

United States Senate

WASHINGTON, DC 20510

October 7, 2020

Rodney McMullen
Chairman and Chief Executive Officer
The Kroger Co.
1014 Vine Street
Cincinnati, Ohio 45202

Dear Mr. McMullen:

We write to request information on pediatric testing for coronavirus disease 2019 (COVID-19) at your retail testing sites. Easily accessible testing for both adults and children is crucial to containing COVID-19 outbreaks, and the need for pediatric testing has become more urgent as children return to school for in-person learning and child care settings. However, reports indicate that pediatric testing is not widely available at your testing sites.¹ This omission may severely hamper community efforts to contain transmission of the virus and create unnecessary strain and risk for families, educators, and caregivers.

We are alarmed by recent reports that parents are having difficulty obtaining COVID-19 tests for their young children.² Although there is currently no federal database of sites offering COVID-19 tests, the volunteer group Coders Against Covid has been compiling a national directory of testing locations since March 2020.³ Their database includes 20,144 sites that are currently operational, of which 5,712 have published information on their minimum age for diagnostic testing.⁴ Overall, fewer than one in four testing sites (4,745, or almost 24%) offer pediatric testing for at least some children under age 18.⁵ Only 2,097 sites, or about 10% of the total, offer diagnostic testing for children under age 12.⁶ The Coders Against Covid database includes 4,231 retail locations, including pharmacies, supermarkets, and big box retailers.⁷ Only 649 of these sites (about 15%) offer pediatric testing for children under 12.⁸

There is no clinical reason to omit pediatric testing. The Centers for Disease Control and Prevention's (CDC) guidance notes that "[t]esting strategies, including clinical criteria for considering testing and recommended specimen type, are the same for children and adults,"

¹ New York Times, "It's Not Easy to Get a Coronavirus Test for a Child," Sarah Kliff and Margot Sanger-Katz, September 8, 2020, <https://www.nytimes.com/2020/09/08/upshot/children-testing-shortfalls-virus.html>; Coders Against Covid, "Community Based Testing Sites By Age," Updated September 30, 2020, see attached.

² New York Times, "It's Not Easy to Get a Coronavirus Test for a Child," Sarah Kliff and Margot Sanger-Katz, September 8, 2020, <https://www.nytimes.com/2020/09/08/upshot/children-testing-shortfalls-virus.html>.

³ Coders Against Covid, "Who we are," <https://codersagainstcovid.org/about-us>.

⁴ Coders Against Covid, "Community Based Testing Sites By Age," Updated September 30, 2020, see attached.

⁵ *Id.*

⁶ *Id.*

⁷ *Id.*

⁸ *Id.*

excluding newborns,⁹ and the American Academy of Pediatrics (AAP) reiterates that “the decision to test does not differ by the age of the child.”¹⁰ A member of the AAP’s committee on infectious diseases recently told the *New York Times* that, regarding testing children at the same sites as adults, “There is no good reason not to do it in kids.”¹¹

Moreover, there are significant public health benefits to making pediatric testing widely available. In many communities across the country, schools and child care programs have begun to reopen for at least some in-person programs.¹² Four states have mandated that schools return to in-person learning at least part-time, and 39 more are allowing local school districts to decide which school buildings should reopen for in-person learning.¹³ Within days of the start of the school year, some districts were already reporting positive cases among students, requiring thousands of other students to be tested or quarantined.¹⁴ The CDC has begun to document cases of COVID-19 transmission at child care facilities.¹⁵ The AAP recently reported that more than half a million children have been diagnosed with COVID-19, with the numbers increasing 15 percent from August 27 to September 10 – coinciding with the beginning of the school year in many parts of the country.¹⁶

When a child or their family member is diagnosed with COVID-19, the CDC recommends testing for all of their close contacts, defined as anyone who has spent more than 15 minutes within six feet of the patient.¹⁷ For a child that tests positive, close contacts are likely to include parents and siblings, teachers, other school staff, classmates, and other children that share caregivers. Testing all exposed close contacts is necessary to identify and isolate any asymptomatic or pre-symptomatic cases before they spread the virus to others. When a positive case is identified, many schools and child care programs require children to test negative before

⁹ Centers for Disease Control and Prevention, “Information for Pediatric Healthcare Providers,” Last updated August 19, 2020, <https://www.cdc.gov/coronavirus/2019-ncov/hcp/pediatric-hcp.html>.

