

Congress of the United States

Washington, DC 20515

September 17, 2021

The Honorable Xavier Becerra
Secretary
U.S. Department of Health and Human Services
200 Independence Avenue SW
Washington, D.C. 20201

Dear Secretary Becerra:

We write with regard to the Department of Health and Human Service (HHS)'s distribution process for monoclonal antibody (mAb) drugs for the outpatient treatment of COVID-19. On September 13, 2021, with no prior warning, HHS established new allocation procedures that will cause the State of Florida to face a deficit of tens of thousands of doses per week.

While these therapies are not a substitute for vaccines, they have prevented thousands of hospitalizations, including in breakthrough cases. It is a benefit that was recognized by President Biden only a week ago when he announced plans to increase the average pace of shipment of mAb therapies by an additional 50 percent. This week's announcement was dramatically out of step with the change several days later to reduce the amount of Florida and several other states' allocation without prior notice.

This decision was made without providing the Florida Department of Health or healthcare providers any time to prepare for this dramatic shift. Prior to this week, health care providers were able to obtain mAb therapies directly from distributors. With no warning, that changed, leaving Florida providers scrambling for information and a path forward for previously scheduled appointments of this life-saving therapy.

State Departments of Health cannot develop procedures or plan for problems they are not aware of. In the absence of clear, consistent communication, Florida and other states are now facing a situation where they have been denied the opportunity to develop an equitable, efficient state coordinated distribution system. At a time when Florida's hospitalization rates are rapidly declining, in part because of the State's successful mAb deployment infrastructure, this is a dangerous reversal of the Department's stance.

We urge HHS to immediately reverse course on this decision.

Sincerely,



Marco Rubio
U.S. Senator



Rick Scott
U.S. Senator



Mario Diaz-Balart
Member of Congress



Gus M. Bilirakis
Member of Congress



Bill Posey
Member of Congress



Carlos Gimenez
Member of Congress



C. Scott Franklin
Member of Congress



Neal P. Dunn, M.D.
Member of Congress