

# Meadows Institute COVID-19 Regulatory & Reimbursement Newsletter

## *Letter to Providers #41: State and Federal Updates – January 22, 2021*

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With federal and state health care policies changing in response to COVID-19, the Meadows Mental Health Policy Institute (Meadows Institute) 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://mmhpi.org/work/covid19/>. 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](mailto:chilbelink@mmhpi.org).

## Texas Updates

### Extended Flexibility: Emergency Hospital Off-Site Facilities

<b>Date</b>	January 19, 2021
<b>Summary</b>	Texas Health and Human Services Commission (HHSC) posted an amended guidance letter (GL), GL 20-1011-A-2, extending emergency rule §500.1, Hospital Off-Site Facilities in Response to COVID-19, in 26 T.A.C. Chapter 500, for an additional 60 days. The emergency rule extension is effective until March 19, 2021 and can be viewed in the Texas Register under docket number 202003866. This amended guidance letter replaces the previous GL 20-1011-A, issued on September 30, 2020.
<b>Link</b>	<a href="https://hhs.texas.gov/sites/default/files/documents/doing-business-with-hhs/provider-portal/facilities-regulation/memos/gl-20-1011.pdf">https://hhs.texas.gov/sites/default/files/documents/doing-business-with-hhs/provider-portal/facilities-regulation/memos/gl-20-1011.pdf</a>

### Behavioral Health Providers: Updated FAQs

<b>Date</b>	January 15, 2021
<b>Summary</b>	<p>HHSC updated COVID-19-related frequently asked questions (FAQs) for behavioral health providers with items, including the following:</p> <ul style="list-style-type: none"><li>• <b>Can you provide more information about the Department of State Health Services (DSHS) COVID-19 prioritization process?</b><ol style="list-style-type: none"><li>A. One of the guiding principles for Texas' COVID-19 vaccine distribution plan has been protecting health care workers who fill a critical role in maintaining our health care infrastructure for all who need it. The Expert Vaccine Allocation Panel has identified the first prioritization phase (Phase 1A) for health care workers. Phase 1A includes hospital-based workers, emergency medical personnel, home health workers, staff working in long-term care facilities, staff in outpatient care settings, public health professionals and emergency response staff involved in COVID-19 testing/vaccination, last responders and school nurses.</li></ol><p>DSHS considers behavioral health providers to be health care workers. Such workers include, but are not limited to, licensed professional counselors, licensed chemical dependency counselors, social workers providing clinical services, psychologists, therapists, qualified mental health professionals, peer support professionals, and staff involved in mobile crisis outreach and/or crisis facilities.</p></li></ul>

DSHS also considers intellectual/developmental disability providers to be health care workers. Such workers include, but are not limited to, case management/care coordination staff, personal care attendants, nurses, qualified intellectual disability professionals and therapists.

As described above, health care workers involved with hospital-based care, emergency response, long-term care facility settings, or outpatient/ambulatory settings should be prioritized in Phase 1A if they work directly with individuals who are positive or at high risk for COVID-19 and their work cannot be done remotely through telehealth or telemedicine.

- **Q. If a person’s employer isn’t directly administering the vaccine, how do people get the vaccine?**

A. Providers are encouraged to work with vaccine providers in their communities to arrange for staff to be vaccinated. Sharing the number of staff that will accept the vaccine may also be helpful. Local vaccine providers include local health departments, hospitals, pharmacies and other entities that have registered with DSHS to be authorized vaccine providers. Additionally, providers may register for consideration to become COVID-19 vaccinators if they meet the eligibility requirements set forth by DSHS. Providers/staff should work with whomever has vaccines. Programs can do it, or staff can present individually to places that offer vaccines with this letter if they must provide in-person services.

