

Congress of the United States
Washington, DC 20510

January xx, 2022

Mr. Jeffrey Zients
COVID-19 Response Team Coordinator
The White House
1600 Pennsylvania Ave., NW
Washington, D.C. 20500

Dear Mr. Zients:

The current surge in COVID-19 cases fueled by the Omicron variant continues to put incredible strain on our health care system, particularly the supply of desperately needed hospital staff, including nursing staff. The situation has affected every state and every corner of the nation, challenging hospitals' ability to care for their patients due to these dire workforce concerns. The persistent strain of the pandemic has required many hospitals to rely on nurse-staffing agencies to supply urgently needed staff to care for the increasing number of patients.

We are writing because of our concerns that certain nurse-staffing agencies are taking advantage of these difficult circumstances to increase their profits at the expense of patients and the hospitals that treat them. We urge you to enlist one or more of the federal agencies with competition and consumer protection authority to investigate this conduct to determine if it is the product of anticompetitive activity and/or violates consumer protection laws.

The situation is urgent and the reliance on temporary workers has caused normal staffing costs to balloon in all areas of the country. We have received reports that the nurse staffing agencies are vastly inflating price, by two, three or more times pre-pandemic rates, and then taking 40% or more of the amount being charged to the hospitals for themselves in profits. We have heard the amounts charged to hospitals rose precipitously as the newest wave of the COVID-19 crisis swept the nation and the agencies seemingly seized the opportunity to increase their bottom line. But, this is not the first time the agencies have engaged in this sort of conduct. As the first wave of COVID-19 swept the nation in 2020, they similarly inflated their prices to hospitals. Hospitals have no choice but to pay these exorbitant rates because of the dire workforce needs facing hospitals around the country.

Thank you for your attention to the matter, these costs are simply unsustainable for many health systems across the country. We urge you to ensure that this issue gets the attention from the federal government it merits to protect patients in dire need of life-saving health care treatment and prevent conduct that is exacerbating the shortage of nurses and straining the health care system. We look forward to your response.