



Congress of the United States
House of Representatives
Washington, DC 20515

October 20, 2020

The Honorable Alex M. Azar
Secretary
U.S. Department of Health and Human Services
200 Independent Ave. SW
Washington, D.C. 20201

Dear Secretary Azar,

We write today expressing our concerns with the new Provider Relief Fund (PRF) reporting requirements that the Department of Health and Human Services released on September 19, 2020. As released, the reporting requirements change how health care providers document lost revenue as a result of the COVID-19 pandemic. Under previous guidance from the Department, health care providers calculated lost revenue by comparing 2020 revenue with budgeted revenue or with revenue from 2019. Under the new guidelines, providers are required to use net operating income to calculate lost revenue. These new guidelines will increase calculation complexity and could force hospitals to send much needed grant money back to the government.

Specifically, providers that received PRF payments will be required to report health care-related expenses attributable to COVID-19 that another source has not reimbursed and is not obligated to reimburse, which may include General and Administrative (G&A) or health care-related operating expenses. In addition, providers will also be required to report lost revenues attributable to COVID-19 represented as a “negative change in year-over-year net operating income from patient care related resources.” This increased complexity will require providers to spend more time and resources to make sure these requirements are met.

The COVID-19 pandemic has strained our health care providers to unprecedented levels and legislation such as the Coronavirus Aid, Relief, and Economic Security (CARES) Act was designed to offer relief in part by appropriating \$100 billion to the PRF. While the PRF has distributed crucial relief to health care providers across the United States, the Department cannot continue to regularly change reporting requirements for providers and potentially make them return the funds used to treat patients and address this virus. We need our health care providers’ undivided attention focused on treating patients instead of spending time and resources on additional reporting requirements.

We therefore urge you to provide additional flexibility for health care providers, including considering rescinding the Department’s new September 19 reporting requirements so that providers can maintain consistency in reporting and focus on treating patients and keeping our communities healthy.

Thank you for your attention to this important matter.

Sincerely,



Tom Emmer, Member of Congress



Jim Hagedorn, Member of Congress



Pete Stauber, Member of Congress



Angie Craig, Member of Congress



Collin C. Peterson, Member of Congress



Dean Phillips, Member of Congress