

JODEY C. ARRINGTON
19TH DISTRICT, TEXAS

1107 LONGWORTH HOUSE OFFICE BUILDING
WASHINGTON, DC 20515
(202) 225-4005
FAX: (202) 225-9615

ABILENE OFFICE
500 CHESTNUT STREET, SUITE B19
ABILENE, TX 79602
(325) 675-9779
FAX: (325) 675-5038

LUBBOCK OFFICE
1312 TEXAS AVENUE, SUITE 219
LUBBOCK, TX 79401
(806) 763-1611
FAX: (806) 767-9168

Congress of the United States
House of Representatives
Washington, DC 20515-4319

COMMITTEE ON
WAYS AND MEANS
SUBCOMMITTEES:
SELECT REVENUE
SOCIAL SECURITY
TRADE
JOINT ECONOMIC
COMMITTEE

November 4, 2021

The Honorable Chiquita Brooks-LaSure
Administrator
Centers for Medicare and Medicaid Services
200 Independence Ave SW
Washington, DC 20201

Dear Administrator Brooks-LaSure,

I write today to express concerns with your Agency's Emergency Regulations requiring COVID-19 vaccinations for healthcare workers.

On September 9, the Biden Administration announced its intent to withhold Medicare and Medicaid funding for healthcare entities that fail to force their workers to receive the COVID vaccine. Today, your Agency announced a final rule – developed without the notice and comment rulemaking process – which outlined the following:

- Healthcare professionals working in Medicare and Medicaid-certified facilities must be fully vaccinated by January 4, 2022;
- Healthcare professionals working in Medicare and Medicaid-certified facilities do not have the option to submit to regular testing in lieu of receiving a COVID vaccine;
- CMS will “regularly review compliance” by sending state survey agencies to “review the facility’s COVID-19 vaccination policies and procedures, the number of resident and staff COVID-19 cases...and a list of all staff and their vaccination status;”
- Medicare and Medicaid-certified providers and facilities that are non-compliant will face “civil monetary penalties, denial of payment, and even termination from the Medicare and Medicaid program.”

While I am adamantly opposed to the Biden Administration's vaccine mandate in its entirety, the punitive, rigid nature of the mandate on healthcare providers is particularly concerning. Since March of 2020, our healthcare providers have shown incredible resilience, selflessness, and grit as they cared for our friends, families, and neighbors. To infringe on their ability to make well-informed decisions about their own healthcare is ill-advised and insulting.

Further, these draconian mandates pose a serious threat of exacerbating existing healthcare workforce shortages. Across the country, hospitals have reported hundreds of mandate-related resignations, firings, and threats of mass walkouts. Rural hospitals in West Texas and across the nation are forced to make an impossible decision: do they enforce the Biden vaccine mandate and risk losing doctors and nurses, or do they defy the vaccine mandate and risk losing their Medicare and Medicaid funding?

I urge you to rescind your Agency's vaccine mandate on healthcare providers and, instead, focus on empowering individuals with truth, transparency, and trust to make well-informed decisions that factor in their personal beliefs and healthcare choices.

Sincerely,



Jodey C. Arrington
Member of Congress