

# United States Senate

April 23, 2020

The Honorable Alex Azar  
Secretary  
U.S. Department of Health and Human Services  
200 Independence Avenue, S.W.  
Washington, D.C. 20201

Dear Secretary Azar:

Thank you for your commitment to keeping Americans safe and healthy as our country faces an unprecedented global crisis. I want to applaud the work you have done to help health care providers respond to the Coronavirus.

As part of the *Coronavirus Aid, Relief, and Economic Security (CARES) Act*, Congress created the Public Health and Social Services Emergency Fund and provided \$100 billion for health care providers to prevent, prepare for, and respond to the Coronavirus. More recently, Congress allocated another \$75 billion to this fund in the *Paycheck Protection Program and Health Care Enhancement Act*. Congress vested a tremendous amount of authority in the Department of Health and Human Services (HHS) to administer and oversee this fund. The protection of taxpayer dollars is one of the most important roles of the federal government, and we must work to ensure that taxpayer funds are spent responsibly and that assistance is only provided to those in need. And let's not forget, this year's federal budget deficit will be the largest in the history of our nation, in excess of the cumulative deficits for the first 200 years of our country's existence. We will end the year with more than \$25 trillion in federal debt.

I appreciate that HHS has provided a first tranche of payments totaling \$30 billion and is planning future payments. As you continue to administer this funding, I ask that you please address the following questions:

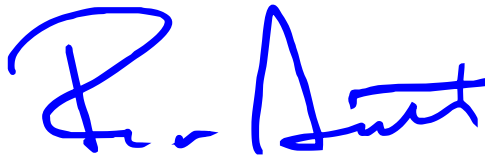
- The *CARES Act* allows for payment to eligible entities for expenses or lost revenue that are attributable to the Coronavirus. Some facility and provider revenue will be lost because of the Coronavirus, however, some revenue-generating procedures are merely deferred and will be done later this year.
  - Has HHS attempted to draw a distinction between lost revenue and deferred revenue?

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- Has HHS attempted to require providers to document all of their expenses or lost/deferred revenue?
  - The *CARES Act* requires payment recipients to submit reports and maintain documentation to ensure compliance with conditions. All facilities and providers receiving payment should provide full and complete documentation of expenses or revenue loss.
- How is HHS ensuring that funds used to reimburse expenses or losses are not already obligated from other sources?

We must ensure taxpayer dollars are going to those that are truly in need during the Coronavirus, and I look forward to continuing to work together to make sure our health care providers have everything necessary to keep Americans healthy.

Sincerely,

A handwritten signature in blue ink, appearing to read "Rick Scott". The signature is stylized with a large initial "R" and a prominent "S".

Rick Scott  
United States Senator