

Dawn Sabo

Subject: FW: Bi-State Business Implications Bulletin

From: Georgia Maheras <gmaheras@bistatepca.org>

Sent: Thursday, September 10, 2020 5:14 PM

To: Georgia Maheras <gmaheras@bistatepca.org>

Subject: Bi-State Business Implications Bulletin

Dear CFOs and CEOs,

This email contains financial/business-focused information. As you know, Bi-State has also been sending COVID-19 bulletins to CEOs and Medical Directors for the past couple months (archive of past bulletins can be found [here](#)).

Thank you to all the CFOs and CEOs who have been attending our CFO drop-in meetings. We have not held meetings since July because we have been awaiting additional guidance on Provider Relief Fund reporting (spoiler: this did not come out yet and won't be out until October), but we plan to hold our next meeting on 9/24 from 10a-11a – a calendar invite is forthcoming.

Toplines include: updated FAQs, social security payroll tax deferral, and Uniform Guidance updates.

Today's PSA: As the leaves turn and the air cools, it is a good time to review your websites to ensure they are ADA-compliant and include the required FTCA coverage language.

GENERAL

[Social Security Payroll Tax Deferral](#)

[Student Loan Payments Deferred](#)

[FCC Rural Health Care Program Update](#)

[Updated FAQs: Expanded Family Medical Leave Act](#)

[New HRSA COVID-19 FAQs](#)

[CMS COVID-19 Waivers and Flexibilities](#)

[Cost Implications to Patients of Blended Tests](#)

FEDERAL FUNDING RELATED

[Provider Relief Fund Information](#)

[ICYMI: Uniform Guidance Updated in August](#)

NEW HAMPSHIRE- GENERAL RESOURCES

[NH Absentee Voting](#)

Thanks for all that you do and please let us know if you have any questions or comments,
Georgia

GENERAL:

Social Security Payroll Tax Deferral

Effective 9/1, a new Executive Order will allow for payroll tax deferral of the employee's share of this tax through the end of 2020. We are awaiting updated guidance from the IRS, but in the meantime, [this blog](#) provides a good summary of the issue.

Student Loan Payments Deferred (again)

A recent Executive Order has extended the federally-backed student loan deferral to the end of the calendar year. Loan payments will resume in 2021 and no interest is accruing during the deferral.

FCC Rural Health Care Program Update

Several of you have (are) participated in the FCC's Rural Health Care Program in the past. This program (more info [available here](#)) provides funding for broadband and telecommunications. In the past, this program would implement across the board cuts if they ran short of funds. They have changed that to a prioritization system moving forward, which means some health care organizations will not receive cuts.

Updated FAQs: Expanded Family Medical Leave Act

The DOL has recently updated the FAQs surrounding the Expanded Family Medical Leave Act time that was included in the CARES Act with regard to using this paid leave for school coverage.

The most relevant Q&A is below; the link to the full FAQ is [here](#).

- 98. My child's school is operating on an alternate day (or other hybrid-attendance) basis. The school is open each day, but students alternate between days attending school in person and days participating in remote learning. They are permitted to attend school only on their allotted in-person attendance days. May I take paid leave under the FFCRA in these circumstances?** (added 08/27/2020)

Yes, you are eligible to take paid leave under the FFCRA on days when your child is not permitted to attend school in person and must instead engage in remote learning, as long as you need the leave to actually care for your child during that time and only if no other suitable person is available to do so. For purposes of the FFCRA and its implementing regulations, the school is effectively "closed" to your child on days that he or she cannot attend in person. You may take paid leave under the FFCRA on each of your child's remote-learning days.

- 99. My child's school is giving me a choice between having my child attend in person or participate in a remote learning program for the fall. I signed up for the remote learning alternative because, for example, I worry that my child might contract COVID-19 and bring it home to the family. Since my child will be at home, may I take paid leave under the FFCRA in these circumstances?** (added 08/27/2020)

No, you are not eligible to take paid leave under the FFCRA because your child's school is not "closed" due to COVID-19 related reasons; it is open for your child to attend. FFCRA leave is not available to take care of a child whose school is open for in-person attendance. If your child is home not because his or her school is closed, but because you have chosen for the child to remain home, you are not entitled to FFCRA paid leave. However, if, because of COVID-19, your child is under a quarantine order or has been advised by a health care provider to self-isolate or self-quarantine, you may be eligible to take paid leave to care for him or her. See [FAQ 63](#).

