

United States Senate
WASHINGTON, DC 20510

May 8, 2020

The Honorable Seema Verma
Administrator
Centers for Medicare and Medicaid Services
200 Independence Avenue SW
Washington, DC 20201

Dear Administrator Verma:

We write regarding the recent announcement that a Coronavirus Commission for Safety and Quality in Nursing Homes will be established. We applaud the creation of this independent Commission and hope that it can help inform further efforts to safeguard the health and quality of care for a population that is particularly vulnerable to COVID-19.

COVID-19 is the greatest public health challenge since the Spanish flu pandemic of 1918. It has strained our health systems, placed a heavy burden on front-line workers, including medical personnel, first responders, and our direct-care workforce, and has brought tremendous tragedy. Up to 8 in 10 deaths caused by the new coronavirus involve adults ages 65 and older, and older adults in nursing homes and group care settings are disproportionately at risk.

We note many of the recent steps that the Centers for Medicare and Medicaid Services have taken to protect this population, including issuing – and helping nursing homes to implement – guidance specific to COVID-19 and infection control. In addition, new rules require that long-term care (LTC) facilities participate in COVID-19 surveillance efforts led by the Centers for Disease Control and that transparent and timely information regarding the virus be shared with facility residents and their families. Access to transparent information is critical to protect Americans in nursing homes, including older adults and those with disabilities, and to provide assurances to their families during this pandemic.

We understand that the Commission will include leading industry experts, family members, resident advocates, clinicians, medical ethicists, administrators, academics, infection control and prevention professionals, and state and local authorities. It is expected to convene this month and develop recommendations on three areas for nursing homes: (1) care delivery responsiveness; (2) identification and mitigation of COVID-19 transmission; and (3) infection control compliance.

As the Commission is stood up, and its objectives are finalized, we urge the following considerations to further protect the health of older adults in nursing homes:

1. Include one representative from a state Long-Term Care Ombudsman Program.
2. Address how health care providers in LTC facilities and in-home care settings can access adequate personal protective equipment (PPE), and consider how the federal government, in collaboration with States, might take into consideration these needs when planning to procure and distribute PPE.
3. Consider how the federal government, in collaboration with States and local communities, might support testing capacity and policies to ensure that appropriate testing takes place at LTC facilities and during transitions of care.
4. Encourage further data collection and reporting relative to not only residents, but also staff of LTC facilities, in order to provide the transparency necessary to assess situational outcomes and needs within these facilities.
5. Highlight models for state-level pandemic response teams that focus on activities that affect residents at LTC facilities, including best practices on how states can establish such models.
6. Expedite the development of recommended practices to transition residents from nursing homes and other congregate care settings to their own homes or other settings with appropriate home and community-based services in order to decrease the likelihood infection spread.
7. Ensure that the unique health risks of older adults living in nursing homes is considered in the distribution plans for any future COVID-19 vaccines.

We look forward to working with you to ensure that older Americans' health, safety, and well-being continue to be addressed during the COVID-19 response. Thank you for your attention to this important issue.

Sincerely,



Susan M. Collins
U.S. Senator



Kyrsten Sinema
U.S. Senator