration now estimates that as many as 1.2 million test kits will be available by the end of next week. In an effort to improve the test kit shortage situation, the Department of Health and Human Services (HHS) made several recent announcements aimed at increasing the amount of testing for coronavirus in the US. On Saturday, the Food and Drug Administration (FDA) [said](#) it would allow "qualified labs" to develop and use their own test kits without waiting for authorization from the Agency. And just yesterday, the Centers for Medicare and Medicaid Services (CMS) [said](#) it would allow laboratories to make use of a second Healthcare Common Procedure Coding System (HCPCS) code to bill for certain COVID-19 diagnostic tests.

CMS Taking Additional Action to Limit Spread of Coronavirus

On Wednesday, the Centers for Medicare & Medicaid Services (CMS) [announced](#) a series of new actions intended to limit the spread of coronavirus, including:

- Issuing a call to action to health care providers across the country to ensure they are implementing their infection control procedures.
- Directing State Survey Agencies and Accrediting Organizations to focus their facility inspections exclusively on issues related to infection control and other serious health and safety threats (beginning with nursing homes and hospitals).
- Issuing three memoranda to State Survey Agencies, State Survey Agency directors and Accrediting Organizations to inspect thousands of Medicare-participating health care providers nationwide (including nursing homes and hospitals).

Lawmakers Focus on Coronavirus During Multiple Congressional Hearings

Several committees in both the House and Senate held hearings this week to examine everything from the US's interagency response to what steps the aviation industry is taking to quell the spread of the virus.

On Tuesday, March 3, a number of Trump Administration officials appeared before the Senate Health, Education, Labor and Pensions (HELP) Committee to discuss what the Department of Health and Human Services is doing to prevent the spread of the coronavirus and the steps that have been taken thus far to coordinate the federal response. Witnesses included:

- Dr. Anne Schuchat, Principal Deputy Director, Centers for Disease Control and Prevention
- Dr. Anthony Fauci, Director, National Institute of Allergy and Infectious Diseases, National Institutes of Health
- Dr. Robert Kadlec, Assistant Secretary for Preparedness and Response
- Dr. Stephen Hahn, Commissioner, U.S. Food and Drug Administration

During the hearing, Dr. Hahn described the steps that the FDA is taking to ensure adequate drug / device supply, including:

- Proactively contacting drug and device manufacturers to assess their supply chain and inform them of any potential shortages.
- Granting the CDC an [emergency use authorization](#) to make more respirators, including certain N95s, available to health care personnel.
- Issuing a [new policy](#) for certain laboratories seeking to develop diagnostic tests for coronavirus in order to achieve more rapid testing capacity in the U.S.

A full summary of the Senate HELP Committee hearing can be found [here](#).

On Thursday, Department of Homeland Security (DHS) Deputy Secretary Ken Cuccinelli testified before the Senate Homeland Security and Governmental Affairs Committee on the interagency response to the epidemic and what the US government is doing to prepare for future pandemic incidences. In his opening statement, Chairman Ron Johnson (R-WI) emphasized that the US government should be focused on the following priorities:

- Ensuring that medical responders and first responders are protected.
- Ensuring a sufficient supply of testing kits to diagnose persons that have potentially been infected by COVID-19.
- Addressing the insecurity of our medical supply chain, both in the short term to address COVID-19 and in the long term.

A full summary of the hearing can be found [here](#).

HIMSS Cancels Annual Conference Amid Coronavirus Fears

The Healthcare Information and Management Systems Society (HIMSS) canceled its annual health IT conference yesterday amid fears of the coronavirus this year. President Trump was expected to speak at the event on Monday, March 9, however HIMSS says it will work with the White House on "how to share the content of the planned speech." His remarks were expected to touch on a number of different health IT-related topics, included interoperability, innovation, and digital health. No word yet on whether the Administration was planning to its long-awaited interoperability [final rules](#) to coincide with the HIMSS Conference

Congressional Correspondence RE: Coronavirus

- House Ways and Means Committee Chairman Richard Neal (D-MA) sent a [letter](#) to CMS Administrator Seema Verma requesting answers to questions regarding steps the Trump Administration is taking to ensure individuals enrolled in short-term limited duration insurance plans can access coronavirus testing and treatment.
- Senate Health, Education, Labor, and Pensions (HELP) Committee Ranking Member Patty Murray (D-WA) sent a [letter](#) to Vice President Mike Pence regarding testing for the novel coronavirus.
- Senate Health, Education, Labor, and Pensions (HELP) Committee Ranking Member Patty Murray (D-WA) and Senate Finance Committee Ranking Member Ron

Wyden (D-OR) led 37 Democratic Senators in a [letter](#) urging the Secretary of Health and Human Services (HHS) Alex Azar to take immediate action to respond to the novel coronavirus outbreak.

- Senate Finance Committee Ranking Member Ron Wyden (D-OR) and House Ways & Means Chairman Richard Neal (D-MA) sent a [letter](#) to CMS Administrator Verma requesting more information from the Trump Administration regarding its efforts to address safety and emergency preparedness at nursing homes amid the coronavirus outbreak.
- House Ways and Means Committee Chairman Richard Neal (D-MA) and Ways and Means Committee member Congresswoman Suzan DelBene (D-WA) sent a [letter](#) to CMS Administrator Verma calling on the agency to provide information regarding its engagement with nursing homes amid the coronavirus outbreak.
- Senate Homeland Security and Governmental Affairs Committee Ranking Member Gary Peters (D-MI) sent a [letter](#) to Vice President Pence urging the Administration to launch a centralized federal website - "Coronavirus.gov" - to provide trusted information to the American people about the Coronavirus outbreak.