¹⁰ American Academy of Pediatrics, “COVID-19 Testing Guidance,” Last updated September 30, 2020, <https://services.aap.org/en/pages/2019-novel-coronavirus-covid-19-infections/clinical-guidance/covid-19-testing-guidance/>.

¹¹ New York Times, “It’s Not Easy to Get a Coronavirus Test for a Child,” Sarah Kliff and Margot Sanger-Katz, September 8, 2020, <https://www.nytimes.com/2020/09/08/upshot/children-testing-shortfalls-virus.html>.

¹² WWLP, “Child care centers in Massachusetts reopen with strict new guidelines,” Hector Molina, June 29, 2020, <https://www.wwlp.com/news/local-news/hampden-county/child-care-centers-in-massachusetts-reopen-with-strict-new-guidelines/>.

¹³ Education Week, “Map: Where Are Schools Closed?,” Last updated October 5, 2020 (first published July 28, 2020), <https://www.edweek.org/ew/section/multimedia/map-covid-19-schools-open-closed.html>.

¹⁴ New York Times, “1,193 Quarantined for Covid. Is This a Successful School Reopening?” Richard Fausset, August 12, 2020, <https://www.nytimes.com/2020/08/12/us/georgia-school-coronavirus.html>.

¹⁵ Centers for Disease Control and Prevention, “Transmission Dynamics of COVID-19 Outbreaks Associated with Child Care Facilities – Salt Lake City, Utah, April–July 2020,” Adriana S. Lopez, MHS, et al, ,” September 11, 2020, https://www.cdc.gov/mmwr/volumes/69/wr/mm6937e3.htm?s_cid=mm6937e3_w&utm_source=newsletter&utm_medium=email&utm_campaign=newsletter_axiosvitals&stream=top.

¹⁶ American Academy of Pediatrics and Children’s Hospital Association, “Children and COVID-19: State Data Report,” September 10, 2020, <https://downloads.aap.org/AAP/PDF/AAP%20and%20CHA%20-%20Children%20and%20COVID-19%20State%20Data%20Report%209.10.20%20FINAL.pdf>.

¹⁷ Centers for Disease Control and Prevention, “Testing for COVID-19,” Last updated August 24, 2020, <https://www.cdc.gov/coronavirus/2019-ncov/symptoms-testing/testing.html>.

they can return.¹⁸ Families who are unable to obtain tests for their young children may be unable to access school or child care, and otherwise be unable to respond appropriately to keep their families and communities safe. This is especially problematic for children under 12, who cannot safely be left home alone. This challenge is creating additional burdens for parents who are already struggling with economic stress and family responsibilities during this extended crisis.¹⁹

Like other aspects of the pandemic, limited availability of pediatric testing is likely to have a disproportionate impact on people of color. A recent CDC study found that children who died from COVID-19 were significantly more likely to be Black, Hispanic, or American Indian/Alaskan Native than the population at large.²⁰ Testing may also be harder to obtain for people of color: one analysis found that testing sites located in predominately Black and Hispanic neighborhoods of major cities face higher demand than those in predominantly white areas of those same cities, leading to longer waits.²¹ Although the Trump administration has touted claims that many public-private partnership sites are located in areas of social vulnerability,²² their efforts have not been enough to fully address racial disparities in testing access. Independent analyses have found that ZIP codes with large white populations have had more testing sites throughout the pandemic than ZIP codes with more people of color, and 35 percent of rural Black Americans live in a “highly vulnerable testing desert.”²³ The pandemic has already had a devastating effect on educational inequity for children of color, with Latinx and Black students estimated to have lost nine to ten months of learning from school closures in the spring.²⁴ Students of color cannot afford to miss additional days of learning while their families search for COVID-19 tests.

We are encouraged by reports that testing providers are beginning to make pediatric testing more widely available; for instance, CVS recently announced that it would begin testing

¹⁸ New York Times, “It’s Not Easy to Get a Coronavirus Test for a Child,” Sarah Kliff and Margot Sanger-Katz, September 8, 2020, <https://www.nytimes.com/2020/09/08/upshot/children-testing-shortfalls-virus.html>.

