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August 3, 2020

The Honorable Alex M. Azar II
Secretary
Department of Health and Human Services
200 Independence Avenue, Southwest
Washington, D.C. 20201

The Honorable Seema Verma
Centers for Medicare & Medicaid Services
7500 Security Boulevard
Baltimore, MD 21244

Dear Secretary Azar and Administrator Verma:

After our call on May 12, I appreciate the Centers for Medicare and Medicaid Services' (CMS) timely and thorough inspection of Brighton Rehabilitation and Wellness Center (Brighton) completed on May 14. That inspection found Brighton was not in substantial compliance with Federal requirements related to implementing proper infection prevention and control practices to prevent the development and transmission of COVID-19. As you are aware, residents at Brighton have been seriously exposed to COVID-19 with at least 332 residents testing positive and at least 82 resident deaths linked to the pandemic, according to Pennsylvania Department of Health data.

However, I am still requesting a full investigation by CMS into whether the steps taken by either of the State-appointed Temporary Managers were adequate in responding to the massive COVID-19 outbreak in the facility, as stated in my May 7 letter. Recent media reports have exposed that Brighton gave 205 of its 435 residents hydroxychloroquine with zinc without State approval.¹ These findings were included in a State inspection report and directly violate State nursing home regulations that prevent experimental research or treatment without approval from the Pennsylvania Department of Health and from each resident after full disclosure. Additionally, the U.S. Food and Drug Administration has not authorized the use of hydroxychloroquine outside of a hospital setting due to serious side effects.²

At this point, the Pennsylvania Department of Health does not appear to have imposed any accountability or punishment on Brighton for the use of hydroxychloroquine without permission. For this reason, I request you investigate the State's response to this unnecessary tragedy at Brighton, the two State-appointed Temporary Managers' responses, if Brighton is now complying with proper infection prevention and control practices, and if Brighton's residents are

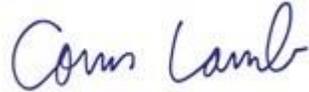
¹ <https://www.post-gazette.com/news/health/2020/07/28/Brighton-Rehab-Wellness-knew-didnt-have-Pennsylvania-OK-experimental-drug-residents-hydroxychloroquine-inspection/stories/202007280157>

² <https://www.fda.gov/drugs/drug-safety-and-availability/fda-cautions-against-use-hydroxychloroquine-or-chloroquine-covid-19-outside-hospital-se>

safely receiving quality care. When Secretary Azar visited Beaver County recently, his words suggested that he understood the need for more work to protect the residents at Brighton. Since then, we have been waiting for actions to match those words, and to assure the families that they will receive both justice and a higher level of healthcare for their loved ones.

I look forward to receiving your response to this urgent request.

Sincerely,

A handwritten signature in blue ink that reads "Conor Lamb". The signature is written in a cursive, flowing style.

Conor Lamb
Member of Congress

cc:

The Honorable Tom Wolf, Governor, Commonwealth of Pennsylvania

Dr. Rachel Levine, Secretary, Pennsylvania Department of Health

The Honorable Dan Camp, Chair, Beaver County Commissioner

The Honorable Jack Manning, Beaver County Commissioner

The Honorable Tony Amadio, Beaver County Commissioner