

July 20, 2023

The Honorable Bernard Sanders
Chair
Committee on Health, Education, Labor,
and Pensions
United States Senate
Washington, DC 20510

The Honorable Bill Cassidy, M.D.
Ranking Member
Committee on Health, Education, Labor,
and Pensions
United States Senate
Washington, DC 20510

RE: Pandemic and All-Hazards Preparedness Act (PAHPA) Reauthorization

Dear Chair Sanders and Ranking Member Cassidy:

As you work to reauthorize the Pandemic and All-Hazards Preparedness Act (PAHPA), the undersigned public health, medical, and patient advocacy organizations strongly urge you to consider the unique needs of individuals with chronic health conditions during a pandemic and make resources available to these individuals who are at heightened risk during these events.

The most recent COVID-19 pandemic taught us many lessons, including that individuals with chronic health conditions often face disproportionately worse outcomes during a pandemic. In fact, during the COVID-19 pandemic, we learned that individuals with chronic disease were most likely to be hospitalized, have severe symptoms, and most at-risk for death.

The proposed legislation contains many important provisions that can benefit people living with chronic health conditions. The legislation also leaves open some definitional questions and opportunities to more directly prevent the level of mass casualties among those with chronic diseases that were witnessed during COVID, should a similar pandemic threat emerge.

Through our experience of COVID-19, we learned more about the type of support and resources that people with chronic health conditions require during a public health emergency. This was particularly so as it related to ensuring priority access to preventive measures like COVID-19 vaccines, minimizing unnecessary risk for COVID-19 exposure, and supporting communities where chronic health conditions are most prevalent. The proposed legislation contemplates many of these learnings.

It is our hope that the final iteration of this legislation will even more fully incorporate lessons learned during the recent pandemic, including how best to make sure that marginalized and at-risk populations have access to the tools and resources.

We believe that, with the pending reauthorization of PAHPA, the committee can ensure that people living with diabetes, cardiovascular disease, and other chronic diseases have robust access to needed services during emergency responses. Perhaps inadvertently, the scope of the current draft may leave some marginalized communities without such needed access as some of the definitions contained in this iteration may be unnecessarily narrow.

For Section 304, we appreciate the focus on at-risk individuals (as defined in section 2802(b)(4) of the Public Health Service Act (42 U.S.C. 300hh-1(b)(4)), which includes individuals with disabilities. Individuals with disabilities is referenced only in terms of nondiscrimination requirements as defined by Title II of the Americans with Disabilities Act of 1990 (42 U.S.C. 12131 11 et seq.). Even so, this definition

may inadvertently deny support for individuals with chronic health conditions that put them at risk for disproportionately poor outcomes during an emergency response.

As such, the groups below urge the committee to consider updating language throughout the legislation to focus individuals with disabilities, **including but not limited to people with chronic health conditions, and at-risk populations**”.

We stand ready to assist the committee and partner with staff to address some of the key definitional questions raised above. Should you have any questions or seek additional information regarding these comments, please reach out to Chris Fox, Senior Vice President, External Affairs at the American Diabetes Association (cfox@diabetes.org).

Sincerely,

Alpha-1 Foundation

ALS Association

American Diabetes Association

American Heart Association

American Kidney Fund

American Liver Foundation

Arthritis Foundation

Asthma and Allergy Foundation of America

Cure SMA

Diabetes Leadership Council

Diabetes Patient Advocacy Coalition

Immune Deficiency Foundation

JDRF

Lupus Foundation of America

Muscular Dystrophy Association

National Eczema Association

National Health Council

National Kidney Foundation

National Marrow Donor Program

National MS Society

National Organization for Rare Disorders

National Patient Advocate Foundation