

United States Senate

WASHINGTON, DC 20510

June 23, 2020

The Honorable Peter Gaynor
Administrator
Federal Emergency Management Agency
500 C Street, SW
Washington, DC 20472

Dear Administrator Gaynor:

We write today to express our concern about the availability and adequacy of personal protective equipment (PPE) for nursing homes and long-term care facilities in the United States.

As you know, the COVID-19 pandemic has disproportionately impacted long-term care facilities, including nursing homes. Recent data show that approximately 40 percent of all COVID-19 deaths in the United States are residents or workers at nursing homes and other long-term care facilities. This is alarming.

During the June 9th hearing before the Homeland Security and Governmental Affairs Committee, Rear Admiral John Polowczyk said that the Supply Chain Stabilization Taskforce has made distribution of PPE to nursing homes and other long-term care facilities a top priority. On April 30th, 2020, the Federal Emergency Management Agency (FEMA) announced that it would be coordinating shipments of a 14-day supply of PPE to nearly 15,000 nursing homes across the country. However, we have heard from constituents who live and work at long-term care facilities that they do not have adequate supplies. Recent public reports also indicate that some of the PPE shipped through FEMA's recent initiative has been defective, inadequate, and unusable. Additionally, we have questions about how FEMA and the Supply Chain Stabilization Taskforce determine which facilities are eligible for shipments and track the receipt of these shipments to these facilities.

We look forward to continued conversations with and briefings from FEMA and the Supply Chain Stabilization Taskforce as we work to protect our nation's most vulnerable by ensuring that staff and residents at nursing homes and other long-term care facilities have adequate access to PPE. In addition to our conversations and briefings, we are requesting written answers to the following questions:

1. Are the 14-day supply shipments that FEMA and the Supply Chain Stabilization Taskforce are sending to nursing homes a one-time occurrence, or does FEMA have a long-term plan to distribute PPE to these facilities?
2. What mechanisms for quality control of PPE does FEMA execute before sending shipments to nursing homes and other long-term care facilities?
3. What feedback has FEMA received from PPE recipients about the quality and quantity of these PPE deliveries?

4. On May 2nd, FEMA announced that it would ship a 14-day supply of PPE to nursing homes including, “more than 11.7 million surgical masks, 53.3 million gloves, more than 1.2 million goggles and other eye protections, and nearly 12.9 million gowns.” Please provide a list of facilities that have received supplies and how much PPE they have received.
5. Has FEMA provided any additional PPE to nursing homes not included in the initiative announced on April 30th? If so, please provide the amount of supplies shipped and the list of facilities that have received these supplies.
6. How does the Supply Chain Stabilization Taskforce project demand for PPE from nursing homes and other long-term care facilities? How are these projections considered in making determinations about which facilities will receive PPE shipments?
7. Since FEMA announced its initiative to ship PPE to nursing homes around the country on April 30th, the Centers for Medicaid and Medicare Services released its Nursing Home Reopening Recommendations for State and Local Officials. These recommendations include ensuring that nursing home staff have access to adequate PPE before reopening. Has the release of this guidance impacted FEMA’s and the Supply Chain Stabilization Taskforce’s demand projections and distribution planning?
8. Have FEMA and the Supply Chain Stabilization Task Force created any policy guidance or documentation that dictate decision-making about prioritization of PPE distribution? If so, please provide this guidance.

Thank you for your time and work in addressing these inquiries. Please contact Jillian Joyce on my staff with the responses to these questions no later than July 8th, 2020 at Jillian_Joyce@hsgac.senate.gov.

Sincerely,

/s/ Margaret Wood Hassan
Margaret Wood Hassan
United States Senator

/s/ Elizabeth Warren
Elizabeth Warren
United States Senator

/s/ Robert P. Casey, Jr.
Robert P. Casey, Jr.
United States Senator

/s/ Charles E. Schumer
Charles E. Schumer
United States Senator

CC: Rear Admiral John Polowczyk, Supply Chain Stabilization Task Force