Also, as explained more fully in [FAQ 98](#), if your child's school is operating on an alternate day (or other hybrid-attendance) basis, you may be eligible to take paid leave under the FFCRA on each of your child's remote-learning days because the school is effectively "closed" to your child on those days.

- 100. My child's school is beginning the school year under a remote learning program out of concern for COVID-19, but has announced it will continue to evaluate local circumstances and make a decision about reopening for in-person attendance later in the school year. May I take paid leave under the FFCRA in these circumstances?** (added 08/27/2020)

Yes, you are eligible to take paid leave under the FFCRA while your child's school remains closed. If your child's school reopens, the availability of paid leave under the FFCRA will depend on the particulars of the school's operations. See [FAQ 98](#) and [99](#).

New HRSA COVID-19 FAQs

HRSA has posted a couple of new FAQs, including:

- What are the FTCA requirements governing the administration of vaccines by nurses or others who are called out of retirement?
- If health centers are considering drive-through vaccine clinics in fire stations or similar buildings, how can they ensure this activity is done on behalf of the health center and covered by FTCA? How will health centers add these temporary sites to scope?
- Are health centers required to participate in the COVID-19 Claims Reimbursement to Health Care Providers and Facilities for Testing and Treatment of the Uninsured Program (HRSA COVID-19 Uninsured Program)?

You can find answers to these questions and all of HRSA's FAQs [here](#).

CMS COVID-19 Waivers and Flexibilities

Katherine McDowell, the CMS Regional Administrator in Boston recently sent out a note thanking all CMS providers for their hard work. She shared information about the numerous waivers and flexibilities CMS has implemented to address provider needs relative to COVID-19. She noted that in late August, CMS announced a new round of sweeping regulatory changes that affect numerous provider types. In the emergency regulations, CMS revised its previous policy that covered repeated COVID-19 testing for Medicare beneficiaries without practitioner orders during the PHE. The revised policy specifies that each beneficiary may receive one COVID-19 test without the order of a physician or other health practitioner, but Medicare will require such an order for all further COVID-19 tests. This change helps ensure that beneficiaries receive appropriate medical attention if they need multiple tests. It is also designed to stop fraudsters from performing or billing for unnecessary tests. To view the new rule, visit <https://www.cms.gov/files/document/covid-ifc-3-8-25-20.pdf>.

You can find links to the all of the CMS COVID-19 waivers and flexibilities [here](#). Katherine McDowell concluded her note with thanks and by reminding providers that the CMS Boston Team stands ready to support you hear any thoughts on how CMS could better support you.

Cost Implications to Patients of Blended Tests

Please remember to make patients aware of the cost implications of any COVID-19 related testing. Many patients expect no cost, so if a visit / test will result in a cost share it is important that they know this ahead of time. This becomes particularly important as we re-enter flu season and more combined tests are ordered. Details on COVID-19 testing coverage can be found online: , [DVHA Policy for Medicaid](#), [Medicare FAQs on COVID-19 Coverage](#), [Coverage for COVID-19 Testing for Uninsured Patients](#).

FEDERAL FUNDING RELATED:

Provider Relief Fund Information

HHS has indicated that reporting guidance will be released in October. Currently, the reporting system will open on 10/1/2020, with reports for CY2020 due by 2/15/2021. If recipients fully spend down funds in CY2020, they will need to complete only one report. Recipients with funds unexpended by 12/31/2020 will need to complete a second and final report no later than 7/31/2021.

ICYMI: Uniform Guidance Updated in August

The Office of Management and Budget updated [Uniform Guidance](#) effective 11/12/2020 (two days after Georgia's birthday). Two provisions are effective 8/13/2020: sections 200.216 and 200.340.

NEW HAMPSHIRE- GENERAL RESOURCES:

NH Absentee Voting

InDepthNH.org has put together a quick [tutorial](#) for how to request an absentee ballot, noting that the process is very easy.

MEETING NOTES:

There have been no CFO meetings since the last business bulletin.

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