



December 2, 2020

Dear Speaker Pelosi, Majority Leader McConnell, Minority Leader Schumer, and Minority Leader McCarthy:

As COVID-19 surges in most states across the country and with an expectation of a very difficult winter season ahead, please know that the senior living industry remains on the front lines of this pandemic, doing everything possible to keep our seniors and our employees safe during these challenging times. However, we cannot do it alone. This public health crisis demands that federal resources be allocated to the senior living industry to ensure our ongoing ability to serve this vulnerable population.

We ask that you take action now to pass another COVID-19 relief bill during this lame duck session. While we are encouraged that a vaccine is imminent, creating some light at the end of this dark tunnel, we must remain vigilant and continue to take all necessary measures to protect our communities. The financial strain to the industry cannot be overstated. Targeted financial relief to the senior living industry is crucial to our work to keep seniors and staff safe.

ASHA and Senior Living on the Front Lines: The American Seniors Housing Association (ASHA) represents over 550 of the leading owners and operators of senior living communities across the country, including assisted living, independent living, memory care and continuing care retirement communities (CCRCs).

During this pandemic, senior living communities have not shut down, in fact quite the opposite is true. The 1 million employees of senior living are working 24/7 to care for the almost 2 million seniors who call senior living home. The average age of a resident living in one of our communities is 85 years old and living with underlying health conditions making them especially vulnerable to contracting COVID-19. Having access to affordable testing supplies, priority distributions of a vaccine, and approved therapies is critical to protecting our seniors and staff.

Financial Impact: Our industry has stepped up its efforts on all fronts to control and limit the impact of this virus. Significant expenses continue to accrue for the more stringent safety protocols adopted, the hiring and training of additional team members, paying overtime wages and instituting “hero pay,” restructuring social and dining practices, procuring scarce and overpriced PPE and testing supplies, utilizing new technologies and much more. At the same time, our communities are suffering from lost revenue associated with our inability to move in new residents due to safety concerns associated with COVID-19.

ASHA Request for Relief: As you work to negotiate a COVID-19 relief package, we urge you to recognize the critical importance of the outstanding efforts of the senior living industry and include financial relief to help this industry continue to protect our residents and ultimately to recover from the significant financial toll it has already imposed. The financial impact to the seniors housing industry is on track to reach \$17 billion dollars annually.

To date, our industry has received a limited amount of financial aid from the HHS Provider Relief Fund. While we are appreciative for this allocation, it is not adequate to cover the significant outlays and revenue loss already experienced, not to mention the ongoing costs in the months ahead. It is also worth noting that many providers who have made application for relief have yet to receive funding. As we enter what most are calling the darkest months for COVID-19, we must continue to seek financial assistance. Specifically, we ask that you include the following provisions in the next stimulus package:

- Increased funding for the HHS Provider Relief Fund created under the CARES Act with the allocation of a meaningful amount to the senior living providers who are serving on the front lines of this pandemic for their additional expense and lost revenue.
- Adoption of new tax credits for qualified pandemic employer expenses such as employee protection (PPE), technology improvements, and renovations to assist with COVID-19 safety protocols.

The senior living industry is committed to continuing to do whatever it takes to limit exposure and protect the health of their residents and staff. They should be prioritized for all relief programs established by Congress. When we can keep our residents safe and out of the hospital, the overall health care system benefits.

Congressional support for funding has been strong as evidenced by the attached compilation of letters. It is time to put that support into action and include a direct funding stream to the senior living industry. We are part of the solution, but we need help.

Thank you for your support.

Sincerely,

A handwritten signature in black ink, appearing to read "David A. Schless".

David Schless
President
American Seniors Housing Association

Enclosure: Examples of Bi-Partisan Congressional Support for Senior Living Financial Relief, PPE and Testing

Examples of Bi-Partisan Congressional Support for Senior Living Financial Relief, PPE and Testing

Rep. Matthew Cartwright (D-8-PA) and 54 House Members of Congress letter to HHS Secretary Azar

“Senior living communities, however, have yet to be recognized by with an allocation of funds from the Department of HHS for their service and significant financial outlays for their residents. To date, Medicare providers, hospitals, rural and “hot spot” health care facilities, Indian health care entities, the uninsured, nursing homes, and Medicaid providers have all been allocated funds to help with their expenses. It is critical that operators of senior living communities, which include assisted living, memory care, independent living, and continuing care retirement communities, now also be recognized for the significant efforts they are making to keep their residents and employees safe.”

Rep. Robin Kelly (D-2-IL) to Speaker Pelosi, Majority Leader McConnell, Minority Leader McCarthy, and Minority Leader Schumer

Given the importance of senior living facilities and the vulnerable populations they serve, I ask that you make the needs of senior living facilities a priority in the next COVID-19 relief bill by allocating specific PRF aid to these institutions and urge HHS to allow senior living facilities to qualify for existing PRF aid.

