LeadingAge Michigan Safe and Calm COVID-19 Webinar: Q&A - May 15, 2020

What is the potential impact on members of the General Assembly blocking an Extension of the Public Health Emergency?

While the Michigan Legislature did not extend the Governors state of emergency, the Attorney General has issued statements that until the courts state otherwise, the Governor's proclamations will remain in force.

Are there Medicare CPT and ICD-10 codes that can increase a nursing facility's reimbursement for caring for a resident with a COVID-19 diagnosis?

PDPM system is designed to categorize care based on the type of diagnosis. Although there are additional codes for COVID care and many codes for serving affected persons will be based on primary conditions such as bronchitis, these codes must still be categorized into a medical condition group that will affect diagnosis. Reimbursement is more likely affected by the non-therapy ancillary care and services required by the patient.

Are we hearing that there are any requirements coming out for testing all residents and staff?

MDHHS has a testing goal of 100% for staff and residents in residential settings. Since the National Guard completed testing of LTC Facilities in the Upper Peninsula, they will begin testing this week in Oakland, Genesee, and Kent Counties. These counties comprise Phase I of the next tier that includes Wayne, Muskegon, and Washtenaw (Phase II) and Ingham, Detroit City, Wayne, and Macomb (III). The Michigan State Police and National Guard will coordinate with local health officials in each area. Understanding that some testing has been completed, local health officials will be helping to prioritize facilities in each area where testing still needs to be completed. Orders for testing will be completed under each Medical Director's order, and testing is voluntary.

Did I hear correctly that AFCs and HFAs must have a dedicated unit?

EO2020-50/EO2020-84 state that only facilities with dedicated units can provide care to COVID affected residents, and that otherwise these residents must be cared for in regional hubs, alternate care sites, or hospitals. As written, these language impacted AFCs/HFAs as well. However, later guidance stated that regional hubs were reserved for residents from hospitals and nursing homes only. Often, unless acute medical care is needed, there are no other places for affected residents who reside in AFCs/HFAs – the implication being that therefore you should have a dedicated unit.

The week after EO 2020-50 was issued, MDHHS stated that they would not be implementing that portion of the order that identifies use of the hubs for all facilities, and that they would be issuing future guidance on dedicated units – which has not been completed. In this confusion, it is not clear what AFCs/HFAs are required to do if they cannot staff or have the physical structure for COVID care when there is no alternative setting available. We are hoping for clearer guidance at our next meeting with MDHHS.

Wasn't a lot of 2020-50 placed on pause by MDHHS?
During a conference call with MDHHS shortly after the issuance of EO 2020-50, the Department acknowledged that hospitals and alternate care sites would not be available for serving non-acute COVID affected persons, and that regional hubs were not currently available. Additionally, MDHHS Director Robert Gordon issued an emergency order that narrowed the regional hubs to admissions from nursing homes and hospitals and that all long term care facilities must initiate reporting as identified in the EO. The Executive Order was silent on all other provisions included in 2020-50 including the need for facilities with less than 80% occupancy to have a dedicated unit.
Can the hubs direct admit positive residents from HFAs and AFCs?
Per Jay Calewarts' update on Tuesday, AFCs-HFAs could not direct admit to a regional hub – only hospitals and nursing homes could. Can we get clarification on this?
We apologize for the misstatement during the Webinar. At this point, regional hub capacity is rather small, and Robert Gordon's Emergency Order identified that regional hubs will only be available for admissions from nursing homes and hospitals.
Is there a possibility of a repeat IP survey if you have already had one?
We anticipate that there may likely be several rounds of surveys. Facilities can anticipate assessments from the survey/licensing agencies, iPRAT teams, and possibly QIOs
Any update about the Michigan Senate Bill $3.00/hour payment for frontline workers. Is there funding for that coming?
SB 690 has been sent to the House and will have to be signed by the Governor before it can be enacted into law. Since there are huge political issues surrounding the legislature's attempt to define how stimulus funding will be spent, it is not clear that this bill will make it through.
Any update on the QA 'how does our organization estimate lost revenue for submitting to HHS. In particular, which lines of business should be included in that amount?
Page 13 of the updated CARES Act Provider Relief Fund Frequently Asked Questions at file:///C:/Users/Owner/Documents/20200518/provider-relief-fund-general-distribution-faqs.pdf state that providers must use a reasonable method of estimating the review during March and April compared to the same period had COVID not appeared. A budget prepared without taking into account the impact of COVID, the estimated lost revenue could be the different between your budgeted revenue and actual income. It would also be reasonable to compare revenues to the same period last year. Our assumption has been that the TIN related to the disbursement would be the entity included.
I heard on a call with Region 6 yesterday that the State Fire Marshall is not recognizing CMS waiver of temporary walls blocking egress. Not sure if this was SNF or HFA, but there seems to be some tension in Michigan that needs to be resolved.
We will look into this further, but our read of the CMS 1135 Blanket Waiver is for temporary walls between residents, and not for blocking egress. However, we will look into the issue that barriers might be required to effectively structure a dedicated unit.

