



Herb B. Kuhn  
President and CEO  
P.O. Box 60  
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March 10, 2020

The Honorable Josh Hawley  
U.S. Senator  
212 Russell Office Building  
Washington, DC 20510-0001

Dear Senator Hawley:

The Missouri Hospital Association asks for your proactive support for a Presidential declaration of emergency to support the response efforts for the COVID-19.

Missouri has been fortunate, having only one confirmed case in the state. However, as evidenced by the experience in other states, containment efforts, despite the best efforts of public health officials, have been challenging. Once we transition from containment to mitigation, a strategy already acknowledged by Vice President Pence, it will be necessary to use all available tools and resources at our disposal.

In this regard, it is both prudent and necessary for proactive action to gain a Presidential declaration of an emergency. Once that action is taken, the Secretary of the Department of Health and Human Services will be authorized to declare a public health emergency. This second declaration is critical since it will permit both the state and individual health care providers to seek waivers of certain Medicare, Medicaid, Children's Health Insurance Program and Health Insurance and Portability and Accountability provisions.

As hospitals across the state plan for this outbreak, many have begun to think about Emergency Medical Treatment and Active Labor Act (EMTALA) changes that may be necessary to screen and stabilize patients. Likewise, Critical Access Hospitals (CAH) are planning for surges that may take them above the current 25-bed limit. And some may need modifications in the current three-day inpatient requirement for admission to a skilled nursing facility (SNF). All these changes will require a federal waiver.

We cannot be too prepared for this emerging public health threat. For decades, our members have trained and prepared for just such an event. The inability to move quickly and remove potential barriers could create delays in treatment and create risks for patients, hospital staff and the public. Further, delays offset and diminish the training and planning that has already occurred.

In this regard, as a proactive step, we ask that you impress upon Trump Administration officials of the need and value of an early national emergency declaration.

Thank you for your attention to this critical issue.

Sincerely,

A handwritten signature in black ink, appearing to read "Herb B. Kuhn", written in a cursive style.

Herb B. Kuhn  
President and Chief Executive Officer

HK/dd