

MMHPI COVID-19 Regulatory & Reimbursement Newsletter

Letter to Providers #38: State and Federal Updates – December 18, 2020

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With federal and state health care policies changing in response to COVID-19, the Meadows Mental Health Policy Institute (MMHPI) is issuing *COVID-19 Regulatory & Reimbursement Newsletters* to support providers. In these newsletters, we highlight recent changes and extensions to regulatory and reimbursement rules, as well as newly published or updated guidance and answers to frequently asked questions.

These newsletters, along with additional information on mental health resources during a pandemic, are posted here: <https://www.texasstateofmind.org/covid-19/>. If you would like to have additional organizations added to our distribution list or have follow up questions on the content, please email Catie Hilbelink at chilbelink@mmhpi.org.

Texas Updates

Extended Flexibilities

State Emergency Declaration Extended

Date	December 6, 2020
Summary	Gov. Abbott extended the state disaster declaration for an additional 30 days. The declaration now expires January 6, 2021.
Link	https://gov.texas.gov/news/post/governor-abbott-extends-state-disaster-declaration-for-covid-19-in-december-2020

Multiple Medicaid Flexibilities

Date	December 15, 2020
Summary	<p>The following Medicaid and Children’s Health Insurance Program (CHIP) COVID-19 flexibilities have been extended through January 21, 2021, or through January 31, 2021, if the federal public health emergency continues beyond January 21, 2021:</p> <ul style="list-style-type: none"> • Correction to ‘COVID-19 Guidance: targeted case management through remote delivery’ • Waiver extension for durable medical equipment certification and receipt gorm • Claims for telephone (audio-only) behavioral health services • Claims for telephone (audio-only) medical services • Rural Health Clinic reimbursement for telemedicine and telehealth services • School Health and Related Services (SHARS) provided through telemedicine or telehealth • Claims for telehealth service for occupational, physical, and speech therapy • Claims for telephone (audio-only) early childhood intervention specialized skills training • Claims for telephone (audio-only) nutritional counseling services

- [Texas Health Steps checkup guidance extended through July 31, 2020](#)

Effective December 1, 2020, reimbursement for telemedicine (physician delivered) and telehealth (non-physician delivered) services for federally qualified health centers (FQHCs) became benefits of Texas Medicaid. Providers can refer to the articles [Benefits for Telemedicine Services to Change for Texas Medicaid December 1, 2020](#) and [Benefits for Telehealth Services to Change for Texas Medicaid December 1, 2020](#) for additional information about the benefit changes.

Link

<https://www.tmhp.com/news/2020-12-15-multiple-medicaid-covid-19-flexibilities-extended-through-january-21-2021-or>

Healthy Texas Women Plus

Date

December 15, 2020

Summary

Telemedicine and telehealth flexibilities through the Healthy Texas Women Plus program have been extended through January 21, 2021 or through January 31, 2021, if the federal public health emergency continues beyond January 21, 2021.

Telemedicine and telehealth flexibilities apply to the following procedure codes:

Description of Services	Procedure Codes
Psychotherapy	90832, 90834, 90837, 90847, 90853
Peer Specialist Services	H0038
Screening, Brief Intervention, and Referral to Treatment (SBIRT)	99408, H0049
Substance Use Disorder Services	H0001, H0004, H0005

To indicate use of the telemedicine or telehealth modality and that remote delivery occurred, providers should use the 95 modifier when submitting claims. The telemedicine or telehealth services must also meet applicable state statutory and rule scope-of-practice requirements.

