



## National Association for the Support of Long Term Care

July 15, 2020

The Honorable Bob Casey  
United States Senate  
393 Russell Senate Office Building  
Washington, DC 20510

The Honorable Sheldon Whitehouse  
United States Senate  
530 Hart Senate Office Building  
Washington, DC 20510

*Re: NASL Support of the Nursing Home COVID-19 Protection and Prevention Act (S.3768)*

Dear Senators Casey and Whitehouse:

On behalf of the members of the National Association for the Support of Long Term Care (NASL), we offer our support for your legislation, the *Nursing Home COVID-19 Protection and Prevention Act (S.3768)*. This important legislation will help protect Medicare beneficiaries in skilled nursing facilities (SNFs) by providing states with the necessary emergency funding to support cohorting based on COVID-19 status, namely to support costs related to staffing, testing, personal protective equipment (PPE), and other essential needs. Safely separating sick patients from well patients is critical to stopping the spread of this unprecedented and devastating virus.

NASL is a trade association representing providers and suppliers of ancillary services to long term and post-acute care (LTPAC) settings. NASL's members include rehabilitation therapy providers that employ physical therapists (PTs), occupational therapists (OTs), and speech-language pathologists (SLPs) who provide therapy services to patients in SNFs as well as other long term and post-acute care settings. In addition, NASL also represents developers of health information technology (HIT) with full clinical and point-of-care IT systems, providers and suppliers of clinical lab services, and portable x-ray services.

The impact of the COVID-19 public health emergency on patient access to therapy services, as well as other services like diagnostic testing and portable x-ray, has been significant. As a result of federal guidance that requires screening and isolation protocols, patients are losing access to medically necessary rehabilitation therapy as facilities decrease the number of essential healthcare personnel who can enter nursing facilities in order to prevent spread. Safely separating and cohorting sick patients from those who are well provides rehabilitation therapists, as well as phlebotomists and x-ray technicians, who treat patients in nursing facilities the ability to furnish services to their patients in-person, which greatly helps with patient access to services as well as improve safety for patients and caregivers.

Stability in long term care will be essential to recovery, and the critical policy solutions and guidance included in your legislation to assist states and nursing homes in implementing

effective cohorting and infection control protocols will be truly impactful. The bill would provide \$20 billion in emergency funding to states to support nursing homes and other settings with cohorting based on COVID-19 status, and in particular to support costs related to staffing, testing, PPE and other essential needs. NASL member companies, including rehabilitation therapy companies, portable x-ray and clinical labs serving long term care patients, have not received provider relief funds and face increasing costs for PPE and regular COVID testing of their staffs who enter nursing facilities every day to provide services to patients. Costs for COVID testing and PPE is not reimbursed by Medicare even though it is part of the Nursing Home Reopening Guidelines<sup>1</sup> released by CMS on May 18, 2020.

Promoting the safety and protection of nursing home patients, residents, and their caregivers is NASL's top priority during this public health emergency and that is why we support passage of the *Nursing Home COVID-19 Protection and Prevention Act*, which does exactly that.

NASL appreciates your leadership in developing this important legislation. We look forward to working with you, Congress, to pass the *Nursing Home COVID-19 Protection and Prevention Act*.

Sincerely,

A handwritten signature in cursive script that reads "Cynthia Morton".

Cynthia K. Morton, MPA  
NASL Executive Vice President

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<sup>1</sup> Nursing Home Reopening Recommendations for State and Local Officials, Memo # 2020-05-18, Accessed on July 15, 2020, <https://www.cms.gov/files/document/qso-20-30-nh.pdf-0>

