

TODAY IN WASHINGTON - MARCH 25, 2020: COVID-19 UPDATES

WEDNESDAY, MARCH 25 RECAP

Note – We believe this is the most up-to-date information available at this time, but it is subject to change as circumstances warrant. Also, all finalized resources can be found on the [COVID-19 Resource Center page of Hall Render's website](#).

CONGRESSIONAL OUTLOOK

- Early this morning, the Senate finally reached a tentative agreement on a \$2 trillion “phase three” stimulus package designed to address the financial fallout from the coronavirus. However, a scheduled 1 PM procedural vote to end debate and move to final passage was postponed after a small group of senators objected to a “drafting error” related to unemployment insurance benefits and hundreds of millions of dollars in spending unrelated to the epidemic. While no official version of the bill had been filed and several drafts were still in circulation at the time of this writing, the Senate leadership still anticipated passing the bill tonight and sending it to the House where it is expected to be approved by a voice vote before the end of the week.
- Since a final version of the bill hasn’t been filed, the nuances of the text are still unknown. However, numerous summaries have been released.
- The \$100 billion in appropriations funding will go to “eligible health care providers for health care-related expenses or lost revenues that are directly attributable to the coronavirus.” The term “eligible health care providers” has thus far been defined to mean “public entities, Medicare or Medicaid enrolled suppliers and providers and such for-profit entities and not-for-profit entities.” **While the money will be placed into the Public Health and Social Services Emergency Fund that is managed by the Office of the Assistant Secretary for Preparedness and Response within HHS, the legislation does not specify the process by which hospitals and other eligible providers can apply for or access the funds.** Secretary Azar has indicated that HHS is working on such a process, but when it will be operational is still unknown. Hall Render has an internal working group focused on how providers will be able to get these funds and will make more information known as it becomes available.

SECRETARY AZAR ISSUES RECOMMENDATIONS FOR MAXIMIZING THE COVID-19 HEALTH CARE WORKFORCE

- On March 24, HHS Secretary Alex Azar issued a letter to all governors to “extend the capacity of the health care workforce to address the pandemic.”
- Recommendations include: provider licensure exceptions; telemedicine modality and practice standard waivers; waivers of scope of practice requirements; rapid (re)certification/(re)licensure; alleviate medical malpractice liability for in-state health professionals; utilize medical students when appropriate; and signature-less pharmaceutical deliveries.

OIG RELEASES TELEHEALTH FAQ

- [OIG Released Frequently Asked Questions](#) on waiving telehealth cost-sharing during the COVID-19 outbreak.

DEPARTMENT OF LABOR OPENS NATIONAL ONLINE DIALOGUE

- The DOL [issued a press release](#) stating they are hosting a national online dialogue to order to help employers and workers understand their responsibilities and rights, respectively, under the Families First Coronavirus Response Act (“FFCRA”).
- Additionally, the DOL issued the first round of published guidance ([fact sheet for employers](#), [fact sheet for employees](#) and [Question and Answers](#)) on the protections and relief offered by the FFCRA when it takes effect on April 1, 2020.

FROM THE FDA

- The FDA [issued an alert](#) on investigational COVID-19 convalescent plasma for health care providers.
- The FDA [issued a consumer update](#) regarding fraudulent coronavirus tests, vaccines and treatments.

CMS GRANTS ADDITIONAL SECTION 1135 WAIVERS

- CMS [states](#) that it has granted Section 1135 Medicaid waivers to an additional seven states. States approved today include Iowa,

Indiana, Rhode Island, Kansas, Kentucky, Oregon and Missouri.

JOINT COMMISSION ISSUES COVID-19 FAQs

- The Joint Commission issued Frequently Asked Questions regarding Personal Protective Equipment – [FAQ on Mask Considerations and FAQ on Conserving Facemasks and Respirators During a Critical Shortage](#).
- The Joint Commission also issued an [FAQ on Emergency Management – Duration for Continuing Disaster Privileges](#).

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To access Hall Render's COVID-19 resource page and hotline, click [here](#).