



## **Senate Committee on Health, Education, Labor, and Pensions**

*Nominations of Vivek Murthy to serve as Medical Director in the Regular Corps of the Public Health Service and Surgeon General of the Public Health Service, and Rachel Levine to serve as Assistant Secretary of Health and Human Services*

February 25, 2021

10:00 A.M., 216 Hart Senate Office Building

### Purpose

*The purpose of this hearing was for the Senate Committee on Health, Education, Labor, and Pensions (HELP) to consider the nomination of Vivek Murthy to serve as Medical Director in the Regular Corps of the Public Health Service and Surgeon General of the Public Health Service. The Committee also considered Rachel Levine to serve as Assistant Secretary of Health and Human Services.*

### Members Present

Chairman Murray, Ranking Member Burr, Senators Paul, Casey, Collins, Baldwin, Cassidy, Murphy, Murkowski, Kaine, Braun, Hassan, Marshall, Smith, Rosen, Romney, Luján, and Tuberville

### Witnesses

**The Honorable Vivek Hallegere Murthy**, nominee to serve as Medical Director in the Regular Corps of the Public Health Service and Surgeon General of the Public Health Service

**Dr. Rachel Leland Levine**, nominee to serve as Assistant Secretary of Health and Human Services

### Opening Statements

**Chairman Murray (D-WA)** said the U.S. needs trusted public health professionals to inform individuals on vaccine efficacy. The U.S. needs people like Dr. Murthy and Dr. Levine to help navigate the health challenges the country faces. Dr. Murthy has already done the job of the Surgeon General, and has done it well. He is a trusted voice through public health emergencies and has led initiatives that threaten the country's wellbeing. Dr. Levine is a public health expert who has a firsthand understanding on the challenges the states are facing. Dr. Levine advocated for transparent and science-based responses to the pandemic. She is a trusted voice to the people of the state of Pennsylvania. This pandemic will be stopped by public health experts and swift action through bipartisan action.

**Ranking Member Burr (R-NC)** said the committee seeks bipartisan votes on the nominees. Both nominees would be in charge of providing Americans with the best

scientific information available and overseeing the critical pandemic response. He is concerned about the lack of nomination to the position of the Assistant Secretary for Preparedness (ASPR), which supports both the Surgeon General and the Assistant Secretary of Health roles. The administration's lack of an ASPR nomination does not support their claims for a swift emergency action response. Ranking Member Burr said that Pennsylvania had challenges during the state's vaccine distribution and is one of the most dangerous states for COVID, ranking number 46 in the country in managing the spread of the virus. Pennsylvania has had a tragically high mortality rate due to their reliance on the lack of federal resources, which is no excuse for the outcomes in the state. The state's response is falling short and that is a reflection on Dr. Rachel Levine. Ranking Member Burr stated his desire to learn more about Dr. Murthy's ability to separate politics with his healthcare work. The American people deserve a Surgeon General who will separate fact from fiction. He has concerns on the nominees' capabilities to uphold the responsibilities of the roles because strong leadership is important for the country's pandemic response.

### Testimony

**Dr. Vivek Hallegere Murthy** said that he aims to give back to this country that has made his family's progress possible. Citizens are facing long-term health challenges and financial struggles, and prioritizing ending this pandemic is his number one goal. It is important to communicate effectively and efficiently, especially for people of color. Mental illness and opioids are other crises that have emerged from this pandemic. He will work with other officials and community partners, as well as congressional members in both parties, to lead the public health response. If confirmed, he will never forget that the role of the Surgeon General is the role of a doctor serving every single American. He recognizes that solutions must be tailored to every patient and that the most important job of a doctor is to heal.

**Dr. Rachel Levine** said she would be committed each day to improving the nation's public health. She has been invested in the intersection of behavioral and physical health, and has a rich history of practicing medicine. She initiated many programs that offer services to address eating disorders, pediatric psychiatry, and opioids and substance use. In her roles serving the state of Pennsylvania, she focused on opioid stewardship and developed continuing medical education programs. These focuses changed when COVID hit, which changed her goals to concentrate on three priorities: containment, mitigation, and vaccines. She will continue to focus on these issues as Assistant Secretary of Health and Human Services.