Link

<https://www.tmhp.com/news/2020-12-15-flexibilities-extended-claims-telemedicine-and-telehealth-services-htw-plus>

CLASS Telehealth Therapies

Date	December 15, 2020
Summary	<p>The following CLASS professional and specialized therapy services are available by telehealth:</p> <ul style="list-style-type: none"> • Physical therapy • Occupational therapy • Speech and language pathology • Recreational therapy • Music therapy • Behavior support • Dietary services • Cognitive rehabilitation therapy <p>Initially effective March 15, 2020, this flexibility has been extended through January 21, 2021, or through January 31, 2021, if the federal public health emergency continues beyond January 21, 2021.</p>
Link	<p>https://www.tmhp.com/news/2020-12-15-covid-19-update-telehealth-guidance-class-professional-and-specialized-therapies</p>

1915(c) Waivers

Date	December 15, 2020
Summary	<p>The suspension of face-to-face service coordination visits for fee-for-service Medicaid 1915(c) waiver case managers and service coordinators is extended through January 21, 2021, or through January 31, 2021, if the federal public health emergency continues beyond January 21, 2021. This temporary policy applies to:</p> <ul style="list-style-type: none"> • Community Living Assistance and Support Services (CLASS) • Texas Home Living (TxHML) • Deaf-Blind with Multiple Disabilities (DBMD) • Home and Community-based Services (HCS) • General Revenue Service Coordinators • Community First Choice Service Coordinators • Pre-admission Screening and Resident Review Habilitation Coordinators <p>Case managers, service coordinators, and habilitation coordinators are encouraged to complete visits due through December 31, 2020. This can be done by phone, telehealth, or telemedicine.</p>
Link	<p>https://www.tmhp.com/news/2020-12-15-update-covid-19-guidance-ffs-service-coordinators-and-case-managers-december-14</p>

HCS and TxHmL

Date	December 15, 2020
Summary	In response to COVID-19 and to provide access to needed day habilitation services, the Texas Health and Human Services Commission (HHSC) temporarily waived certain requirements in Sections 4320 and 3710 of the Home and Community-based Services (HCS) and the Texas Home Living (TxHmL) billing guidelines. Previously issued on October 21, 2020, HHSC extended this temporary guidance through January 21, 2021, or through January 31, 2021, if the federal public health emergency continues beyond January 21, 2021.
Link	https://www.tmhp.com/news/2020-12-15-updated-home-day-habilitation-information-program-providers-covid-19-il2020-19

ICF Providers

Date	December 14, 2020
Summary	Emergency rules related to COVID-19 mitigation and response in an intermediate care facility (ICF), which were scheduled to expire on December 11, 2020, have been extended. The extension took effect on December 11 and will expire on February 9, 2021. The following rules are extended: Intermediate Care Facilities 26 TAC §551.46 .
Link	https://www.tmhp.com/news/2020-12-14-covid-19-emergency-rules-icf-providers-extended

Provider Enrollment Revalidation Due Dates

Date	December 15, 2020
Summary	HHSC extended provider enrollment revalidation due dates through January 21, 2021. This is an update to the article titled, Provider Enrollment Revalidation Due Dates Extended in Response to COVID-19 Emergency , which was published on April 1, 2020. The article specified revalidation due dates would be extended to prevent provider disenrollment.
Link	https://www.tmhp.com/news/2020-12-15-update-provider-enrollment-revalidation-due-dates-extended-response-covid-19