Webinar Resource Links

Health and Economic Recovery Omnibus Solutions Act
https://docs.house.gov/billsthisweek/20200511/BILLS-116hr6800ih.pdf?mod=article_inline
LeadingAge Housing Summary – HEROES ACT
https://leadingage.org/legislation/housing-highlights-heroes-act-relief-bill
Michigan SB 0899 – Legal Immunity
http://www.legislature.mi.gov/(S(vfiu35vnxcv1uz1y5k4jp1hj))/mileg.aspx?page=BillStatus&objectname=2020-SB-0899
Executive Order 2020-50/2020-84
http://www.legislature.mi.gov/documents/2019-2020/executiveorder/pdf/2020-EO-84.pdf
MDHHS/LEO Health Care Jobs Portal
https://cdn.ymaws.com/www.leadingagemi.org/resource/resmgr/New_COVID_-_5.7.20.pdf
MDHHS Volunteer Staffing Request
https://www.surveymonkey.com/r/DHGBTZL
Batelle Labs N95 Respirator Decontamination
https://www.battelle.org/inb/battelle-ccds-for-covid19-satellite-locations?utm_source=email&utm_medium=respoder&utm_campaign=fy20-covid&utm_content=v1
MDHHS Memo 5/14/2020 supporting CMS/CDC Reporting
https://www.michigan.gov/mdhhs/0,5885,7-339-71547_4860_78446_78448_78458-529242--Y,00.html
QSO 20-29-NH (Reporting)
https://www.cms.gov/files/document/qso-20-29-nh.pdf
CMP Funds for Telecommunications/QSO 20-28-NH
QSO 20-28-NH - **https://www.cms.gov/files/document/qso-20-28-nh.pdf** Coverletter Application Electronic Visit Application Template Electronic Visit Spreadsheet
FCC Telehealth Program
https://www.fcc.gov/covid-19-telehealth-program
EO 2020-13/2020-49/2020-68 – staffing and facility flexibilities
https://www.michigan.gov/whitmer/0,9309,7-387-90499_90705-527716--,00.html
CDC Testing Guidelines for Nursing Homes
www.cdc.gov/coronavirus/2019-ncov/hcp/nursing-homes-testing.html?deliveryName=USCDC_425-DM28023
Updated CMS Blanket Waiver/Flexibilities Summary for Nursing Homes
https://www.cms.gov/files/document/summary-covid-19-emergency-declaration-waivers.pdf
CDC Guidance – Considerations for Memory Care Units in LTCFs
https://www.cdc.gov/coronavirus/2019-ncov/hcp/memory-care.html
CDC Guidance – Responding to COVID in Nursing Homes (Cohorting)
https://www.cdc.gov/coronavirus/2019-ncov/hcp/nursing-homes-responding.html

Additions to Interim Additional Guidance for Infection Prevention and Control for Patients with Suspected or Confirmed COVID in Nursing Homes
https://www.cdc.gov/coronavirus/2019-ncov/hcp/long-term-care.html?deliveryName=USCDC_425-DM28023
CDC Framework for Non COVID 19 Care
https://www.cdc.gov/coronavirus/2019-ncov/hcp/framework-non-COVID-care.html
Applications for the Nursing Home Commission
https://sites.mitre.org/nhcovidcomm/