



March 17, 2022

The Honorable Chuck Schumer
Majority Leader
United States Senate
Washington, DC 20510

The Honorable Mitch McConnell
Minority Leader
United States Senate
Washington, DC 20510

The Honorable Nancy Pelosi
Speaker
United States House of Representatives
Washington, DC 20515

The Honorable Kevin McCarthy
Minority Leader
United States House of Representatives
Washington, DC 20515

Dear Majority Leader Schumer, Minority Leader McConnell, Speaker Pelosi, and Minority Leader McCarthy:

On behalf of the National Independent Laboratory Association (NILA), I am writing to ask Congress to urgently pass COVID-19 supplemental funding as requested by the Biden Administration that includes additional resources for the Health Resources and Services Administration's (HRSA) Uninsured Program, which provides coverage of COVID-19 testing for uninsured populations. Without immediate additional federal funds, community and regional independent laboratories working across the country will no longer be able to provide COVID-19 testing to vulnerable populations, including the uninsured, without passing the costs on to patients.

NILA represents community, regional, and health system laboratories that serve a wide variety of communities and patient populations—many of whom are not served by large independent clinical laboratories. NILA member laboratories across the United States have been invaluable to the nation's COVID-19 response by performing laboratory testing for physicians, hospitals, skilled nursing facilities (SNFs), and other health care professionals. NILA members have provided these services despite continuous regulatory and payment ambiguity, severe supply shortages, and workforce challenges.

Now is not the time to restrict our COVID-19 testing capacity. Two years after the onset of COVID-19 we continue to see new variants emerge and consistent cases nationwide. Our laboratory infrastructure has been invaluable in providing the testing necessary to track cases and ensure patients take the appropriate steps to mitigate the spread of the virus. Despite years of payment cuts under the Protecting Access to Medicare Act (PAMA), laboratories made significant investments in the supplies and equipment necessary to stand up an adequate COVID-19 testing infrastructure. For community and regional laboratories to respond effectively to public health threats, like COVID-19, laboratories must be

able to rely upon government and private payers to adequately reimburse them for the collection, transportation, and testing services they provide. Congress' failure to pass the most recent COVID-19 supplemental severely endangers community and regional independent laboratories' ability to provide these critical services in the communities they serve.

Last week, the Administration notified Congress of the stark consequences that will follow if Congress does not provide further COVID-19 funding. This included a dire warning that the Health Resources and Services Administration's (HRSA) COVID-19 Uninsured Program would stop accepting new claims for testing and treatment on March 22. Should that happen, community and regional independent laboratories would face a desperate choice of turning away uninsured patients and risking increased spread of COVID-19 in the community or absorbing the cost of testing themselves. Many independent laboratories simply cannot take on the burden of these additional costs.

On behalf of NILA-member laboratories and the patients they serve, please move expeditiously to advance COVID-19 supplemental funding that will sustain HRSA's Uninsured Program and ensure that individuals across the country continue to have access to affordable COVID-19 testing at independent laboratories in their communities. If you have questions, please contact Erin Morton, NILA's Washington Representative, at emorton@dc-crd.com.

Sincerely yours,

A handwritten signature in black ink that reads "Mark S. Birenbaum". The signature is written in a cursive, flowing style.

Mark Birenbaum, PhD
Executive Director
National Independent Laboratory Association