May 25, 2021

The Honorable Patty Murray
Chairwoman
Senate Committee on Health, Education, Labor, and Pensions
154 Russell Senate Office Building
Washington, D.C. 20510

The Honorable Richard Burr
Ranking Member
Senate Committee on Health, Education, Labor, and Pensions
217 Russell Senate Office Building
Washington, D.C. 20510

Dear Chairwoman Murray and Ranking Member Burr:

On behalf of The Joint Commission, I would like to offer our strong support for the reintroduction of the Dr. Lorna Breen Health Care Provider Protection Act.

Over the past year, the mental strain experienced by health care staff cannot be understated. Health care staff have faced numerous stressors, including fears of infection, longer shifts, insufficient personal protective equipment, and isolation from family. A health care organization's ability to respond to the stresses and strains of providing adequate patient care during a crisis — such as the COVID-19 pandemic — is reliant on its workers' psychosocial well-being.

To mitigate and respond to the psychological toll of crises such as the COVID-19 pandemic, it is critical that health care staff have access to systems that support individual resilience, including mental health services. However, research has shown that clinicians often do not seek treatment due to stigma or fear about professional consequences, specifically if they are required to disclose their mental health treatment history in response to medical licensing and credentialing questions. The Joint Commission recently issued a statement re-affirming its position on removing barriers to mental health care for clinicians and health care staff that was originally issued in May 2020.[1] The statement reiterated that The Joint Commission does not require health care organizations to ask about a clinician's history of mental conditions or treatment and supports limiting inquiries to conditions that currently impair the clinician's ability to perform their job. Also, The Joint Commission issued a *Quick Safety* on promoting psychosocial well-being of health care staff.[2] The Joint Commission believes efforts to address well-being should be directed to all health care workers. Though most studies on well-being and burnout have focused on nurses and doctors, many other health care staff also need support to access mental health resources.

---

[1] https://www.jointcommission.org/-/media/tjc/documents/federal-relations-and-public-policy/03312021-removing-barriers-to-mental-health-treatment-statement.pdf

[2] https://www.jointcommission.org/resources/news-and-multimedia/newsletters/newsletters/quick-safety/quick-safety-issue-54/quick-safety-issue-54-promoting-psychosocial-well--being-of-health-care-staff-during-crisis/. The Joint Commission's *Quick Safety* alert is a publication that outlines an incident, topic or trend in health care that could compromise patient safety.

The Joint Commission
Washington, DC Office
701 Pennsylvania Ave. NW, Suite 700
Washington, D.C. 20004
202 783 6655

The Joint Commission supports this bill because it will increase awareness to this important issue and help to provide needed resources. By establishing an education and awareness campaign to encourage health care staff to seek mental health services, along with grants to facilitate research on health care staff mental health and burnout, these bipartisan efforts would support essential front-line health care staff as they work to support the nation's patients.

Additionally, we would like to thank you for your efforts to include funding in the American Rescue Plan Act of 2021 towards many programs outlined in the Dr. Lorna Breen Health Care Provider Protection Act. This funding will be critical to support health care organizations and other entities in raising the importance of mental health among their health care staff.

Thank you again for your consideration of the Dr. Lorna Breen Health Care Provider Protection Act. Please feel free to reach out to Tim Jones, Associate Director, Federal Relations at Tjones2@jointcommission.org or by phone at 202-777-1246 if we can provide any additional support for this bill.

Sincerely,

Kathryn E. Spates
Executive Director, Federal Relations

www.jointcommission.org

The Joint Commission
Washington, DC Office
701 Pennsylvania Ave. NW, Suite 700
Washington, D.C. 20004
202 783 6655