

COMMITTEE ON WAYS AND MEANS

U.S. HOUSE OF REPRESENTATIVES

WASHINGTON, DC 20515

March 16, 2021

Dr. Rachel Levine
Pennsylvania Department of Health
Health and Welfare Building
8th Floor West
625 Forster Street
Harrisburg, PA 17120

Dear Dr. Levine:

We write to request additional information regarding comments you made on February 25, 2021, during your confirmation hearing before the Senate Committee on Health, Education, Labor, and Pensions (“HELP”). Senator Susan Collins of Maine asked you directly about reports from Spotlight PA regarding missing or incomplete data from more than 100 Pennsylvania long-term care facilities. Your response cited a data lag as the explanation for the Spotlight PA report.¹ However, the data problems date back many months and it has been approximately one year since the beginning of the pandemic in the United States.

Following your confirmation hearing, Spotlight PA issued another report about the missing Pennsylvania data making it clear that a lag time in data cannot be responsible for all of the missing data. Here is how Spotlight PA describes the issue:

Facilities contacted by Spotlight PA in the fall said that they were in fact meeting reporting requirements but could not explain why their data was not included in the state’s weekly reports. Others were frustrated that they reported their data correctly, but it still showed up with errors in the public-facing reports.

These problems do not appear to have been corrected in the most recent reports, which are posted to the state department of health website.

A Feb. 17 report lists 139 facilities that are reporting “no data.” Data is missing for 145 facilities in the Feb. 23 report.²

COVID-19 wreaked havoc on nursing home residents, particularly in Pennsylvania, where the total number of COVID-related nursing home deaths is one of the highest numbers in the country. As you know, Pennsylvania had a similar policy to New York state early on during the pandemic that required nursing homes to admit or readmit infected patients regardless of whether those facilities were prepared to sequester infected patients from other residents in accordance

¹ <https://www.c-span.org/video/?509143-1/confirmation-hearing-surgeon-general-assistant-health-secretary-nominees&live&vod&start=4378>

² <https://www.spotlightpa.org/news/2021/02/rachel-levine-pennsylvania-nursing-homes-data-joe-biden-senate-confirmation/>

with CDC guidance. A year into the pandemic, we still do not have a full picture of the consequences of that policy due to the incomplete data.

Given that, please answer the following questions:

1. What is your response to the Spotlight PA report quoted above regarding missing or incomplete data in Pennsylvania's nursing home death data?
2. If you continue to believe that a data lag is to blame for this problem, how do you explain the fact that nursing homes contacted by Spotlight PA say they have reported data that still has not shown up in the states data reporting system?
3. If you continue to believe a data lag is to blame, please describe in detail why that is the case. Please also explain what actions you believe Congress, or the Pennsylvania state legislature, can take to eliminate these data lags and obtain a full view of the consequences of Governor Wolf's nursing home admit or readmit policy.

Thank you for your time and attention to this important matter. Please provide answers by March 23, 2021.

Sincerely,



Kevin Brady
Ranking Member
Committee on Ways and Means



Mike Kelly
Ranking Member
Subcommittee on Oversight
Committee on Ways and Means



Devin Nunes
Ranking Member
Subcommittee on Health
Committee on Ways and Means



Lloyd Smucker
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