

GUS M. BILIRAKIS
12TH DISTRICT, FLORIDA

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ECONOMIC OPPORTUNITY

Congress of the United States
House of Representatives
Washington, DC 20515-0912

October 23, 2017

Kelli T. Wells, MD
Deputy Secretary for Health
Florida Department of Health
Office of Public Health Preparedness
4052 Bald Cypress Way
Tallahassee, FL 32399

Dear Deputy Secretary Wells:

In the wake of Hurricane Irma and the tragic deaths of 14 residents at the Rehabilitation Center of Hollywood Hills due to heat exposure from a lack of air conditioning, Governor Rick Scott implemented emergency rules to ensure nursing homes and assisted living facilities take immediate action to keep their patients safe. On October 10th, Governor Scott instructed the Agency for Health Care Administration and the Department of Elder Affairs to immediately commence the rulemaking process to permanently enact his emergency rule requiring emergency generators at assisted living facilities (ALFs) and nursing homes. The Governor's emergency rule—adopted September 16th—requires all ALFs and nursing homes to obtain ample resources, including a generator and the appropriate amount of fuel, to sustain operations and maintain comfortable temperatures for at least 96-hours following power failure. The Governor's emergency rule reinforces a similar provision of a federal rule finalized and promulgated by the Centers for Medicare and Medicaid Services (CMS) last year and taking full effect in November – the Emergency Preparedness Requirements for Medicare and Medicaid Participating Providers and Suppliers (EP) Rule.

The Florida Department of Health should consider using the Hospital Preparedness Program (HPP) funds to assist ALFs and nursing homes with the procurement of generators, fuel, or maintenance checks to expedite recovery and help provider compliance. As part of the Department of Health and Human Services' Office of the Assistant Secretary for Preparedness and Response's HPP, Florida has already received \$12 million in federal support this year to support its healthcare coalitions. The HPP provides support through grants and cooperative agreements to States, territories, and eligible municipalities to improve surge capacity and enhance community and hospital preparedness for public health emergencies. The recent hurricane created a public health emergency and it is important that we use these funds to prevent this type of situation from occurring again.

WASHINGTON OFFICE:

2112 RAYBURN HOUSE OFFICE BUILDING
WASHINGTON, DC 20515-0912
(202) 225-5755

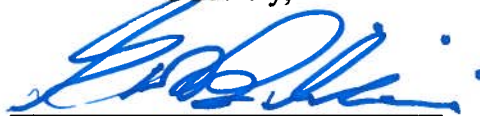
DISTRICT OFFICES:

7132 LITTLE ROAD
NEW PORT RICHEY, FL 34654-5514
(727) 232-2921

600 KLOSTERMAN ROAD
ROOM BB38
TARPON SPRINGS, FL 34689-1299
(727) 940-5860

Thank you for your prompt attention to this important matter and look forward to your response.

Sincerely,

A handwritten signature in blue ink, appearing to read "Gus Bilirakis", written over a horizontal line.

Gus M. Bilirakis
Member of Congress