

ONE HUNDRED FIFTEENTH CONGRESS  
**Congress of the United States**  
**House of Representatives**

COMMITTEE ON ENERGY AND COMMERCE

2125 RAYBURN HOUSE OFFICE BUILDING  
WASHINGTON, DC 20515-6115

Majority (202) 225-2927  
Minority (202) 225-3641

November 9, 2017

Ms. Kimberly Brandt  
Principal Deputy Administrator for Operations  
Centers for Medicare and Medicaid Services  
7500 Security Boulevard  
Baltimore, MD 21244

Dear Ms. Brandt:

Thank you for appearing before the Subcommittee on Oversight and Investigations on Tuesday, October 24, 2017, to testify at the hearing entitled "Examining HHS's Public Health Preparedness for and Response to the 2017 Hurricane Season."

Pursuant to the Rules of the Committee on Energy and Commerce, the hearing record remains open for ten business days to permit Members to submit additional questions for the record, which are attached. The format of your responses to these questions should be as follows: (1) the name of the Member whose question you are addressing, (2) the complete text of the question you are addressing in bold, and (3) your answer to that question in plain text.

To facilitate the printing of the hearing record, please respond to these questions with a transmittal letter by the close of business on Tuesday, November 28, 2017. Your responses should be mailed to Ali Fulling, Legislative Clerk, Committee on Energy and Commerce, 2125 Rayburn House Office Building, Washington, DC 20515 and e-mailed in Word format to [Ali.Fulling@mail.house.gov](mailto:Ali.Fulling@mail.house.gov).

Thank you again for your time and effort preparing and delivering testimony before the Subcommittee.

Sincerely,



Greg Walden  
Chairman

cc: The Honorable Diana DeGette, Ranking Member, Subcommittee on Oversight and Investigations

Attachment

## Attachment—Additional Questions for the Record

### The Honorable Gus Bilirakis

1. The “alternate/backup power” provision of the Emergency Preparedness Rule is final next month, what is the size of the pool of providers that are currently ‘out of compliance’ with this rule?
  - a. Why despite having a year to comply, are these providers still out of compliance with this rule?
  - b. How are inspections prioritized: By provider size? By season? (testing northern providers during winter; southern providers during summer) By non-compliance history?

### The Honorable Frank Pallone, Jr.

1. The Centers for Medicare and Medicaid Services (CMS) have established a special open enrollment period for hurricane victims. Since Puerto Rico receives medical coverage and benefits differently from U.S. states, what efforts are being made to ensure affected people in Puerto Rico are receiving aid?
2. There has been outward migration from the Island to mainland states. Those affected are still eligible for benefits. What efforts are being made to ensure that Puerto Ricans displaced by Hurricane Maria know about the enrollment period in the mainland and how to apply? Are any outreach efforts and materials being provided in Spanish?
3. CMS extended open enrollment until December 31, 2017, for all Medicare beneficiaries and for those enrolled in plans through the Federal Health Insurance Exchange. It appears, however, that power and communications systems may continue to be severely restricted through that time period, and possibly into the first quarter of next year and beyond. What steps is CMS taking to ensure that affected individuals in Puerto Rico and the U.S. Virgin Islands will be able to obtain coverage even if electricity and/or Internet services are not restored by the end of the year?
4. CMS has taken a number of actions to improve open enrollment in the Marketplaces and in Medicare, but to date, Medicaid has been largely absent from Administration activity. This is concerning given that, in Puerto Rico for example, more than half of the population receive their health coverage through Medicaid. Similarly, in both Florida and Texas, more than half of all births are financed by the Medicaid program, and more than 1 in every 3 children is covered through Medicaid. Given the volume and special needs for those with Medicaid coverage in Hurricane affected areas, what steps does CMS plan to take to provide clear guidance on disaster-related Medicaid coverage that addresses administrative burdens? For example, similar to the Administration’s response during Hurricane Katrina, will this Administration take actions such as permitting a simplified Medicaid application or allowing for self-attestation for a temporary period of time for Hurricane victims in the absence of documentation?

**The Honorable Jan Schakowsky**

1. Following up, in the aftermath of disasters like these devastating Hurricanes, government should provide relief and recovery workers with required health and safety protections and Personal Protective Equipment (PPEs) to ensure workers' health is not compromised during current and ongoing clean-up and future rebuilding. Unfortunately, we have heard that this is causing problems in Puerto Rico.

We know Puerto Ricans in both the private and public sector want to do the work needed to help rebuild their lives, homes, communities, and their Commonwealth. Government workers are willing and eager to help address short-term needs –even when working as assigned by the Puerto Rico government is outside their long-standing employee responsibilities and expertise. Nonetheless, workers simultaneously want to protect their own health and safety and avoid unnecessary health problems. The long-term medical problems flowing from the tragic events on September 11, 2001 and the resulting cleanup efforts at Ground Zero and on the Pile taught us the vital importance of providing appropriate health and safety equipment and training to workers in conditions that are dangerous or uncertain.

- a. What is HHS, CDC, and other federal agencies doing to ensure local Puerto Rico government employees have the necessary health and safety equipment to protect themselves during their ongoing relief and recovery work?
- b. Have these issues been addressed in Puerto Rico?
- c. Which federal government agencies are responsible for providing needed PPEs to recovery workers?

**The Honorable Kathy Castor**

1. A number of health professionals from the University of South Florida in my Congressional District traveled to Puerto Rico recently to see how they could support the health care needs of our fellow citizens there and a few will be going back in early November. One main concern of the physicians who went to Puerto Rico was how long it took to get the Emergency Medical Assistance Compact (EMAC) into place, which would allow medical professionals from the State of Florida to go to Puerto Rico and be able to practice under their Florida license.
  - a. Did you hear similar concerns from health professionals in other states?
  - b. What role does the federal government play in these compacts?
  - c. How can the federal government facilitate quick approval of these compacts to allow health professionals from other states to assist states or territories that have been impacted by a natural disaster?

**The Honorable Pete Olson**

1. After tackling 3 Hurricanes in a short period of time, what strains have you seen on your current resources. Also, what additional resources do you need to provide these communities the help that they need?