

Congress of the United States
Washington, DC 20515

September 30, 2021

The Honorable Joseph Biden, Jr.
President of the United States
The White House
1600 Pennsylvania Ave, NW
Washington, DC 20500

CC: Secretary Xavier Becerra, HHS; Administrator Chiquita Brooks-LaSure, CMS

Dear President Biden,

On September 9, 2021, your administration directed the Centers for Medicare and Medicaid Services (CMS) to require COVID-19 vaccinations for all staff within all Medicare and Medicaid-certified facilities, including hospitals, nursing homes, dialysis facilities, ambulatory surgical settings, home health agencies, and all other Medicare and Medicaid service providers. While we understand the intention of this action is to improve the health outcomes of patients, we have serious concerns regarding the practicality, efficacy, and morality of this requirement.

Several states are already nearing or exceeding hospital capacity, and many Medicare and Medicaid providers, especially nursing homes, are struggling to hire and retain enough employees to comply with state and federal staffing requirements. Only about 54% of the United States population is fully vaccinated with state vaccination rates as low as about 39%. Furthermore, according to the United States Census Bureau, 15.7% of American adults are hesitant about receiving a COVID-19 vaccine with 7.2% reporting that they “definitely” will not receive the vaccine. Thus, a vaccine mandate will inevitably push a significant portion of healthcare workers out of the industry, putting further strain on providers.

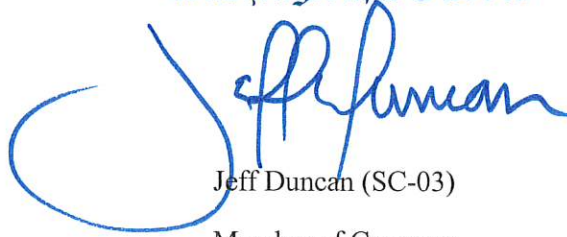
With this in mind, we have the following questions:

1. How does your administration plan on addressing a decrease in hospital and nursing home capacity due to the exacerbated healthcare workforce shortages that will result from this vaccine mandate?
2. Does your administration acknowledge that a decrease in hospital and nursing home capacity negatively affects the health outcomes of patients, and how is decreasing hospital and nursing home capacity consistent with your stated goal of improving the health outcomes of patients?
3. How does your administration plan on protecting senior citizens when they are forced to leave the safety of their nursing home if the home is no longer able to supply adequate staffing as a result of this vaccine mandate?
4. Should your administration follow through with this vaccine mandate, does your administration plan on mitigating at least some of the workforce shortages by providing healthcare workers exemptions for religious or moral objections? Has your administration considered allowing those with naturally acquired COVID-19 antibodies to opt out of the vaccine mandate?

If your administration is unable to address any of these questions, we must ask that you immediately halt your efforts to implement this mandate to protect both COVID-19 patients and any other individual seeking treatment. We eagerly await your prompt response.

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