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February 9, 2021

The Honorable Frank Pallone  
Chairman  
Committee on Energy & Commerce  
U.S. House of Representatives  
2125 Rayburn House Office Building  
Washington, D.C. 20515

The Honorable Anna Eshoo  
Chairwoman  
Subcommittee on Health  
U.S. House of Representatives  
2125 Rayburn House Office Building  
Washington, D.C. 20515

Dear Chairman Pallone and Chairwoman Eshoo:

On behalf of the Emergency Nurses Association (ENA), I am writing to offer the support and expertise of ENA and its more than 52,000 members as you work to lead Congress during these challenging times. We look forward to working with you and your colleagues over the next two years to tackle the most urgent challenges facing our nation's health care system, especially as it relates to emergency nursing.

Emergency nurses are a highly trained and critically important part of the health care workforce. They have expertise in all aspects of emergency health care, including public health emergencies, triage, the treatment of drug overdoses, human trafficking, behavioral health, injury prevention, trauma care and disaster preparedness. These professionals play an indispensable role in the nation's response to crises like global pandemics, natural disasters and terrorist attacks.

### **Emergency Nurses and the Coronavirus Pandemic**

As you know, nurses are an essential part of an effective response to a major public health crisis, and COVID-19 has been no different. Nurses, including emergency nurses, have been on the frontlines of the pandemic since day one, providing critical care for patients. They are the health care professionals who have the most contact with patients. Nurses have heroically served their communities, often without appropriate levels of personal protective equipment required to keep themselves, their patients and their families safe. Many have contracted COVID-19 themselves. Too many have died as a result.

As emergency nurses and other health care professionals continue to work without access to appropriate supplies of PPE, ENA has advocated for improved federal coordination and communication with respect to the production and distribution of critical medical supplies and equipment. ENA applauds recent steps taken by the Biden Administration to immediately address these issues, like the creation of the position of Coordinator of COVID-19 Response to oversee the sourcing and delivery of critical supplies, including PPE, testing equipment and vaccine supplies. It is our hope that this position will work immediately to overcome barriers that have previously prevented supplies and equipment from getting where they are needed.

Similarly, ENA supports President Biden's announcement to fully utilize the Defense Production Act to ensure that workers on the frontline of the pandemic can be confident they have the supplies and equipment necessary to care for patients without being unnecessarily exposed to a deadly and highly contagious virus. Exercising this authority will also help ensure that the nation has materials and supplies needed to continue robust testing and vaccination efforts.

At the beginning of the 117<sup>th</sup> Congress, as you consider additional legislative actions to provide support during the pandemic, we would urgently request you include the following priorities to support emergency nurses as they continue to provide lifesaving care to their communities.

#### **Promote and Support the Mental Wellness and Behavioral Health of Emergency Nurses**

The impact of the pandemic on the emergency nurse workforce cannot be overstated. Nurses have been forced to take unnecessary risks to the physical health and safety of themselves and their patients, as well as their friends and family since

the pandemic began. While these risks associated with the coronavirus are prominent and well-documented, the toll the pandemic is having on the mental health and behavioral wellness of frontline health care providers cannot be ignored.

As you consider additional actions to support essential workers, including emergency nurses, we would implore you to include provisions to support their mental health and well-being as well as their physical safety. ENA supports the provisions of the *Dr. Lorna Breen Health Care Provider Protection Act (S. 4349/ H.R. 8094 in the 116<sup>th</sup> Congress)* as well as the *Coronavirus Health Care Worker Wellness Act (H.R. 7255 in the 116<sup>th</sup> Congress)*. Both bills would work to ensure that health care workers (and students), including emergency nurses, have access to education, training and at-work programs and other resources designed to help them manage stress and burnout. It is critical that we do more to support the professionals who put their lives on hold and their health at-risk to serve their communities during this global disaster.

#### Protect Workers from Unnecessary Exposure and Risk

ENA requests that you take additional steps to protect emergency nurses and other essential workers from exposure to coronavirus and future novel pathogens. On January 21, President Biden signed an executive order on protecting worker health and safety. As a result, OSHA is reviewing whether an Emergency Temporary Standard on COVID-19 is warranted, and if so, issue the ETS by March 15, 2021.

While a positive step in the right direction, we believe the executive order falls short of meaningful protection, as it only requests the agency look into issuing a *temporary* standard and falls short of protecting these same workers from novel viruses which are almost certain to emerge in the future. ENA has advocated for months that such a standard is necessary to ensure employers of all essential workers, not just those in health care, take necessary steps to protect their employees from COVID-19, including by working to provide critical personal protective equipment, like masks.

We fully support the inclusion of legislative provisions stemming from the *COVID-19 Every Worker Protection Act (H.R. 6559/ S. 3677 in the 116<sup>th</sup> Congress)*, which would require OSHA issue an ETS related to COVID-19 and would also require the initiation of a permanent national standard within two years. Without this expedited process, issuance of a final enforceable rule could take nearly a decade. The next pandemic might not wait that long. Furthermore, the bill's language also protects the public employees working in the 24 Federal OSHA states where public employees are not covered by OSHA's rules. Importantly, incorporating the bill language will help ensure workers are protected from retaliation for reporting infection control violations or for using their own PPE when the employer fails to provide it.

#### Support States in Building Vaccination Capacity

An effort of this complexity requires close coordination with the relevant state health care officials and other critical stakeholders. It further requires prompt decision-making based on best practices and science. Meeting the President's goal of delivering 100 million doses of vaccine in the first 100 days of his Administration requires that tasks be standardized and effectively communicated. Otherwise, unnecessary confusion will inhibit the vaccine distribution and delivery operation. In short, to accomplish the vaccination goal will require consistent communication and close coordination with all key stakeholders, including our nation's 180,000 emergency nurses that stand willing and able to assist in this campaign. We urge you to work together with your Congressional colleagues and President Biden to provide additional funding or other support to this effort to ensure this enormous challenge is met.

We appreciate your leadership during these challenging times and the Emergency Nurses Association looks forward to working with you and your colleagues as you continue to respond to the many challenges facing the country.

Sincerely,



Ron Kraus, MSN, RN, EMT, CEN, ACNS-BC, TCRN  
2021 President

CC: Senate Health, Education, Labor and Pensions Committee Chair Patty Murray  
Senate Health, Education, Labor and Pensions Committee Health Subcommittee Chair Bernie Sanders