

116TH CONGRESS
2D SESSION

H. R. 7999

To direct the Secretary of Health and Human Services to receive and respond to notifications of issues relating to the lack of personal protective equipment and COVID–19 testing.

IN THE HOUSE OF REPRESENTATIVES

AUGUST 11, 2020

Mr. BEYER introduced the following bill; which was referred to the Committee on Energy and Commerce

A BILL

To direct the Secretary of Health and Human Services to receive and respond to notifications of issues relating to the lack of personal protective equipment and COVID–19 testing.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Supply Chain Account-
5 ability Act of 2020”.

1 **SEC. 2. DIRECTING THE SECRETARY OF HEALTH AND**
2 **HUMAN SERVICES TO RECEIVE AND RE-**
3 **SPOND TO NOTIFICATIONS OF ISSUES RELAT-**
4 **ING TO THE LACK OF PERSONAL PROTEC-**
5 **TIVE EQUIPMENT AND COVID-19 TESTING.**

6 (a) IN GENERAL.—The Secretary of Health and
7 Human Services (in this section referred to as the “Sec-
8 retary”) shall establish and maintain, during the emer-
9 gency period described in section 1135(g)(1)(B) of the So-
10 cial Security Act (42 U.S.C. 1320b-5(g)(1)(B)), a process
11 to receive and review the following:

12 (1) Any notification from a health care provider
13 that such provider is reusing personal protective
14 equipment at a facility due to a shortage of such
15 equipment.

16 (2) Any notification from a local public health
17 agency or health care provider that such agency or
18 provider is unable, with respect to individuals seek-
19 ing a COVID-19 diagnostic test, to furnish such
20 tests to all such individuals.

21 (3) Any notification from a skilled nursing fa-
22 cility or nursing facility (as such terms are defined
23 in sections 1819 and 1919, respectively, of titles
24 XVIII and XIX, respectively, of the Social Security
25 Act (42 U.S.C. 1395i-3, 42 U.S.C. 1396r)) that
26 such skilled nursing facility or nursing facility is un-

1 able to test all employees for COVID–19 at least 2
2 times per week.

3 (4) Any notification from a State or local public
4 health agency that the average time between fur-
5 nishing a COVID–19 diagnostic test to an individual
6 and reporting the results to such individual in the
7 area in which such agency exercises jurisdiction ex-
8 ceeds 3 days from the date such test was so fur-
9 nished.

10 (b) REQUIRED RESPONSE.—The Secretary shall,
11 with respect to each notification received under subsection
12 (a), submit to the health care provider, local public health
13 agency, or skilled nursing facility or nursing facility that
14 submitted such notification, and to the specified congres-
15 sional representatives (as defined in subsection (c)) with
16 respect to such notification, not later than 30 days after
17 receiving such notification, a written response that, in the
18 case of a response to a notification described in—

19 (1) subsection (a)(1), includes a specification of
20 actions the Secretary is taking to provide personal
21 protective equipment to the facility identified by the
22 health care provider submitting such notification;

23 (2) subsection (a)(2), includes a specification of
24 actions the Secretary is taking to make additional
25 COVID–19 diagnostic tests available to the local

1 public health agency or health care provider submit-
2 ting such notification;

3 (3) subsection (a)(3), includes a specification of
4 actions the Secretary is taking to support COVID-
5 19 diagnostic testing at the skilled nursing facility
6 or nursing facility submitting such notification; and

7 (4) subsection (a)(4), includes a specification of
8 actions the Secretary is taking to reduce the time
9 described in such subsection.

10 (c) DEFINITION.—For purposes of subsection (b), the
11 term “specified congressional representatives” means,
12 with respect to a notification described in subsection (a),
13 both Members of the Senate representing the State, and
14 all Members of the House of Representatives representing
15 the district (or districts), where, in the case of a notifica-
16 tion—

17 (1) described in subsection (a)(1), the facility
18 identified by the health care provider submitting
19 such notification is located;

20 (2) described in subsection (a)(2), the State or
21 local public health agency submitting such notifica-
22 tion exercises jurisdiction or where the health care
23 provider practices (as identified by the provider);

1 (3) described in subsection (a)(3), where the
2 State or local public health agency submitting such
3 notification exercises jurisdiction; or

4 (4) described in subsection (a)(4), where the
5 skilled nursing facility or nursing facility submitting
6 such notification is located.

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