

DEBBIE DINGELL  
6TH DISTRICT, MICHIGAN

102 CANNON HOUSE OFFICE BUILDING  
WASHINGTON, DC 20515  
(202) 225-4071

HOUSE COMMITTEE ON  
ENERGY AND COMMERCE  
SUBCOMMITTEES ON  
HEALTH  
INNOVATION, DATA, AND COMMERCE  
COMMUNICATIONS AND TECHNOLOGY

HOUSE COMMITTEE ON  
NATURAL RESOURCES  
SUBCOMMITTEES ON  
WATER, WILDLIFE, AND FISHERIES  
ENERGY AND MINERAL RESOURCES

OVERSIGHT AND ACCOUNTABILITY  
SELECT SUBCOMMITTEE ON  
THE CORONAVIRUS PANDEMIC

Congress of the United States  
House of Representatives  
Washington, DC 20515

DISTRICT OFFICE:

2006 HOGBACK ROAD  
SUITE 7  
ANN ARBOR, MI 48105  
(734) 481-1100

WOODHAVEN CITY HALL  
21869 WEST ROAD  
WOODHAVEN, MI 48183  
(313) 278-2938

WEBSITE: DEBBIEDINGELL.HOUSE.GOV

October 4, 2024

The Honorable Xavier Becerra  
U.S. Department of Health and Human Services  
200 Independence Avenue, SW  
Washington, DC 20201

Secretary Becerra,

This letter is regarding the impending medical supply shortage facing our country for intravenous (IV) fluid. After consultation with local hospitals, I have heard serious concerns that a shortage of this product will significantly impact their ability to treat patients. I urge the administration to assist where needed to ensure all providers have access to necessary medical supplies.

I am thankful for the coordination of the Department of Health and Human Services (HHS) with the Administration for Strategic Preparedness & Response (ASPR), and the Food and Drug Administration (FDA) in the wake of Hurricane Helene. This includes the work of ASPR in deploying approximately 200 personnel to North Carolina, including health care situational assessment teams, who are assessing the storm's impacts on hospitals, nursing homes, dialysis centers and other health care facilities.<sup>1</sup> Baxter's International's North Cove manufacturing site, which primarily makes IV and peritoneal dialysis solutions, in Marion, North Carolina, has been one of the hardest hit by Hurricane Helene.<sup>2</sup> The rapid rain and storm surge resulted in water permeating the facility.

Baxter International produces 60% of the national supply of IV solutions, and the hurricane's impact on accessing the site's supply has sounded alarms for a potential shortage. Baxter is actively working with local, state, and federal officials on plans to access the inventory in the facility and begin transfers of salvageable product out of the facility. However, due to their constrained inventory, Baxter has begun implementing allocation limits on certain products to hospitals and other medical facilities based on their historical ordering from March through August of this year.

Hospitals remain very concerned this situation will spiral into a nationwide shortage of critical IV products. I request an answer to the follow questions to better understand this situation and learn what is being done to properly support hospitals and patients:

---

<sup>1</sup> <https://www.aha.org/news/headline/2024-09-30-north-carolina-under-phe-following-hurricane-helene-iv-solutions-plant-closed>

<sup>2</sup> <https://www.axios.com/2024/10/01/hurricane-helene-iv-fluid-shortage-health-supply-chain>

- Baxter has begun implementing allocation limits on their products to ration IV products for the hospitals. What is being done to oversee the allocation process to ensure fairness throughout the country?
- We understand that HHS, FDA, and Baxter are working with manufacturers to ensure their operating at maximum capacity. Do you anticipate that this is enough to maintain the current need of hospitals and other medical facilities?
- In Baxter's North Cove site in Marion, North Carolina, there are tens of thousands of pallets of product waiting to be distributed. Has any of this product been damaged? If so, what are you doing to ensure damaged products are not sent to hospitals and other medical facilities?
- If the Baxter site in North Carolina is unable to help provide the necessary IV solution to hospitals, what will HHS, ASPR, and FDA do to help meet demand?
- Do you expect this situation to result in an official shortage of IV fluids?
- Have you heard from hospitals canceling or postponing surgeries due to a lack of available IV fluids?
- Are you considering invoking the Defense Production Act (DPA) Title I authorities?

I am appreciative of your agency for overseeing and communicating the situation to the appropriate stakeholders and address their needs with these short-term solutions.

In addition to the current measure taken place, I want to look to the future to ensure natural disasters, storms, or emergencies do not constrain the availability of critical IV solutions:

- How can Congress help in assisting the diversification and risk management of this supply chain?
- How can the agency best to diversify this supply chain and what funding is needed to help mitigate risk?
- How can the Center for Industrial Based Management & Supply Chain engage with stakeholders to optimize our IV solution supply chain to withstand severe weather events? If one company's plant is shut down and causes such a shortage, what steps can be taken to alleviate this stressor?

Natural disasters often have effects beyond the horrific destruction and loss of life throughout the southeastern part of our country. This supply chain disruption is a grave reminder of the interconnection of our government and society – maintaining communication and cooperating through these adversities is the best solution to care for our communities.

Thank you for your attention in this matter.

Sincerely,



Debbie Dingell  
Member of Congress