June 25, 2020

PHE: Is the End in Sight?

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Original story posted on RACmonitor: June 24, 2020

During a recent Monitor Mondays broadcast, a listener, Rebecca, sent a question asking about the anticipated July 24 expiration of the federal public health emergency (PHE); specifically, she wanted to know about how much to worry about it.

My first reaction was that she was wrong, and that the public health emergency didn’t have an expiration date. I was quite confident that the emergency continued until U.S. Department of Health and Human Services (HHS) Secretary Alex Azar declared it over. In fact, I believed that the emergency had a wind-down period that continued after the Secretary declared it over.

My confidence was misplaced. The reality is that the emergency ends at the earlier date, either when the Secretary decides it’s over, or 90 days after its declaration. (The initial emergency was declared on Jan. 31, but applied retroactively to Jan. 27. It was then extended on April 26, which means it expires on July 24.)

One would think that with cases rapidly increasing, the extension of the PHE would be obvious. Alas, news reports indicate that the administration is considering allowing it to expire (see for example, this article). Given that there seems to be an attempt by some to pretend that the outbreak is over, there is certainly a risk that the emergency will not be extended.

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