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October 9, 2024

President Joseph R. Biden
The White House
1600 Pennsylvania Avenue, NW
Washington, D.C. 20500

Dear President Biden,

As we remember all too well from the days of the COVID-19 pandemic, the delay of planned non-emergency medical procedures can have serious negative population health consequences; as patients delay care, their conditions may deteriorate and lead to worse health outcomes.

It is for this reason that I ask you on behalf of hospitals and health systems in Wisconsin to immediately, and without delay, declare a shortage of IV solutions and take any other steps necessary to give health care providers maximum flexibility to deal with the impending shortage caused by Hurricane Helene's closure of Baxter's plant in Marion, N.C.

WHA has already heard from Wisconsin hospitals and health systems, whose stock is primarily sourced from this plant, who have already begun postponing elective procedures for patients due to their stock levels being depleted to less than a week's supply on hand. They have made these difficult decisions after Baxter informed them that subsequent allocations will be at about 40% of their normal supply levels. Since then, Baxter has communicated that they expect to be up to 70% allocations by the end of October and possibly normal levels by the end of the year. Yet, the uncertainty in the nation's IV supply is compounded with another IV fluid manufacturing plant in Hurricane Milton's path.

Due to the shortage, these health care facilities are taking necessary conservation strategies as a triage measure to ensure access to IV supplies necessary for emergency life-saving care. Unfortunately, it is not without a cost to the patients impacted by the delays and cancellations of their planned procedures whose conditions may worsen because of these delays.

As we understand it, the Food and Drug Administration's (FDA) declaration of a shortage of sterile IV solutions will permit the use of certain flexibilities not otherwise available to health care providers; to identify international manufacturers capable of producing sterile IV solutions and their appropriate containers; and to extend the shelf-life of all sterile IV and peritoneal dialysis solutions that are beyond or nearing their expiration date. All of these measures will lead to more patients safely obtaining care where, when and how they need it.

There are also strategies your administration can take to make these actions even more impactful. The Department of Defense should make transportation available for emergency supply distribution from

international sources and remove any barriers to the importation of approved sterile IV and peritoneal dialysis solutions from abroad. In addition, the Federal Trade Commission and the Department of Justice should be on alert for and intervene in matters related to price gouging.

While we appreciate the October 9 letter from HHS Secretary Becerra announcing certain actions taken in response to the shortage, we believe more can and should be done. We are asking for your administration to take all available actions to minimize the impact of this shortage on patient care.

Hospitals and health systems and their pharmacy and supply chain specialists are, unfortunately, used to contending with shortages to make sure patients and patient care teams have the supplies they need when they need them. There is much more work to be done in that area to prevent situations like we're in now, but right now urgent action is needed by government and by providers. Hospitals across the nation are already doing all they can to avoid disruptions in access to care, but without urgent national intervention these efforts will be unable to bridge the gap created by the closure of Baxter's plant which manufactures 60% of the nation's supply of IV's. Additionally, the impact of Hurricane Milton currently at a Category 5 storm, and projected to make landfall soon, could make things even worse.

We cannot wait until the situation deteriorates even further to take all available actions that put our health care providers in the best position to serve their patients. Please act without delay to provide any flexibilities that will help health care providers prepare for and meet these challenges and prioritize patient care during this supply chain shortage.

Sincerely,



Eric Borgerding
President & CEO

cc: Wisconsin Congressional Delegation