

September 23, 2021

Submitted electronically to: <https://comments.USTR.gov>

Ambassador Katherine Tai  
Office of the United States Trade Representative  
600 17<sup>th</sup> St. NW  
Washington, D.C. 20508

**Re: Request for Comments on Certain Products Exclusions Related to COVID-19: China's Acts, Policies, and Practices Related to Technology Transfer, Intellectual Property, and Innovation (86 FR 482810)**

Dear Ambassador Tai:

On behalf of Vizient, Inc., and the health care provider members we serve, I am writing in response to the request for comments<sup>1</sup> (hereinafter "RFC") to urge you to extend the tariff exclusions as published in the Federal Register Notice<sup>2</sup> Annexes (Lists 1, 2, 3, 4A) that are scheduled to expire on September 30, 2021. As U.S. hospitals and health care providers continue to provide vital health care services in response to the COVID-19 pandemic, reinstating tariffs on essential products needed for that response would create uncertainty, add costs and could further disrupt the supply-chain, which is still strained. Vizient encourages you to extend the exclusions for all of the previously excluded health products necessary to respond to the COVID-19 pandemic for at least 6 months, or through the end of the declared COVID-19 Public Health Emergency.

Vizient is the nation's largest health care performance improvement company. Vizient provides solutions and services that improve the delivery of high-value care by aligning cost, quality and market performance for more than 50% of the nation's acute care providers, which includes 95% of the nation's academic medical centers, and more than 20% of ambulatory providers. Vizient provides expertise, analytics, and advisory services, as well as a contract portfolio that represents more than \$100 billion in annual purchasing volume, to improve patient outcomes and lower costs. Headquartered in Irving, Texas, Vizient has offices and members throughout the United States.

Vizient has greatly appreciated the flexibility offered by the Office of the U.S. Trade Representative (USTR) in granting broad exclusions from tariffs for essential medical products throughout the course of the COVID-19 pandemic. However, in many areas of the country, the current surge in COVID-19 cases, driven by the delta variant of the virus, has continued to stretch hospital resources. Providing care for those patients has increased demand for many of the items that are currently receiving exclusions from the Sec. 301 duties as described in the RFC. If those exclusions lapse, hospitals and other health care providers could potentially face increases in patient treatment costs and supply difficulties.

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<sup>1</sup> 86 FR 482810

<sup>2</sup> 85 FR 249

The supply chain for health care products has also been severely impacted during the pandemic. While the stability of the medical supply chain has greatly improved, challenges still exist. Letting existing tariff exclusions lapse could cause additional confusion and instability to the still fragile supply chain.

Vizient recognizes the importance of building a more resilient supply chain through increased transparency, redundancy and diversification and is encouraged by the USTR's RFC on individual exclusions with those considerations in mind. Vizient has been working with suppliers toward that goal and continues to prioritize resilience for our hospital members. Rather than offer a request for an individual exclusion, we encourage the USTR to extend all of the exclusions for essential health care products for an additional six months, or until the end of the declared public health emergency.

Thank you for your consideration. Please do not hesitate to contact me at [shoshana.krilow@vizientinc.com](mailto:shoshana.krilow@vizientinc.com) or (202) 354-2607 if you have any questions or if there is any way we can be of assistance.

Sincerely,

A handwritten signature in black ink, appearing to read "Shoshana Krilow". The signature is fluid and cursive, with a large initial "S" and a long, sweeping underline.

Shoshana Krilow  
Senior Vice President, Public Policy & Government Relations