Rep. Kay Granger (R- 12-TX), Ranking Member, House Appropriations Committee Op-ed in The Hill

“But these senior living facilities have still not been prioritized by HHS for financial relief. They have not been prioritized for PPE, or for testing supplies, and I fear once a vaccine is approved, they will continue to be overlooked. Instead, these senior living facilities have had to source their own supplies and testing capabilities and have incurred significant expenses in that process from not being able to move in new residents. They should have the same access to rapid results testing kits and supplies of PPE and funding as nursing homes. This would allow these senior living facilities to first test both residents and staff to find out who is COVID-19 positive and then to use PPE supplies to combat the disease and contain its spread”.

Sen. James Lankford (R-OK) and 26 Senators letter to HHS Secretary Azar

“We are writing to express our support for all of our nation’s deserving health care providers who will in short time begin to apply for the much-needed financial relief programs of the CARES Act, specifically the Public Health and Social Services Emergency Fund (PHSSEF). As you set your guidelines for this program, we request that those who care for our nation’s most vulnerable not be overlooked. We are specifically referring to the millions of our nation’s seniors who are cared for by the hardworking men and women who work in facilities such as nursing homes, skilled nursing centers, as well those serving individuals with intellectual and developmental disabilities. In addition, we must not overlook those individuals who work within the senior living community, such as those working in independent living, assisted living, memory care and continuing care retirement communities.”

Rep. Vern Buchanan (R-16-FL) letter to HHS Secretary Azar

“Senior living communities, while neither nursing homes nor hospitals, employ nearly 900,000 staff who are working diligently and compassionately to care for almost two million seniors at heightened risk of severe illness and death by COVID-19. These facilities house a significant percentage of our nation’s veterans and their spouses, and we should not overlook them in this time of unique need.

We urge you to recognize senior living communities as a necessary defense against this disease that’s attacking our nation. With adequate PPE, testing kits, and working capital, they can help hold down infection and death rates, and, in doing so, keep many seniors out of hospitals, unburdening hospital emergency departments and COVID care divisions.”

Rep. Jennifer Wexton (D-10-VA) and 39 House Members of Congress letter to Congressional Leaders

“The staff and residents in long-term care facilities require immediate support to get them through this crisis. Providing additional funding for the Public Health and Social Services Emergency Fund in the next package with the needs of these providers in mind is critical to protecting the elderly and the most vulnerable throughout the country from COVID-19.”

Sen. Susan Collins (R-ME) April 24, 2020 Facebook Post

“Maine nursing homes, senior living facilities, and homes for those with intellectual and developmental disabilities need additional support to protect residents and employees from COVID-19. I joined a bipartisan group of nearly 30 Senators calling on HHS to provide these communities with the resources they need.”

Rep. Michael Burgess (R-26-TX) and 35 House Members of Congress letter to HHS Secretary Azar

“The providers in nursing homes, skilled nursing centers, senior living communities, independent living, assisted living, memory care, and continuing care retirement communities are on the front lines of providing critical health care services for these vulnerable individuals during normal times, but especially during a pandemic. These facilities are deserving of support to aid them in their COVID-19 response to ensure the health and safety of their residents and their medical staff”.

Sen. Steve Daines (R-MT) Letter to HHS Secretary Azar

“Communities are facing increased costs for personal protective equipment, testing, infection control, and labor to meet the demands. Many of these costs skyrocket if a resident or staff member tests positive for the virus. The healthcare heroes in these communities are on the front lines of this crisis, and while they continue to do everything they can to care for our nation’s seniors and mitigate the spread of COVID-19, they need financial relief. I appreciate the allocations that the Administration has already made to numerous healthcare providers in Montana and throughout this country, and believe it is critical that we ensure all communities caring for our most vulnerable have access to these much-needed funds.”

Rep. Vicente Gonzalez (D-15-TX) and 18 House Members of Congress letter to HHS Secretary Azar

“Such devastating losses are not sustainable and will dramatically impede the ability of these

facilities to administer long-term rapid-testing and vaccinations. Therefore, senior living communities must have the financial resources to procure tests and acquire the requisite PPE and staff to effectively implement widescale testing. We urge you to allocate unused Provider Relief Fund monies, immediately, to provide assisted living communities with much needed support. Our nation's most vulnerable populations and those who care for them must be prioritized."

Rep. Anthony Gonzalez (R-16-OH) and 3 House Members of Congress Dear Colleague Letter

"While the Department of Health and Human Services has provided some assistance through the Provider Relief Fund, many providers were excluded from other programs within the CARES Act that could have provided additional relief. Specifically, many providers were unable to qualify for the Paycheck Protection Program (PPP) because of the 500-employees limitation it imposed. Despite no individual location exceeding the threshold, many senior living communities were barred from accessing the program. The letter below asks that should Congress consider additional funding through the PPP, senior living facilities be granted eligibility for loan dollars if individual locations are below the 500 employees threshold, similar to the restaurant industry."