

Congress of the United States
Washington, DC 20515

June 26, 2020

Orange County Health Care Agency
405 West 5th Street
Santa Ana, CA 92701

Orange County Board of Supervisors
333 West Santa Ana Boulevard
Santa Ana, CA 92701

Dear Orange County officials,

We write today to follow up on our May 12 letter regarding Coronavirus Disease 2019 (COVID-19) testing disparities between Orange County and other counties. Thank you for providing our delegation with both a briefing and written response to our inquiries. However, we remain concerned that our constituents continue to face barriers to testing, particularly in traditionally underserved communities.

We have heard many claims that there is simply not high demand for tests, that there is sufficient capacity to accommodate testing for the California Department of Public Health's Tier 1 populations, or even that anyone who wants one can get one. After hearing otherwise from multiple constituents, we conducted a survey to collect more information. Of those who wanted a test, 62.2 percent had not gotten one because they were denied or did not know how. Many of these individuals are essential workers, seniors, have chronic health conditions, or experienced symptoms.

Fast, accessible, and widespread testing is critical to protecting public health and preventing a resurgence as we continue to reopen. Ensuring accessible testing will not only reassure the public on behalf of businesses seeking to reopen, but will also support the contact tracing needed to control future outbreaks. We urge all parties to acknowledge this gap in testing and work to increase testing utilization and improve communication with the public. We appreciate the County's recent efforts to use funding provided by the federal government through the bipartisan CARES Act to launch a community outreach and advertising initiative to increase awareness of free COVID-19 testing options, but we believe that additional steps are necessary to ensure that all residents can conveniently access no-cost testing in Orange County. Further, we request answers to the following outstanding questions from our previous conversations.

1. The county informed us that it has the capacity to conduct 9,000 tests per day based on a preliminary phone survey of six labs and four hospitals and health systems it conducted in early May. However, when asked why the county is not fully utilizing this capacity, the county has blamed a shortage of supplies and lab capacity, which suggests that the true capacity is lower than 9,000. We need accurate data in order to best leverage our resources. **What is the county's true testing capacity per day, accounting for all limiting factors?**

2. The county has not provided the testing data we requested broken down by lab, stating, "while there are many additional labs in Orange County, there is no requirement to report to the County directly and as such, the County has no way of knowing they exist." When we asked the county why it could not obtain the laboratory names and daily testing volume from CalREDIE, it stated that

this would include labs located outside of the county, and that parsing out labs within the county would not be reflective of true capacity. However, we did not ask to parse out labs within the county - our letter asked what labs were conducting testing for county residents.

- a. **Can you please provide the names of all laboratories (regardless of location) conducting testing for Orange County residents, and how much of the county's average daily testing volume they account for?**
- b. **If parsing out the labs within the county is not reflective of true capacity, how did the county confirm a total capacity of 9,000 tests per day?**

3. The county website states, "people with mild symptoms do not need to be tested for COVID-19" and "providers should only test persons with symptoms compatible with COVID-19 when a diagnostic result will change clinical management or inform public health response." The county has acknowledged that this language was necessary early in the pandemic when testing supplies and PPE were more limited, but is no longer reflective of Public Health's current recommendations. The county has told us multiple times over the last month that its website will be updated to ensure clear, consistent messaging that reflects increased capacity and the need to test high-risk asymptomatic individuals. **Why has the county not updated, or at least removed, this messaging - and when will it do so?**

4. Multiple County officials have told our offices that anyone who wants a test can get one, but we continue to hear from Orange County residents who have sought testing and been denied for not meeting current testing criteria. **Does the county plan to expand testing criteria to ensure it is available for anyone who wants one? If so, what is the anticipated timeline, what barriers remain, and how will the county address them? If not, how is the county ensuring this is clearly and consistently messaged?**

Thank you again for working with us to protect the health of all Orange County residents.

Sincerely,



MIKE LEVIN
Member of Congress



GILBERT R. CISNEROS JR.
Member of Congress



KATIE PORTER
Member of Congress



ALAN LOWENTHAL
Member of Congress



LINDA T. SÁNCHEZ
Member of Congress