



March 19, 2020

The Honorable Mitch McConnell
Majority Leader
S-230, U.S. Capitol
Washington, DC 20510

Dear Leader McConnell,

The National Association of Counties (NACo) and the 3,069 counties we represent thank you for your leadership and swift action over the last several weeks to confront both the public health crisis caused by the Coronavirus and COVID-19, as well as the economic challenges associated with this unprecedented situation.

The *Families First Coronavirus Response Act* (H.R. 6201) and the *Coronavirus Preparedness and Response Supplemental Appropriations Act* (H.R. 6074), provide federal investments and flexibility at the local level to help protect our residents from the spread of coronavirus and lessen the impact of this pandemic on our local communities. As you move forward with a potential third package geared towards the economy, counties urge you to continue to direct funding and resources down to the local level.

As the ground troops in the fight against the COVID-19 pandemic, counties are rapidly disseminating factual and timely updates to the public, while pursuing containment strategies. Counties invest \$83 billion annually in community health systems and support 903 hospitals, 824 long-term care facilities and over 1,900 public health departments. These local agencies are essential components of the Centers for Disease Control and Prevention's COVID-19 containment strategy.

In addition to public health and human services infrastructure, counties are crucial to the operation of local economies, investing \$134 billion in infrastructure and the operation and maintenance of public works and institutions, such as schools, hospitals and jails. Counties are also important partners in ensuring the economic health of our communities by helping to create and retain jobs and improve the overall quality of life in America.

As you turn to a third package, we strongly urge you to include the following items most critical to America's counties:

- **Strengthen the Local Health Care Safety Net:** We urge you to repeal or delay the statutory Medicaid disproportionate share hospital (DSH) payment reductions scheduled to take effect on May 23, 2020. As the local health care system works to provide care for infected residents regardless of socioeconomic status, Medicaid DSH payments are a critical means for local hospitals to serve our nation's most vulnerable citizens, by enabling them to make up for those losses and continue to provide high-quality care to all patients.
- **Deploy More Testing Equipment:** Counties need sustained federal investments and flexibility at the local level to help us protect our residents from the spread of this virus and lessen the impact of this pandemic on our local communities. Local governments cannot adequately respond to the threat of the virus without the essential tools required to measure the spread of the disease in our communities. The

shortage of test availability, and the lack of testing has contributed to a false sense of security in states and counties where there are currently no reported cases. We urge Congress to increase the availability of testing materials, and grant flexibility to state and local governments so that we can quickly identify and treat individuals impacted by COVID-19. Furthermore, counties request that any future legislative packages include adequate funding to address lab capacity issues and provide adequate technical support and equipment to meet growing demands for testing.

- **Access and Distribution of Personal Protective Equipment for Essential County Service Providers:** As COVID-19 continues to spread throughout our country, the protection of our local service providers is crucial. Without adequate equipment needed to prevent personal contamination, local health care professionals cannot administer tests and treat infected individuals. In highly impacted areas, counties have seen a spike of local service provider infections, and in some cases, providers have refused to provide services due to the lack of protective equipment. We request additional personal protective equipment for both county and private facilities be made available to preserve the health and safety of these essential employees when their services are needed most.
- **Provide Guidance on How Counties Can Access FEMA's Public Assistance Program Funding, and Provide Clarity Around Eligible Activities and Necessary Documentation for Reimbursement:** Counties are struggling to understand how the president's emergency declaration will affect our COVID-19 response activities. We know that that \$42 billion is now available under FEMA's Disaster Relief Fund, as part of the Public Assistance Program, however \$41 billion of this amount is only available to local governments and eligible nonprofits IF the governor requests, and the president declares a major federal disaster declaration for the state.
- **Clarify Tax Credits for Paid Sick and Paid Family and Medical Leave for County Employers:** Paid leave is a significant challenge for county governments who employ over 3.6 million, or one percent, of all Americans. While we appreciate that H.R. 6201 expands paid leave benefits for workers affected by COVID-19, the legislation imposes substantial new sick leave and family medical leave requirements on government employers of all sizes. Counties request that Section 7001(d)(4) and Section 7003(d)(4) be removed from H.R. 6201 and language is inserted to clarify that state and local government employers fully qualify for both credits.

States and local governments will face massive challenges in responding to, and as a result of, COVID-19. As representatives of the public servants on the front lines of battling this unprecedented pandemic, NACo is committed to working with both Congress and the administration to advance legislation that assists with the mitigation of this crisis and its widespread economic impact on our nation.

Also attached to this letter is a more comprehensive letter sent on March 17, 2020.

Sincerely,



Matthew Chase

Executive Director
National Association of Counties