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## EDUCATIONAL EVENTS

- June 9, 2020**  
*Building and Fostering a High-Performing Board*  
 Webinar
- June 16, 2020**  
*Second Victim of Harm: Coping after things go wrong*  
 Webinar
- June 16, 2020**  
*Psychology Safety: The Predictive Power of Feeling Supported when things go wrong*  
 Webinar

## WHA's PSA Campaign Promotes Safe, Available Hospital Care

WHA has launched a series of public service announcements (PSAs), media outreach and social media posts emphasizing how hospitals and clinics are methodically and steadily phasing back into providing the wide range of services that were readily available before the COVID-19 pandemic.



The campaign includes a recent collaboration between WHA and the Wisconsin Chapter of the American College of Emergency Physicians (WACEP) focusing on the fact that emergency and urgent care has remained safe and available across the state throughout the COVID-19 pandemic. The effort included distribution of two audio PSAs (a [30-second ad](#) and a [15-second ad](#)) that radio stations can use statewide as part of their everyday broadcast rotation, a [joint press release](#) from both organizations and a full spread of social media outreach.

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## WHA PPE Resource Continues to Grow



WHA's personal protective equipment (PPE) supply resource listing was created earlier this month after companies and individuals began reaching out to WHA and member hospitals and health systems, offering to help with reported PPE shortages. Medical supply

companies, area manufacturers, individuals with contacts and engineers all offered their assistance.

WHA invited these businesses to list their offers of PPE on a WHA web-based listing so potential buyers could contact them directly. Hospitals can use this service to replenish depleted PPE stock, as well as create another supply chain for future use. The WHA listing has grown to 17 vendors and suppliers (and still growing), offering much needed N95 respirators, face masks, face shields, gloves and hospital gowns.

Some listings exist as a direct result of WHA drawing attention to PPE supply issues, including one contact that reached out after hearing WHA President and CEO Eric Borgerding and WHA Chief Medical Officer Mark Kaufman, M.D. speak during last

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# Wisconsin and US DOJ Working with WHA to Assist Hospitals on COVID-19 Scams and Price Gouging



Hospitals in other states have reported to state and federal attorneys various examples of COVID-19 related price gouging and PPE supply hoarding that have created challenges to hospitals' abilities to respond to this pandemic.



Both the Wisconsin Department of Justice and the Offices of the United States Attorney in the Eastern and Western Districts of Wisconsin have reached out to WHA to help disseminate information and assistance to hospitals that encounter such illegal activities that inhibit hospitals' COVID-19 response. Working with the Wisconsin and U.S. Department of Justice, WHA has created

this Q&A to provide additional information to hospitals should they encounter potential COVID-19 related price gouging, PPE supply hoarding, or COVID-19 related scams (e.g., fraudulent claims of cures or other "medical" advice).

**Q: If a hospital encounters suspected COVID-related price gouging, PPE hoarding or other COVID-19 related scams, where should hospitals report this information?**

**A:** The Wisconsin Department of Justice maintains a [COVID-19 Resources](#) website that includes hotlines and online resources should hospitals or others encounter price gouging or other COVID-19 scams. The U.S. Department of Justice maintains a [Coronavirus Response](#) website that includes information for reporting COVID-19 scams, price gouging and hoarding.

**Q: Which agency should I contact – the U.S. Department of Justice or Wisconsin Department of Justice – with suspected price gouging, hoarding or scams?**

**A:** Both agencies are coordinating with each other, thus even though state and federal laws are not identical on these subjects, contacts to either agency is appropriate.

**Q: What kinds of activities is the U.S. Department of Justice concerned with regarding hoarding?**

**A:** In a [memo to U.S. Attorneys](#), U.S. Attorney General Barr said, "we will aggressively pursue bad actors who amass critical supplies either far beyond what they could use or for the purpose of profiteering. Scarce medical supplies need to be going to hospitals for immediate use in care, not to warehouses for later overcharging." The following items have been designated as scarce: N-95 respirators, powered air purifying respirators (PAPR), portable ventilators, sterilization services for medical devices, medical gowns or apparel (e.g., surgical gowns or isolation gowns), personal protective equipment (PPE) coveralls (e.g., Tyvek suits, PPE face masks or surgical masks), PPE face shields, and PPE gloves or surgical gloves. Accumulating these materials for purposes of hoarding or price gouging may result in federal criminal prosecution.