### Questions and Answers

**Chairman Murray** said the current administration has a science-led response to the pandemic, resulting in downward trends of diagnosis and death from COVID. She asked Dr. Murthy how he will promote confidence in agencies for the distribution of vaccines. **Dr. Murthy** said that the central role of the Surgeon General is communicating in a science-based way. With changes in the virus, it is very difficult to communicate. He will work with the Centers for Disease Control and Health Prevention (CDC) and the National Institutes of Health (NIH) to stay up to date on

the science and communicating why changes are being made. Public health education starts with listening to the people they serve. **Chairman Murray** asked Dr. Levine how her experiences will allow her to work with states, local and tribal leaders. **Dr. Levine** said she looks forward to working with the administration and that she has a unique perspective on the pandemic by working as a state official. She knows firsthand the importance of collaboration and coordinating response. **Chairman Murray** said people of color have taken a large impact from COVID and that they must build a more equitable health system. They all must share the priority of health equity.

**Ranking Member Burr** asked about Pennsylvania's response to COVID-19. **Dr. Levine** said there were significant challenges because of how novel the virus was. She looks forward to collaborating with local, state and federal officials. **Ranking Member Burr** said that there has been ongoing investigations at the NIH on nondisclosure of research and projects. He asked how she plans to oversee research integrity. **Dr. Levine** said she will work with experts and officials to ensure research standards are of the highest integrity. **Ranking Member Burr** said that vaccine hesitancy is not limited to just to COVID, but other diseases as well. He asked Dr. Murthy how he will be able to effectively communicate to hesitant Americans. **Dr. Murthy** said that he approaches all problems as a doctor and that each person has human value. He listens to people's concerns and brings the best of science to understand what the data portrays. The Surgeon General role also mobilizes other leaders and will incorporate them into the vaccine hesitancy strategy. **Ranking Member Burr** asked how the role of the Surgeon General differs today. **Dr. Murthy** said that role must evolve to accommodate the complexities and nuances of how people get their information now.

**Senator Casey** (D-PA) said that 1 in 5 children before the pandemic suffered from mental health issues, and that number has doubled since the pandemic. Child abuse is on the rise, but without the connections made through in-person school, there are more cases that are going undetected. Focusing on children's health is important now more than ever. He asked if these will be a priority for Dr. Levine. **Dr. Levine** said that yes, she will prioritize this in her role, just as she has in her prior roles. **Senator Casey** asked Dr. Murthy about reducing the burden of preventable illness and his partnerships with other leaders, and how he will address vaccine hesitancy to establish the trust people need to take the vaccine. **Dr. Murthy** said he will seek to understand people by listening to what is driving their concerns. He will also partner with local communities and approach these issues with humility.

**Senator Paul** (R-KY) said that genital mutilation is recognized universally as an infringement on human rights. American culture is now normalizing that minors can be given hormones to physically alter their bodies. **Dr. Levine** said that there is robust research on standards of care for standardized medicine. **Senator Paul** asked if she supports that minors can seek out hormones and puberty blockers. He said he was alarmed that she will not say with certainty that minors should not have the ability to be involved in these decisions. **Dr. Levine** said that transgender medicine is a nuanced field. **Senator Paul** said that the nominee will not answer the question clearly.

**Senator Baldwin** (D-WI) wanted to discuss the issue of health disparities, particularly on the LGBTQ+ community. Senator Baldwin asked Dr. Levine what the federal government should do

to better prioritize the LGBTQ+ community. **Dr. Levine** said that health equity is a critical aspect of the COVID response, and that Pennsylvania is the only state to collect data on sexual orientation and gender identity. She said that as they get more data, they better understand the health disparities and can more effectively develop certain policies to address them. **Senator Baldwin** asked about the substance use and opioid epidemic, particularly on the increase in overdoses from the pandemic. Senator Baldwin asked what they would prioritize in their response to the opioid and substance use epidemic. **Dr. Levine** said that the opioid epidemic has worsened, and Pennsylvania has worked to increase access to medication-assisted treatments (MAT) and naloxone. She will work with agencies to fully address the crisis. **Dr. Murthy** said that he has addressed steps on tackling the issue of addiction, but there is much more to be done to expand access to MAT and naloxone. He also said there must be more investment in prevention. Dr. Murthy said that these programs are underinvested and can help save lives.

