

Congress of the United States
Washington, DC 20515

April 13, 2020

The Honorable Seema Verma
Administrator
Centers for Medicare & Medicaid Services
Hubert H. Humphrey Building
200 Independence Avenue, SW
Washington, DC 20201

Dear Administrator:

As you lead our country's efforts to contain, mitigate and treat individuals with COVID19, we urge the department to avail itself of all health care providers willing to engage in this effort. Specifically, we are writing to request that the Centers for Medicare and Medicaid Services (CMS) utilize its 1135 waiver authority to provide Medicare and Medicaid reimbursement to the more than 200 freestanding emergency centers (FECs) that treat Medicare and Medicaid patients during this pandemic.

Freestanding emergency centers are licensed and regulated by the State of Texas, operate 24/7 with emergency room physicians on site at all times, provide around-the-clock lab and advanced imaging services, and are subject to EMTALA laws. Under current law, FECs are not eligible for payment under Medicare and Medicaid because they are not owned by a hospital. Yet, they have similar capabilities as off-campus hospital-owned emergency departments. Many FECs have respirators and isolation rooms, and can assist in caring for patient overflow from hospital emergency departments.

Across the state of Texas alone, there are more than 200 freestanding emergency centers with 1,500 beds that stand ready to relieve the burden on hospitals and treat both COVID19 and non-COVID19 patients needing emergent care. The FEC presence throughout the state is equivalent to three large, 500 bed hospitals who's estimated \$1.5 billion of infrastructure can be turned on overnight without any capital expenditure at all by the government. FECs are located in rural, suburban and urban areas and their small size limits potential COVID contagion between patients.

As COVID19 cases increase in Texas, it is critical that all of the state's health care providers are able to access funding to help patients and contain COVID19. Your department has already done tremendous work to remove red tape and expand capacity nationwide. We are hopeful we can work together to fully utilize an existing and capable part of the Texas health care system that is eager to help combat this pandemic.

Sincerely,



Jodey C. Arrington
Member of Congress



Ted Cruz
United States Senator



Brian Babin, D.D.S
Member of Congress



Louie Gohmert
Member of Congress



Michael Cloud
Member of Congress



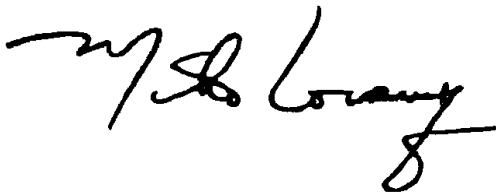
Vicente Gonzalez
Member of Congress



Dan Crenshaw
Member of Congress



Kenny Marchant
Member of Congress



K. Michael Conaway
Member of Congress



Chip Roy
Member of Congress



Henry Cuellar
Member of Congress



Van Taylor
Member of Congress



Lizzie Fletcher
Member of Congress



Randy K. Weber
Member of Congress