

Congress of the United States
Washington, DC 20515

October 20, 2020

The Honorable Alex M. Azar, II
Secretary
U.S. Department of Health and Human Services
200 Independence Avenue, S.W.
Washington, D.C.20201-0004

Dear Secretary Azar:

We appreciate the support you and this administration have provided to hospitals and employees working on the front lines to combat COVID-19. As you continue to provide essential resources for these facilities and workers, we urge you to re-examine the Post-Payment Notice of Reporting Requirements published on September 19, 2020. While we value the need to ensure accurate reporting and payments, we have serious concerns that these new requirements will cause great uncertainty and financial hardship for Oklahoma hospitals.

As you are aware, the State of Oklahoma, is predominantly rural, with hospitals faced with thin operating margins and little room for movement for changes on pending payments. Fortunately, many of our hospitals benefited from the targeted distributions for rural and safety net hospitals, in turn, these hospitals will be the most adversely impacted by the updated requirements.

As members of the Oklahoma delegation, we recognized early on the direct impact the pandemic had on our healthcare systems, along with the broader health and economic challenges the State faced – which is why we voted in favor of the \$100 billion Provider Relief Fund (PRF) established in the CARES Act to bring relief to Oklahomans and businesses, like our hospitals and health care workers. The recent changes to the reporting requirements will force Oklahoma hospitals to return payments they have already received from the PRF.

Additionally, COVID-19 hit rural areas later than it hit urban areas. While some large cities may be on the back-end of the virus, many small towns in Oklahoma are experiencing a large outbreak. If this continues, rural hospitals will be out of necessary resources when they are needed most.

Hospitals have been our nation's primary front line of defense against COVID-19. Caring for sick patients should be their priority, not re-recording financial documents due to new, retroactive regulations. This pandemic is far from over. Families, businesses, and hospitals alike are still struggling from financial distress this year. Additional paperwork burdens at this point will only delay recovery.

HHS has recognized that this pandemic has placed a particularly large burden on rural and safety-net hospitals through previous allocations of the PRF. The distributions from the PRF have allowed hospitals to account for payments as they continue to budget for an unpredictable future. Retroactive changes to policies and guidance under the PRF complicates their accounting, auditing, and bond rating. HHS must not impose requirements that will disproportionately affect rural hospitals that already operate on thin margins.

Based on the impact these updates will cause, we urge you to take these concerns into consideration as you assess the Provider Relief Fund's reporting requirements. Again, thank you for your continued support and we look forward to continued collaboration as we work to combat this virus.

Sincerely,



James M. Inhofe
United State Senator



James Lankford
United States Senator



Kevin Hern
Member of Congress



Frank D. Lucas
Member of Congress



Tom Cole
Member of Congress



Kendra S. Horn
Member of Congress



Markwayne Mullin
Member of Congress