**Senator Collins** (R-ME) said the committee and the nominees must recognize the consequences of keeping people out of school. Studies show that low-income children are falling behind academically, and there is a decline in mental health and social development. There is also extraordinarily high stress on parents too. Studies say that children staying 3-feet away, and adults 6-feet away, will be sufficient to keep people safe. Senator Collins asked what Dr. Levine will do to get children back to schools. **Dr. Levine** said they must do everything they can to keep children safe when going back to school. **Senator Collins** also asked about the disclosure of data on testing and deaths in nursing homes and if this data was reported accurately. **Dr. Levine** said that Pennsylvania was always transparent about reporting nursing home data. There is a lag time that may have impacted data reporting.

**Senator Kaine** (D-VA) said that the country's response to COVID-19 is the worst national response in history. He asked how the U.S. has found itself in this position and stated that the country needs a commission to analyze reasons why this happened and what went wrong in the pandemic response. Senator Kaine asked how Dr. Levine will take a role in addressing the severity of the pandemic. **Dr. Levine** said that collaboration and coordination is important to address vaccine rollout and operationalizing the federal guidelines should be a priority.

**Senator Cassidy** (R-LA) asked about susceptibility of contracting and dying from the virus. He asked Dr. Murthy what comorbidities are associated with death from a COVID infection. **Dr. Murthy** said they are still learning about this and how it contributes to inequities. The CDC has said that obesity, cardiac disease, some preexisting lung conditions are conditions that lead to higher risk of morbidity. These are not evenly distributed and are disproportionately impacting the population. **Senator Cassidy** said that they must address these uneven distributions. **Dr. Murthy** said they must look clearly at the data and science. **Senator Cassidy** said that since Dr. Murthy mentioned obesity as a major risk factor for other chronic conditions, and given that obesity is also a comorbidity of COVID, is it safe to conclude that more should be done to address obesity because it is linked to both outcomes. **Dr. Levine** said yes, but they must also look at the social determinants of health that heavily influence COVID outcomes.

**Senator Murphy** (D-CT) inquired about vaccine distribution and the design of the system, specifically meeting people where they are in their communities. **Dr. Murthy** said there are many groups who are concerned about vaccines and they must understand their concerns. They

must also address preexisting structures that prevent people from getting access to healthcare in the first place. They must ensure community-based organizations can distribute the vaccine and get to hard-to-reach areas. **Senator Murphy** asked about summer programming for kids and preparing them to learn in school, and inquired about what the focus should be on for children to be emotionally ready for school openings. **Dr. Levine** said that mental health needs are at the forefront and COVID-19 has exacerbated the mental health issues and needs. She will work with agencies and officials to prioritize this issue.

**Senator Marshall** (R-KS) asked about getting 100 million vaccines to people by March. He asked if herd immunity is feasible by April or May. **Dr. Murthy** said that engaging primary care providers and pharmacies will leverage the vaccine distribution. **Dr. Levine** said that they must do everything they can to ramp up vaccine distribution and the Biden Administration has an excellent strategy. They must also take into account health equity issues. **Senator Marshall** asked about advice on the one-shot vaccine and its effectiveness. **Dr. Murthy** said given the way the two-dose models were done, they should also look into research about the one-dose models. **Dr. Levine** agreed and said they must stick to the Moderna and Pfizer two-dose models for now, but also research one-dose models. **Senator Marshall** asked about recommendations on opening schools. **Dr. Murthy** said that there is a growing amount of data supporting children's return to schools. They can further reduce risks by vaccinating teachers.

**Senator Smith** (D-MN) said that addressing discrimination of LGBTQ+ people is extremely important. She asked about the theme of mental health and social isolation, specifically on how it impacts people's health. She asked about Dr. Murthy's recommendations on how to address social isolation. **Dr. Murthy** said that he has heard many stories about social isolation and loneliness. There is evidence that shows that loneliness is associated with premature death. Faith organizations and other community-based organizations can stitch together a more connected society.

**Senator Murkowski** (R-AK) said that issues on mental health and general behavioral health are on the rise with the pandemic. She asked how these are related to substance abuse and other troubling realities. **Dr. Murthy** said that the issue of mental health is impacting rural communities greatly. These communities have disparities in access to providers and telehealth resources. He will work with senators and other officials to close the gaps and to strengthen the workforce of mental health providers. **Senator Murkowski** asked about homelessness as a public health issue, specifically that there is little effort in researching comprehensive strategies to address the issue. She inquired how the department they can raise awareness and address significant health issues. **Dr. Murthy** said that housing as a social determinant is one of the most powerful factors that can improve health outcomes. He will engage with policymakers to improve housing.

