

Congress of the United States
House of Representatives
Washington, DC 20515-0926

March 23, 2020

Governor Ron DeSantis
State of Florida
The Capitol
400 S. Monroe St.
Tallahassee, FL 32399-0001

Dear Governor DeSantis:

I write today to express strong concerns with Florida's response to Coronavirus Disease 2019 (COVID-19) and urge you to take decisive steps to address the rapid spread of this disease in our state. As of this writing, our state has 1007 confirmed positive cases, representing an approximate 366 percent growth since Tuesday, March 17. In my district, Miami-Dade County has emerged alongside Broward County as the epicenter of our state's outbreak, with 227 cases confirmed. While some of these cases can be attributed to increased testing, it is undeniable that the virus is spreading rapidly throughout Florida and its communities.

In Congress, we are putting together significant legislative packages to respond to this pandemic. As such, data collection and transparency are critical to ensure that we have an appropriate and comprehensive understanding of the spread of COVID-19 and the number of cases involved. However, given Florida Congressional delegation updates that I have participated in and recent local reporting, I have strong concerns that the information we are receiving is inadequate and inaccurate. For example, on March 21, [WRLN](#) released a troubling report citing inconsistency in the cases being reported and with patients disappearing from the state's case data.

In lieu of a therapeutic or vaccine to treat this disease, the best tool we have to confront this pandemic is an informed community empowered with the resources needed to mitigate the spread of COVID-19 and not overwhelm our health care system. This requires clear and consistent messaging regarding the urgency of the situation from the top down. However, I have serious concerns that what I have seen these past weeks has fallen short of that. One key example is acknowledging community spread within our state, which the state failed to do for weeks. As far back as March 10, Dr. Anthony Fauci, the National Institute of Allergy and Infectious Diseases Director, stated during a White House press briefing that Florida was one of four states with community spread, an assessment which the Florida Department of Health contradicted the following day. It was not until March 14 that you acknowledged that Florida was "experiencing" community spread of the coronavirus, and it was not until later in the week that the Florida Department of Health would confirm the existence of community spread in the state. Because the urgency of this pandemic was not sufficiently communicated, for over a week Floridians were not informed and could have been empowered to practice social distancing and avoiding unnecessary group activities. As a result, we are now witnessing rapid growth of the disease in our state.

These concerns extend to Florida's criteria for testing and the means by which guidance is communicated to local healthcare facilities. Across the state, doctors and patients are reporting inconsistencies with who is eligible for a test, and there is a disconnect between what local hospitals are reporting and what is being communicated by the state. For example, on March 15 the Florida Department of Health issued new guidance for who should be tested, which included symptomatic people who were over the age of 65, had a chronic condition, and had a history of international travel, traveled to a domestic hotspot, was recently a passenger on a cruise ship, or was in close contact with a confirmed case of COVID-19. This also provided discretion for physicians to order testing for a patient with acute respiratory distress that did not fit the prior criteria. However, on a March 17 Congressional delegation call with the Florida Department of Health, these were not the criteria that were outlined to us. Further, speaking with local hospitals on March 20, they were unaware of the discretion provided to doctors. This lack of clarity and consistency from the Department of Health to the hospitals can have serious consequences.

I am supportive of the Executive Orders you issued directing all restaurants and food establishments within the state of Florida to suspend on-premises consumption of food and alcohol, as well as those suspending elective medical procedures. These are needed statewide steps to help mitigate the spread of this disease. However, I am troubled that this necessary approach is not being applied to our state's beaches and other public gathering areas. While beaches and public areas in Broward and Palm Beach counties have closed, this is not true for the rest of the state. This patchwork approach to mitigation is insufficient for combating this pandemic. Despite acknowledging that there was community spread, the state did not take the necessary proactive steps to prevent mass gatherings, as evidenced by crowds of people congregating on beaches across the state. That this was permitted to happen despite knowing spring break season was approaching is an enormous misstep that will likely have dire consequences for our state.

The actions the state has taken thus far have largely been reactive to the spread of COVID-19. What we are seeing in other states has shown us that we must be proactive in minimizing the spread of this disease to give our healthcare facilities and workforce critical time to prepare for an increase in patients needing treatment for this disease. To best confront this pandemic in Florida, I strongly urge you to do the following:

- Implement a "stay at home" order for the state of Florida. Floridians should avoid all nonessential outings, stay inside as much as possible, and limit excursions to essential tasks such as buying groceries, picking up medicine, or getting supplies to work from home. Residents would still be able to leave the home for walks or exercise, but they must practice proper social distancing when doing so.
- Enforce the CDC's recommendation of limiting crowds to no more than ten people, and institute penalties for those who are not following those recommendations or not complying with practices of social distancing.
- Schedule regular calls for Members of Florida's congressional delegation with key agencies. Any requests and questions by members during these sessions should be responded to directly and promptly. In calls during the past couple of weeks, when Members of Congress asked questions, far too often briefers obfuscated and failed to answer the question adequately.

- Urge President Trump to utilize the powers of the Defense Production Act to manufacture and route equipment to Florida as soon as possible. We continue to hear that our frontline healthcare workers do not have the necessary medical supplies needed to combat this pandemic. This will also require planning with FEMA to expand surge capacity and begin establishing healthcare facilities in areas of significant community spread and working to utilize unused cruise ships and hotels as potential quarantine and overflow zones for care.
- Expand the state's public and commercial capacities for testing and lift restrictions on eligibility for tests so more Floridians who are symptomatic or have exposure to COVID-19 can be tested.
- Establish clear lines of communication from the Florida Department of Health to local hospitals for both testing and personal protective equipment guidelines. Although I understand that the Florida Department of Health holds daily calls with Florida's hospitals regarding the state's response, I am hearing conflicting messages from your office and from the hospitals regarding who is eligible to be tested. Any breakdown in communication can result in patients missing care needed to handle this disease.
- Follow the example set by other states beset by this pandemic and implement strong actions to mitigate community spread. This includes closing any public areas that have a high potential for crowds, such as public beaches and recreational facilities.
- Use the executive authority of the Governor's office to ensure funding passed by Congress goes directly to workers and small businesses impacted by this pandemic. This includes raising unemployment benefits and expanding eligibility for small businesses to apply for Small Business Administration loans. We must do all we can to empower Floridians to stay home as much as possible to limit the spread of this disease.
- I encourage you to take action now to work with the state legislature to expand Medicaid coverage under the Affordable Care Act. Over 380,000 uninsured Floridians reside in the coverage gap and are missing critical health insurance to ensure coverage for COVID-19 treatments.

Effectively combating this pandemic is going to require a whole of government response, from the federal branches to state government to local municipalities. We need to work together to ensure that we can control to spread so we do not endanger our unique communities in Florida, especially given our high proportion of elderly and medically vulnerable populations. I recognize the importance that you, as Governor, have to play in safeguarding Floridians, and I stand ready to assist and provide support from the federal level. The earlier we take action to put these difficult measures in place, the sooner we can flatten the curve to overcome this pandemic and return to normalcy.

Sincerely,



Debbie Mucarsel-Powell
Member of Congress