COVID-19 Vaccine Administration Procedure Codes 0001A and 0002A Are Now Benefits

Date	December 14, 2020	
Summary	<p>Effective December 11, 2020, in accordance with the Food and Drug Administration's (FDA's) issuance of Emergency Use Authorization (EAU) for the Pfizer-BioNTech COVID-19 Vaccine, vaccine administration procedure codes 0001A and 0002A are benefits for Medicaid, Healthy Texas Women (HTW), Family Planning Program, and the Children with Special Health Care Needs Services (CSHCN) Program for individuals who are 16 years of age and older. Vaccine procedure code 91300 is informational only while the vaccine is distributed to providers free of charge.</p> <p>Procedure codes 0001A and 0002A are benefits for the following providers and places of service:</p>	
	Medicaid and HTW Places of Service	Provider Type
	Office	Physician Assistant, Nurse Practitioner, Clinical Nurse Specialist, Physician, Physician Groups, Certified Nurse Midwife, Pharmacist, CCP Provider, Nephrology (Hemodialysis, Renal Dialysis), Pharmacy, Clinic/Group Practice, Licensed Midwife, Registered Nurse, County Indigent Health Care Program
	Outpatient Hospital	Nephrology (Hemodialysis, Renal Dialysis), Hospital Providers, Renal Dialysis Facility
	Home	Physician Assistant, Nurse Practitioner, Clinical Nurse Specialist, Physician, Physician Groups, CCP Provider, Clinic/Group Practice
	Other Locations	Physician Assistant, Nurse Practitioner, Clinical Nurse Specialist, Physician, Physician Groups, CCP Provider, Clinic/Group Practice, County Indigent Health Care Program
	CSHCN Place of Service	Provider Type
	Office	Physician Assistant, Nurse Practitioner, Clinical Nurse Specialist, Physician, Physician Groups, Pharmacist, CCP Provider, Nephrology (Hemodialysis, Renal Dialysis), Pharmacy
	Outpatient Hospital	Nephrology (Hemodialysis, Renal Dialysis), Hospital Providers, Renal Dialysis Facility

Home	Physician Assistant, Nurse Practitioner, Clinical Nurse Specialist, Physician, Physician Groups, CCP Provider
Other Locations	Physician Assistant, Nurse Practitioner, Clinical Nurse Specialist, Physician, Physician Groups, CCP Provider

Link

<https://www.tmhp.com/news/2020-12-14-covid-19-vaccine-administration-procedure-codes-0001a-and-0002a-are-now-benefits>

Vaccine Background and Distribution

Date	December 14, 2020
Summary	<p>There was significant vaccine-related discussion among state officials, Texas hospitals and the Texas Hospital Association as the first round of hospitals geared up to receive vaccine doses. Last week, state health officials presented a COVID-19 update to hospitals related to vaccine distribution, storage, and reporting.</p> <p>Vaccine doses arrived at four Texas hospitals on December 14, 2020 and at an additional 19 Texas hospitals on December 15, 2020. Texas Department of State Health Services (DSHS) issued a news release with the list of hospitals and additional details. These first 23 hospitals were chosen by the state based on their ultra-cold storage capabilities and ability to vaccinate more than 975 health care workers. The remaining 87 Texas hospitals on the week one allocation list will receive vaccine doses by the end of the week.</p>
Link	https://www.dshs.texas.gov/news/releases/2020/20201214.aspx

State of Texas Activates Federal COVID-19 Vaccination Program for Long-Term Care Staff, Residents

Date	December 11, 2020
Summary	<p>Governor Abbott announced that the State of Texas will participate in the Pharmacy Partnership for Long-Term Care Program, a federal program to vaccinate residents and staff of long-term care facilities against COVID-19. The program is free of charge to facilities and sends staff and Pfizer vaccines from partnering Walgreens and CVS locations to these facilities to vaccinate residents and staff who volunteer to participate. Over 1,200 skilled nursing facilities and over 2,000 other long-term care facilities have signed up for this program — totaling more than 225,000 certified beds. The first vaccines included in this program will be provided to pharmacies the week of December 21, 2020, and the program will begin on December 28, 2020.</p>

Long-term care facilities that have not enrolled in the pharmacy program may choose to enroll with DSHS' [Immunization Program](#) to receive vaccines and vaccinate their own staff and residents or partner with a local pharmacy or other vaccine provider.

Link

<https://gov.texas.gov/news/post/state-of-texas-activates-federal-covid-19-vaccination-program-for-long-term-care-staff-residents>

Updated FAQs

Date	December 16, 2020
Summary	HHSC updated COVID-19 frequently asked questions for assisted living facilities and Home & Community Support Services Agencies (HCSSAs).

