

Congress of the United States
Washington, DC 20515

February 14, 2022

The Honorable Ron DeSantis
State of Florida
The Capitol
400 South Monroe St.
Tallahassee, FL 32399

Simone Marsteller
Secretary
Florida Agency for Health Care Administration
2727 Mahan Drive
Tallahassee, FL 32308

Dear Governor DeSantis and Secretary Marsteller,

We write with serious concern regarding the Agency for Health Care Administration's refusal to enforce the Centers for Medicare and Medicaid Services (CMS)'s rule requiring staff COVID-19 vaccinations at all facilities receiving Medicare or Medicaid funding. Vaccines have proven to be the most effective tool in preventing serious illness or death from COVID-19. Refusal to comply with the CMS rule not only endangers the lives of millions of vulnerable people, it is in violation of federal law and will cost taxpayers over \$1.2 million if you do not reverse course.

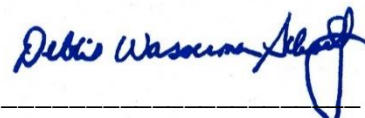
On November 5, 2021, CMS issued an interim final rule requiring COVID-19 vaccination for all staff at Medicare- and Medicaid-certified providers and suppliers. The United States Supreme Court upheld this rule on January 13, 2022, and it is currently in effect. Nonetheless, on January 14, 2022, your agency reiterated its position to providers that it would not evaluate compliance, despite the fact that the state is legally responsible for surveying all facilities participating in the Medicare program to ensure they are in compliance with all current CMS rules and regulations. As a result of the State's refusal to comply with federal law, CMS notified you on February 8, 2022 that it would reduce Florida's funding by over \$1.2 million to cover the cost CMS is now incurring by having to directly enforce compliance at our State facilities.

Clinical trials and real-world data have proven that vaccinations reduce the spread of disease, severe illness, hospitalization, and death. While your administration may not agree with the CMS rule on vaccination requirements, it remains the law of the land. This latest action is in violation of your obligations under federal law and is costing Florida taxpayers over \$1.2 million. We urge you to reverse course immediately.

Sincerely,



Lois Frankel
Member of Congress



Debbie Wasserman Schultz
Member of Congress

Kathy Castor

Kathy Castor
Member of Congress

Charlie Crist

Charlie Crist
Member of Congress

Ted Deutch

Ted Deutch
Member of Congress

Stephanie

Stephanie Murphy
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Frederica S. Wilson
Member of Congress

Sheila

Sheila Cherfilus McCormick
Member of Congress

Val B. Demings

Val Demings
Member of Congress

Al Lawson

Al Lawson
Member of Congress

Darren Soto

Darren Soto
Member of Congress