



July 10, 2023

The Hon. Bernie Sanders, Chair  
Cmte. on Health, Education, Labor, and Pensions  
United States Senate  
428 Dirksen Senate Office Building  
Washington, DC 20510

The Hon. Bill Cassidy, M.D., Ranking Member  
Cmte. on Health, Education, Labor, and Pensions  
United States Senate  
725 Hart Senate Office Building  
Washington, DC 20510

The Hon. Bob Casey  
Cmte. on Health, Education, Labor, and Pensions  
United States Senate  
393 Russell Senate Office Building  
Washington, DC 20510

The Hon. Mitt Romney  
Cmte. on Health, Education, Labor, and Pensions  
United States Senate  
354 Russell Senate Office Building  
Washington, DC 20510

**Subject: 2023 PAHPA Reauthorization Discussion Draft**

Dear Chairman Sanders, Ranking Member Cassidy, Senator Casey, and Senator Romney:

On behalf of the Medical Professional Liability (MPL) Association and its members that insure approximately one million healthcare professionals and ten thousand hospitals and facilities throughout the United States, I would like to thank you for giving us this opportunity to comment on your request for information on how Congress can best revise and reauthorize the *Pandemic and All-Hazards Preparedness Act* (PAHPA). Reauthorizing PAHPA is a key ingredient to improving our nation's biosecurity and preparedness infrastructure.

Time and time again, during times of crisis we have seen healthcare volunteers demonstrate the best in human nature. This was never more evident than during the COVID-19 pandemic when our health professionals not only put themselves at great risk in their professional capacities while protecting the public from a new contagion but also when those some professionals served in volunteer capacities to further those same efforts. Recognizing that great sacrifice, Congress wisely enacted, through the *CARES Act*, limited civil liability protections for medical volunteers who responded to the outbreak. These protections, however, were only applicable to the pandemic, potentially exposing future healthcare volunteers to unwarranted liability lawsuits when the next public health emergency or national catastrophe occurs. This reality will only further exasperate the medical professional workforce crisis that currently engulfs our healthcare system.

To prevent this from happening, we strongly urge you to include the *Good Samaritan Health Professionals Act* (H.R. 2819/Senate introduction pending) in the *Pandemic and All-Hazards Preparedness Act* (PAHPA) reauthorization bill when it is introduced. Without this addition,

Americans may be put at risk of having an insufficient supply of medical volunteers when the next large-scale catastrophe strikes.

The *Good Samaritan Health Professionals Act* would proactively provide the same civil liability protections found in the *CARES Act* to medical volunteers during future, federally declared disasters and public health emergencies, while preserving patients' access to the courts if they are injured due to a medical volunteer's egregious behavior. Additionally, the measure encourages cooperation between federal and state agencies and promotes volunteer registries like the Emergency System for Advance Registration of Volunteer Health Professionals (ESAR-VHP) to expedite the deployment of essential medical volunteers and resources in times of need. If enacted, this legislation will help ensure that disaster victims have access to an adequate supply of licensed and trained medical professionals who will be ready to volunteer their services at a moment's notice without hesitation.

In closing, the MPL Association appreciates this opportunity to provide input as you strive to strengthen and improve PAHPA during the reauthorization process. Please do not hesitate to contact me at 301.947.9000 or via email at [batchinson@mplassociation.org](mailto:batchinson@mplassociation.org) should you need any further information.

Sincerely,

A handwritten signature in blue ink that reads "B. K. Atchinson". The signature is fluid and cursive, with the first letters of the first and last names being capitalized and prominent.

Brian K. Atchinson  
President & CEO