Probable Cases, Antigen Test Positivity Rate Added to State Dashboard

Date	December 11, 2020
Summary	DSHS updated its COVID-19 dashboard to include additional data and simplified the layout to improve functionality. DSHS added case counts for probable cases statewide and by county. Probable cases are those identified through antigen testing or a combination of symptoms and a known exposure without a more likely diagnosis. Reporting probable cases allows Texans to see a more complete picture of how COVID-19 is affecting Texas since both confirmed and probable cases represent active infections. For that reason, they will be included in the estimates of active and recovered cases.
Link	https://txdshs.maps.arcgis.com/apps/opsdashboard/index.html#/ed483ecd702b4298ab01e8b9cafc8b83

Abilene Added to High Hospitalization List

Date	December 2020
Summary	Most recently, Trauma Service Area (TSA) D (Abilene) was added to the list of TSAs with “high COVID-19 hospitalizations,” defined as seven consecutive days in excess of 15 percent of COVID-19 hospitalized patients over total capacity. Hospitals are evaluating the restrictions, laid out in Governor Abbott’s Executive Order No. GA-31 , and making plans related to postponing certain procedures and how transfers impact their percentages.
Link	https://www.dshs.state.tx.us/GA3031/

Report: Telemedicine, Telehealth, and Home Telemonitoring Services in Texas Medicaid

Date	December 2020
Summary	As required by 77(R) SB 789, HHSC published a report on telemedicine, telehealth, and home telemonitoring services in Texas Medicaid. The COVID-19 pandemic created a sharp increase in the need for and utilization of telemedicine and telehealth services. This report includes a snapshot of that utilization increase, but the trends will be further examined in subsequent reports when more complete data is available.
Link	https://hhs.texas.gov/reports/2020/12/telemedicine-telehealth-home-telemonitoring-services-texas-medicaid-2020

Federal Updates

FAQs for Medicare FFS Billing

Date	December 9, 2020
Summary	The Centers for Medicare & Medicaid Services (CMS) updated COVID-19 FAQs for Medicare fee-for-service telehealth billing.
Link	https://www.cms.gov/files/document/medicare-telehealth-frequently-asked-questions-faqs-31720.pdf

Coverage of Monoclonal Antibody Products

Date	December 9, 2020
Summary	CMS shared updates describing coverage of monoclonal antibody products to treat COVID-19 for Medicare, Medicaid, and CHIP. The infographic also includes information on plans subject to Affordable Care Act (ACA) market reforms.
Links	https://www.cms.gov/files/document/covid-infographic-coverage-monoclonal-antibody-products-treat-covid-19.pdf https://www.cms.gov/files/document/covid-medicare-monoclonal-antibody-infusion-program-instruction.pdf

HHS Increases and Begins Distributing Over \$24 Billion in Phase 3 COVID-19 Provider Relief Funding

Date	December 16, 2020
Summary	<p>The United States Department of Health and Human Services (HHS), through the Health Resources and Services Administration (HRSA), announced it has completed review of Phase 3 applications from the Provider Relief Fund (PRF) program and will distribute \$24.5 billion to over 70,000 providers. Up from the \$20 billion originally planned, the addition of another \$4.5 billion in funding is being used to satisfy close to 90 percent of each applicant’s reported lost revenues and net change in expenses caused by the coronavirus pandemic in the first half of 2020.</p> <p>Payments to Phase 3 applicants will begin December 16, 2020 and continue as application quality reviews and recipient payment set up are completed. A state-by-state breakdown on the first batch of Phase 3 payments can be found here. Texas anticipates receiving 4,137 payments valued at \$884,022,890.</p>
Link	https://www.hhs.gov/about/news/2020/12/16/hhs-increases-begins-distributing-over-24-billion-in-phase-3-covid-19-provider-relief-funding.html

Rooms for Responders & Community Caregivers

Summary	<p>Marriott International is offering first responders, medical providers, and support staff discounted rates at select hotels as a part of their thank you caregivers program. This will provide health care and relief professionals, and those supporting them, a place to stay in close proximity to hospitals as they aid in COVID-19 response efforts. The “Community Caregivers Thank You Rate” will be available through March 31, 2021 at participating hotels.</p>
Link	https://www.iaff.org/wp-content/uploads/Marriott-Community-Caregiver-Rate.pdf