

July 21, 2020

The Honorable Nancy Pelosi
Speaker
U.S. House of Representatives
Washington, DC 20515

The Honorable Mitch McConnell
Majority Leader
United States Senate
Washington, DC 20510

The Honorable Kevin McCarthy
Minority Leader
U.S. House of Representatives
Washington, DC 20515

The Honorable Chuck Schumer
Minority Leader
United States Senate
Washington, DC 20510

Dear Speaker Pelosi, and Leaders McConnell, McCarthy, and Schumer:

Employers recognize that broad access to accurate and timely COVID-19 testing is a critical element in our national response to the public health crisis and safely reopening the country. **The undersigned organizations, representing many of the nation's leading employers, urge Congress to support the efforts of employers to return their employees to work safely by investing additional federal resources in the robust testing needed to accomplish both the public health and economic goals. Further, we urge Congress to ensure that employers and taxpayers are not subject to opaque and exorbitant prices for COVID-19 tests and associated services.**

As new COVID-19 cases spike around the country, the path toward controlling the pandemic and restoring the economy is paved with widescale testing and contact tracing to stem the spread of the virus. Employers are committed to complying with the mandate imposed upon their group health plans under the Families First Coronavirus Response Act to cover testing for the diagnosis of COVID-19 without cost-sharing or medical management requirements. Indeed, many employers were doing so before this became a mandate. Yet, the widespread testing needed for public health surveillance purposes to effectively combat the virus, especially as the case numbers rise, and to facilitate returning employees to the workplace safely, calls for dedicated federal funding commensurate with the criticality of the task. While employers understand their key role in the national response, the sheer scale of testing [and contact tracing] required to meet the broader public health surveillance and return to work objectives nationwide means that the responsibility cannot be borne by employers alone. Indeed, the employers that will incur the greatest challenges associated with widespread testing in order to bring employees back to the workplace, are among the enterprises that have been hardest hit by the economic consequences of the pandemic.

It is urgently important for Congress to include federal testing assistance in the next comprehensive bill to address the pandemic. Assistance extends beyond federal funding for the robust testing needed to combat the public health and economic crisis. Testing must not only be widely accessible for public health, occupational health and diagnostic purposes, it must be accurate, reliable and timely. So too must clear guidance help inform employers' utilization of COVID-19 testing in their return to work strategies, while preserving employer flexibility in developing programs appropriate for their particular location, workforce and industry. Supporting employer strategies to return employees to work safely will also entail removing any legislative or regulatory barriers that may arise and impede their efforts.

We also remain concerned about the potential for price gouging of COVID-19 testing and related services by out-of-network providers. The Coronavirus Aid, Relief, and Economic Security (CARES) Act, requires providers to post the cash price on their public website. Despite the CARES Act requirement for prices to be publicly posted on providers' websites, a recent analysis by the Kaiser Family Foundation¹ was unable to find COVID-19 test prices on nearly one in four (24%) of the hospital websites examined. For those that did have publicly available price information, COVID-19 diagnostic tests ranged from \$20 – \$850 per single test, not including the price of a provider visit, facility fee, specimen collection or any other test that may have been included during testing. **We urge Congress to take measures to ensure that neither the government nor the private sector is subjected to unjustified charges related to testing.**

Thank you for your action to address the urgent public health and economic crisis facing our country because of the COVID-19 pandemic. Much has already been accomplished and a great deal more needs to be done quickly, including additional support for the widescale testing that is vital to controlling the pandemic and reopening the country. The employer community remains committed to working with Congress and the Administration in this all-important effort.

Sincerely,

American Benefits Council
American Health Policy Institute
Business Group on Health
HR Policy Association
National Alliance of Healthcare Purchaser Coalitions
Pacific Business Group on Health
The ERISA Industry Committee

¹ <https://www.healthsystemtracker.org/brief/covid-19-test-prices-and-payment-policy/>