**Q: What activities might be illegal price gouging?**

**A:** Wisconsin Department of Justice's [COVID-19 Resources](#) page states that Wisconsin's price gouging law prohibits any wholesaler or retailer during a declared period of abnormal economic disruption from selling consumer goods or services at prices that are more than 15% higher than pre-emergency prices, subject to certain exceptions. Additionally, the U.S. Department of Justice indicates that there are similar but different federal price gouging laws in addition to the Wisconsin prohibition.

**Q: If a hospital has additional questions about COVID-19 related price gouging, hoarding or scams impacting health care providers, who should you contact?**

**A:** WHA members can contact WHA General Counsel [Matthew Stanford](#) who can help provide additional information. Additionally, members may reach out directly to Assistant United States Attorney [Kelly B. Watzka](#), Coronavirus Fraud Coordinator for the Eastern District of Wisconsin, and/or Assistant United States Attorney [Chadwick Elgersma](#), Coronavirus Fraud Coordinator for the Western District of Wisconsin. Members may reach out directly to Assistant Attorney General [Lewis Beilin](#) at the Wisconsin Department of Justice.

## US House Passes \$3 Trillion HEROES Act



The U.S. House of Representatives passed a fourth COVID package, the HEROES Act, on May 15 on a largely partisan vote of [208 to 199](#), with Wisconsin's Congressional delegation splitting along partisan lines. The legislation includes nearly \$3 trillion in new spending and is not expected to be taken up by the U.S. Senate, but will serve as the "opening salvo" for negotiations between House Democrats and Senate Republicans, according to House Speaker Nancy Pelosi. The Senate has signaled it is unlikely to act on another COVID relief package until June.

The HEROES Act includes a number of funding items for health care providers, including adding another \$100 billion to the provider relief fund that has already sent out approximately \$75 billion to hospitals, health systems and other health care providers. With \$100 billion remaining in that fund from the previously enacted CARES legislation, this new bill would call for the \$200 billion from that fund to be distributed via a new formula that pays health care providers based on new expenses attributable to the COVID response as well as lost revenue. It would also be weighted to send more dollars to hospitals with a higher share of Medicaid and Medicare patients.

Additionally, the legislation would send another trillion dollars to state and local governments and proposes the following health care funding provisions:

- Help maintain private insurance coverage by covering COBRA premiums for nine months and allowing additional enrollment in the Obamacare exchanges.
- Allow affiliated critical access hospitals to be eligible for the Paycheck Protection Program.
- Lower the interest rate for Medicare Accelerated/Advance payments from 10.25% to 1% and give hospitals an additional year to repay.
- Provide bonus funding of \$5K-\$10K for "Healthcare Heroes" – front-line health care workers.

U.S. Senate majority leadership has indicated it first wants a further accounting of funds expended via the CARES Act before moving forward on future legislation. WHA has been focusing its federal advocacy efforts with Wisconsin's Congressional delegation on the impact CARES dollars have made for our state's hospitals. While the funding approved thus far has been helpful, WHA is advocating for additional assistance due to significant funding gaps that remain and are anticipated to continue into the future.

Contact WHA Director of Federal and State Relations [Jon Hoelter](#) with questions.

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## Retail Pharmacies, Charitable Clinics Discuss Drug Prices with Governor's Task Force

After a two-month hiatus due to the COVID-19 pandemic, the Governor's Task Force on Reducing Prescription Drug Prices held a virtual meeting on May 20. The task force was created through Governor Tony Evers' [Executive Order 39](#) and is charged with making recommendations for reducing prescription drug prices in Wisconsin. Task force membership includes Door County Medical Center CEO Brian Stephens.



Health care consumers are invited to address the task force at the beginning of each meeting. For the start of this meeting, a patient suffering from several chronic health conditions described the struggle he has had affording inhalers that he needs for managing COPD. He began to ration his doses due to the cost and reduced his doses from four doses to one per day. He also discussed the financial challenges of paying for necessary drugs which often leaves little money for other monthly expenses.