¹⁹ New York Times, “The Pandemic Is a ‘Mental Health Crisis’ for Parents,” Jessica Grose, September 9, 2020, <https://www.nytimes.com/2020/09/09/parenting/mental-health-parents-coronavirus.html>.

²⁰ Centers for Disease Control and Prevention, “SARS-CoV-2-Associated Deaths Among Persons Aged <21 Years – United States, February 12–July 31, 2020,” Danae Bixler, MD, et al, September 15, 2020, https://www.cdc.gov/mmwr/volumes/69/wr/mm6937e4.htm?s_cid=mm6937e4_w.

²¹ ABC News, “White neighborhoods have more access to COVID-19 testing sites: ANALYSIS,” Matthew Vann, Soo Rin Kim, and Laura Bronner, July 22, 2020, <https://abcnews.go.com/Politics/white-neighborhoods-access-covid-19-testing-sites-analysis/story?id=71884719>.

²² White House, “Remarks by President Trump During a Roundtable on Transition to Greatness: Restoring, Rebuilding, and Renewing,” June 12, 2020, <https://www.whitehouse.gov/briefings-statements/remarks-president-trump-roundtable-transition-greatness-restoring-rebuilding-renewing-dallas-tx/>; CVS Health, “CVS Health establishes 1,000 COVID-19 test sites across the country,” press release, May 28, 2020, <https://cvshealth.com/news-and-insights/press-releases/cvs-health-establishes-1000-covid-19-test-sites-across-the-country>.

²³ Axios, “People of color have less access to coronavirus testing,” Caitlin Owens and Andrew Witherspoon, June 23, 2020, https://www.axios.com/minorities-coronavirus-testing-9a6397e4-a7e7-4077-bad2-bbd77fe5d1c2.html?utm_source=newsletter&utm_medium=email&utm_campaign=newsletter_axiosvitals&stream=top.

²⁴ McKinsey, “COVID-19 and student learning in the United States: The hurt could last a lifetime,” Emma Dorn, Bryan Hancock, Jimmy Sarakatsannis, and Ellen Viruleg, June 1, 2020, <https://www.mckinsey.com/industries/public-and-social-sector/our-insights/covid-19-and-student-learning-in-the-united-states-the-hurt-could-last-a-lifetime>.

children ages 12 and older.²⁵ However, these restrictions continue to create barriers for families of young children, who have the greatest need for child care. Public health and equity require that testing be universally accessible for children and adults.

In order to better understand the current state of pediatric testing and your company's plans to expand access to testing for children, we request answers to the following questions by October 21, 2020:

1. What is your company's policy with regard to providing COVID-19 testing for children under the age of 18, excluding newborns?
2. If your company does not provide COVID-19 testing for all children under the age of 18, excluding newborns, please explain why not.
3. How many COVID-19 testing sites does your company currently operate?
 - a. How many of these sites offer pediatric testing to at least some children under age 18?
 - b. How many of these sites offer pediatric testing to all children, excluding newborns?
 - c. How many of these sites offering pediatric testing are located in communities in the highest quartile on the CDC's Social Vulnerability Index?
 - d. Please provide all of the above requested information at the state level.
 - e. Please provide a list of addresses for sites offering pediatric testing and indicate whether those sites offer comprehensive pediatric testing or have age restrictions.
4. How many COVID-19 tests has your company performed to date?
 - a. Please provide the number of tests performed for patients who were under age 5, under age 12, and under age 18.
 - b. Are there any differences in average time between testing and obtaining a result for these different age groups?
 - c. Please provide a demographic breakdown by the race and ethnicity of these patients, for both adult and pediatric patients.
5. Please describe any plans to expand testing for pediatric patients and the expected timeline for implementation.
6. Please describe any plans to expand testing access in communities of color and the expected timeline for implementation.
7. What are the major barriers to providing expanded access to testing for pediatric patients?

Thank you for your consideration of this urgent matter.

Sincerely,

²⁵ CVS Health, "CVS Health makes COVID-19 testing available for children 12 years and older at its more than 2,000 drive-thru test sites," press release, September 10, 2020, <https://cvshealth.com/news-and-insights/press-releases/cvs-health-makes-covid-19-testing-available-for-children-12-years>.

Elizabeth Warren
United States Senator

Tina Smith
United States Senator