**Senator Rosen** (D-NV) said that there has been an increase in youth suicides, with Nevada being the highest in the nation. Rosen asked how the nominees would address these disturbing trends in mental health in youth. **Dr. Levine** said that youth mental health is extremely important and that her experiences as a member of a suicide task force and in academic medicine will allow her to collaborate with others to address this issue. **Senator Rosen** said that seniors are isolating in their homes and that it has been devastating for mental health. She asked about programs that can



improve senior's mental health. **Dr. Murthy** said that social connection is important for health. Organizations have an important role to play, such as delivering food, resources, connections, or check-ins, to help seniors living in isolation. Communities have the power to help seniors.

**Senator Braun** (R-IN) asked Dr. Levine about her approach to COVID in Pennsylvania. **Dr. Levine** said that containing, mitigating, and instilling medical countermeasures are important in addressing COVID. These were challenges, and the state did take a sequential approach to mitigating the virus through closures in the state. They also took this approach to the reopening procedures. **Senator Braun** asked about the vaccine rollout in Pennsylvania. **Dr. Levine** said the state had initial challenges on vaccine rollout, but have also seen successes. **Senator Braun** asked if guns present a public health emergency. **Dr. Murthy** said that gun violence is a concern, but the way that Congress approaches gun violence must be driven by science. He said he will focus mostly on COVID and mental health during his time as Surgeon General.

**Senator Luján** (D-NM) said that addressing the opioid crisis during the pandemic is important. He asked how people can get pain treatment during this time. **Dr. Murthy** said that they have an obligation to utilize research on addressing pain and there are studies showing ways to address it effectively. **Senator Luján** asked about expanding telehealth and monitoring services. **Dr. Levine** said that mental health issues are at the forefront, particularly telehealth services like tele-psychiatry. She highlighted Project Echo to address the opioid crisis and other medical and mental health issues. **Senator Luján** asked about the rural/urban divide, specifically that rural life expectancy is lower than urban populations. He asked about shortages in healthcare services in rural areas. **Dr. Murthy** said there are workforce shortages in rural communities. Virtual care is part of the solution, but they must also expand training to the workforce for rural communities.

**Senator Romney** (R-UT) asked if there are school districts that are open or closed in the state of Pennsylvania. **Dr. Levine** said there is a mix between remote and open. **Senator Romney** asked if there is a difference in COVID spread between the school districts that are open or closed. He said that there is no clear data on differences between schools being open or closed, and that other countries do not report any differences. He said he would want to push school re-openings and doesn't understand that if the data doesn't show differences, why they shouldn't get kids back to schools. Senator Romney also mentioned his concerns about vaping amongst the youth population and inquired how the department can get flavored vaping products off the market. **Dr. Murthy** said that he shares his passion on this subject. There have been steps taken at the state level, but there are a lot of loopholes for kids to still access these products. Online marketing is especially relevant to vaping.

**Senator Hassan** (D-NH) said the opioid crisis has been exacerbated by the pandemic. She asked about the importance of continued federal funding to address the opioid epidemic. **Dr. Levine** said that overdoses are continuing and they have worked on stewardship and expanding access and treatment. These programs require funding to further the initiatives on these programs for sustainable impact. **Senator Hassan** asked how Dr. Murthy will use his role to address the opioid epidemic. **Dr. Murthy** said that he will focus on public education on substance-use stigma, integration with primary care to advance treatment, and focusing on prevention. **Senator Hassan** said that there are continued threats of the variants of the virus. She said given the pandemic fatigue, how the nominees will ensure that Americans adhere to guidelines. **Dr.**

**Murthy** said that the Surgeon General must lead by example. He recognized that the fatigue is real, which makes following the guidelines is all the more important.

**Senator Tuberville** (R-AL) said that the department must find a solution to address the opioid epidemic and its impacts on youth. They must also address the loss of rural clinics and pharmacies. He asked what can be done in rural communities on these issues. **Dr. Murthy** said that they must strengthen the rural health workforce and support the rural health centers themselves. **Senator Tuberville** asked what can be done for youth mental health. **Dr. Levine** said that working on prevention programs, increasing access to treatment, and increasing the mental health workforce is important. She said they need funding for these activities, and **Senator Tuberville** agreed. He asked what the Surgeon General's number one priority is at this time. **Dr. Murthy** said his priority is addressing COVID, that this matter is personal, and that he is looking forward to serving the country again.