The meeting then proceeded to presentations from pharmacies and free and charitable clinics.

The importance of team-based care in improving patient outcomes, especially those with chronic health conditions was noted by Paul Cesarz, manager, community pharmacy professional services at Mercy Walworth (part of Mercyhealth Regional Health Care System), on behalf of the Pharmacy Society of Wisconsin. Cesarz cited studies showing that when pharmacists and other health care providers collaborate at the time of a hospital patient's discharge, hospital readmissions and health care costs can be reduced. Cesarz described the impact of Pharmacy Benefit Managers (PBMs) on pharmacies and drug costs and urged the task force to support [2019 Assembly Bill 114](#) if introduced during the 2021-22 state legislative biennium. That legislation contains a number of provisions that would increase oversight of PBM practices, limit the amount a health plan enrollee would pay at the point of sale, and prohibit gag clauses (prohibiting PBMs from penalizing a pharmacy for informing an enrollee of the difference between the enrollee's out-of-pocket cost for the drug and the amount the person would pay for the drug without using health insurance).

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## *Retail Pharmacies, Charitable Clinics Discuss Drug Prices with Governor's Task Force . . . continued from page 3)*

Dan Strause, managing partner at Hometown Pharmacy, offered additional perspectives on the role of independent pharmacies in the drug supply chain and professed the value added by independent pharmacies compared to large chain pharmacies and mail order pharmacies.

Yolanda Tolson-Eveans, pharmacist in charge at St. Vincent de Paul Charitable Pharmacy; and Ian Hedges, CEO of HealthNet of Rock County, offered the perspective of pharmacies that provide safety-net care and prescription drugs to consumers without health insurance. Strategies include sourcing drugs from the state's drug repository sites that are established to take in unused drugs from consumers; prescription drug discount programs offered by organizations including AmeriCare, Direct Relief, Merck and other drug manufacturers; and Dispensary of Hope, which operates as a drug dispensary akin to the Second Harvest food distribution organization.

Tolson-Eveans and Hedges offered several policy proposals, including state funding for free and charitable clinics, noting that Virginia utilizes funds from a Purdue Pharma legal settlement to support these clinic operations. Other proposals included modifications to Wisconsin's drug depository law to enable out-of-state pharmacies to participate in Wisconsin's drug depository, and crediting volunteer hours of pharmacists and other providers at free and charitable clinics as continuing education credits.

The meeting concluded with preliminary discussions of policy ideas generated from prior meetings and from research by task force staff. The task force will focus on hospital drug costs and other issues at its next meeting on June 18, which will most likely be a virtual meeting.

For further information on the Task Force, contact WHA Vice President of Policy Development [Laura Rose](#) or Director of Federal and State Relations [Jon Hoelter](#).

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## **WHA Adds to On-demand Learning Center**

Following are some additions this week to WHA's new [On-demand Learning Center](#).

### **Webinars**

- **Caring for Self in a Public Health Pandemic**  
This webinar will focus on self-care for all health care professionals and staff, from housekeepers to physicians serving on the front lines. Practical steps for caring for self during a public health pandemic requires intentional planning on the part of health care staff members. The primary focus of the webinar will include mental and emotional health, as well as ways to strengthen resilience and encouragement among the health care team.
- **Infrastructure for a Remote Workforce, Telemedicine & Increased Patient Load** (from Corporate Member Nutanix)  
Ensuring that your infrastructure can support a remote workforce, telemedicine and drastically increased patient load due to the COVID-19 pandemic.
- **How are physicians being affected by COVID-19?** (from Corporate Member Merritt Hawkins)  
This webinar explores how physicians are being affected by COVID-19 and the results of the recent Physicians Foundation "pulse" survey.
- **Duke University Resiliency Webinar Series: Signature Strengths at Work and Practicing Safe Stress & the Science of Sleep**

### **Knowledge Document**

- **Leading through COVID-19 and beyond** (from Corporate Member Kahler Slater)  
Research compendium for the latest thinking on reactivation planning and mid- and long-term planning to manage micro-surges while preventing a resurgence.

