

Congress of the United States
Washington, DC 20515

April 13, 2020

The Honorable Michael R. Pence
Vice President of the United States
The White House
Office of the Vice President
1600 Pennsylvania Ave, NW
Washington, DC 20500

Dear Vice President Pence,

We write today to request that the Administration act to ensure commercial labs can continue to provide diagnostic services during the COVID-19 pandemic. As you may be aware, the CARES Act did not provide a dedicated source of funding to help labs offset losses from reduced demand for diagnostic testing during the COVID-19 crisis. As a result, many commercial labs are facing uncertain economic circumstances even as they are a core to our national response strategy and any comprehensive national testing. We urge you to exercise any flexibilities you possess to ensure commercial labs are not forced to reduce testing capacity at this critical time.

The national scope of the pandemic, coupled with our desperate need to increase testing capacity, means that we cannot afford to see any lab close at this time. For example, BioReference Laboratories, based in New Jersey, accounts for twenty percent of all COVID-19 testing nationwide. Yet even as they have stepped up and increased their COVID-19 testing capacity, BioReference has informed Congress that they saw a reduction of sixty-five percent in their daily testing volumes. The loss of a regular revenue stream, when added to the capital costs to quickly bring up the tests and costs incurred by running COVID-19 tests, means this company's ability to respond to the ongoing demands during this pandemic will likely be compromised. We are seeing these problems throughout the diagnostic testing industry. Commercial labs, much like our hospitals, are facing both lost revenue from their routine business and increased uncompensated costs due to COVID-19.

We cannot afford to lose any of the ground we have gained in testing capacity and we must continue to do absolutely everything possible to increase capacity. We therefore request that the federal government intervene to ensure labs do not have to reduce capacity for testing during this crisis. Testing capacity remains an ongoing problem nationwide. Our public health lab network is not able to step in to fill a capacity shortage, and until we significantly ramp up testing nationwide, we will continue to face a shuttered economy. Additionally, labs are now being asked to scale up serology testing for antibodies to ensure the safety of the American workforce, initially healthcare workers.

We look forward to working with you on a solution that will secure and elevate our national testing capacity.

Sincerely,

A handwritten signature in blue ink that reads "Robert Menendez". The signature is fluid and cursive, with a period at the end.

Robert Menendez
United State Senator

A handwritten signature in blue ink that reads "Bill Pascrell Jr". The signature is fluid and cursive, with a period at the end.

Bill Pascrell, Jr.
Member of Congress