### **Coming soon:**

#### **Webinars**

- The Impact of COVID-19 on Health Disparities: Strategies for Addressing Health Equity
- Prioritizing Essential Care in the Wake of COVID-19: Best Practices & Strategies for Healthcare Systems
- COVID-19 and Coding Applications

## More COVID-19 Resources for Wisconsin Hospitals



There is a valuable new addition to the COVID-19 [Hospital Resource Document](#) – the **COVID-19 Elective Surgery Recovery Calculator** from corporate member Kahler Slater. This tool provides a high-level overview of the number of elective surgery cases your facility can accommodate with available bed and OR capacity, as well as calculate the amount of time it will take to recover from a backlog. Utilization of this tool can help your hospital best prepare for the remainder of 2020 and beyond.

Click [here](#) to find this and more resources for Wisconsin hospitals.

### A New Address and Executive Director



Warren Von Ehren

In 1960, the Wisconsin Hospital Association opened its first dedicated office space in the Washington Building on Main Street in Madison and hired its first full-time staff member, Warren R. Von Ehren, as executive director. WHA had previously operated out of both Madison and Eau Claire, with the official organization address in Eau Claire from at least the 1930s until the Madison office opened in 1960. WHA remained in the Main Street office for five years and then moved to the Tenney Building on the Capitol Square in 1965.



Immediately before coming to WHA, Warren Von Ehren was president at Bellin Hospital in Green Bay. In 1953, Warren reinstated the Bellin School of Nursing, which had closed temporarily. He assumed the position of executive director of WHA in March 1960, to begin a 26-year era.

#### THE EXECUTIVE DIRECTOR REPORTS

Your Executive Director began his duties on a half-time basis during the month of March. In addition to the activities of the annual meeting of the Association in Milwaukee, I attended the Wisconsin Conference of Catholic Hospitals Meeting. The balance of the time was spent in locating an office, getting it set up and recruiting a secretary (Miss Margaret Gruen capably fills this important spot as my "Girl Friday").



WHA's first headquarters, 1960-1965 - the Washington Building, Madison.



1962 Annual Meeting of the Association. Von Ehren with Nels Hanshus, who served as WHA's executive secretary until the end of the 1950s.



WHA's second headquarters, 1965-1971 - the Tenney Building, Madison

CELEBRATING 100 YEARS

***(WHA's PSA Campaign Promotes Safe, Available Hospital Care . . . continued from page 1)***

Building upon that message, WHA released [this video](#) earlier today on its Facebook, Twitter and LinkedIn platforms highlighting hospital and clinic safety and availability. The video has been shared with WHA member public relations/media staff, WHA's Corporate Members and other hospital supporters to further spread the message that hospitals have remained safe and available throughout Wisconsin.

"It's important the public know that the high-quality care they're used to is available for them as we enter a new phase in the COVID-19 story," WHA President and CEO Eric Borgerding said. "We are crafting a wide array of messaging that can be easily shared and partnering with important groups like WACEP helps amplify that Wisconsin's great hospitals and health systems are as safe and effective as they've always been, and that it's important that people don't delay getting the care they need."



WHA will continue to build on this work with additional PSAs to air later this month. Stay tuned to future editions of *The Valued Voice* and WHA's social media accounts for news of upcoming efforts.

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***(WHA PPE Resource Continues to Grow. . . continued from page 1)***

month's Metropolitan Milwaukee Association of Commerce (MMAC) daily briefing on business strategies during the pandemic. There are local Wisconsin-based suppliers, some of whom have transitioned from their regular manufacturing lines to produce PPE equipment of face shields and gowns in this time of need. One company who manufactures and retails identification supplies pivoted to PPE production, while a sportswear company who normally makes letter jackets and letter awards has begun producing Level 1 medical barrier fabric gowns.

"WHA has made PPE supplies for hospitals and health systems a top priority," Borgerding said. "As we all work together to the next phase of the COVID-19 pandemic, it's gratifying to see businesses in Wisconsin and around the nation step up to help in this critical area. We're pleased we can add another potential option for sourcing PPE for our members."

The PPE Supply Resource listing is located in [Resources](#) (must be logged in), behind the Member Login link on the WHA home page. If you need assistance, contact WHA Chief Quality Officer [Beth Dibbert](#).

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