**Link**

<https://hhs.texas.gov/sites/default/files/documents/services/health/behavioral-health-services-covid-faq.pdf>

## HHSC Updates the ICF COVID-19 Response Plan and FAQ Document

<b>Date</b>	January 14, 2021
<b>Summary</b>	HHSC Long-term Care Regulation updated the Intermediate Care Facility (ICF) COVID-19 Response Plan and FAQ document. Read the updated <a href="#">ICF COVID-19 Response Plan</a> and the updated <a href="#">ICF FAQs</a> .
<b>Link</b>	<a href="https://www.tmhp.com/news/2021-01-14-hhsc-updates-icf-covid-19-response-plan-and-faq-document">https://www.tmhp.com/news/2021-01-14-hhsc-updates-icf-covid-19-response-plan-and-faq-document</a>

## HCS, CLASS, and DBMD: Interest Lists

<b>Date</b>	January 19, 2021
<b>Summary</b>	<p>HHSC Long-term Services and Supports (LTSS) Policy and Program Department published information letter (IL) <a href="#">2021-04 COVID-19 HCS Interest List Reduction and Promoting Independence Slot Releases</a>. This information letter replaces IL 20-27, COVID-19 home and community-based services (HCS) Interest List Reduction Slots, issued on June 2, 2020. Local Intellectual and Developmental Disability Authorities are now instructed on the requirements of signatures for enrollment documentation. HHSC will continue to track the impact of COVID-19 on the release of HCS slots and issue further guidance as needed.</p> <p>HHSC published <a href="#">IL 2021-03 CLASS and DBMD Interest List Reduction Slot Releases</a>. This information letter replaces IL2020-26, COVID-19 Community Living Assistance and Support Services (CLASS) and Deaf Blind with Multiple Disabilities (DBMD) Interest List Reduction Slots, previously issued on June 2, 2020. CLASS case management agencies (CMAs), direct service agencies (DSAs), and DBMD program providers are now instructed on the requirements of signatures for enrollment documentation.</p>
<b>Links</b>	<p><a href="https://hhs.texas.gov/about-hhs/communications-events/news/2021/01/il-2021-04-covid-19-hcs-interest-list-reduction-promoting-independence-slot-releases-replaces-il">https://hhs.texas.gov/about-hhs/communications-events/news/2021/01/il-2021-04-covid-19-hcs-interest-list-reduction-promoting-independence-slot-releases-replaces-il</a></p> <p><a href="https://www.tmhp.com/news/2021-01-19-il2021-03-covid-19-class-and-dbmd-interest-list-reduction-slot-releases-replaces">https://www.tmhp.com/news/2021-01-19-il2021-03-covid-19-class-and-dbmd-interest-list-reduction-slot-releases-replaces</a></p>

## New COVID-19 Patient Transfer Program

<b>Summary</b>	<p>The Texas Emergency Medical Task Force (EMTF) State Coordination Center has created a new approach to help hospitals transfer COVID-19 patients between facilities. In coordination with DSHS and the Texas Division of Emergency Management (TDEM), EMTF has operationalized <a href="#">Pulsara</a>, a HIPAA-compliant, free smartphone app, to help hospitals initiate patient transfers and balance patient load to help ease capacity pressures during the COVID-19 pandemic. Once local referral patterns have been exhausted, hospitals can enter a patient's information into Pulsara to notify the state that a transfer is needed. More information about the Texas-specific effort is available <a href="#">here</a>, including details about how to sign up.</p>
<b>Link</b>	<p><a href="https://www.pulsara.com/tx-emtf">https://www.pulsara.com/tx-emtf</a></p>

## New COVID-19 Therapeutic Infusion Center in Lubbock

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<b>Date</b>	January 20, 2021
<b>Summary</b>	<p>Governor Abbott announced that TDEM has established a new COVID-19 therapeutic infusion center in Lubbock. The infusion center will begin accepting patients January 21, 2021 and has been provided with Regeneron's monoclonal antibodies and Bamlanivimab to treat outpatient cases of COVID-19 who meet certain criteria and have a referral from a hospital or doctor. The infusion center has been established through a partnership with TDEM, the city of Lubbock, Lubbock County, Covenant Health System, and UMC Health System.</p> <p>Previous infusion centers have been established in El Paso, Laredo, Harlingen, Austin, Fort Worth, Irving, and more to help communities combat COVID-19 and reduce hospitalizations.</p>
<b>Link</b>	<a href="https://gov.texas.gov/news/post/governor-abbott-tdem-establish-covid-19-therapeutic-infusion-center-in-lubbock">https://gov.texas.gov/news/post/governor-abbott-tdem-establish-covid-19-therapeutic-infusion-center-in-lubbock</a>

## One Million Doses Administered

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<b>Date</b>	January 14, 2021
<b>Summary</b>	<p>Gov. Abbott issued a news release touting the state's administration of <a href="#">more than 1 million doses</a> of the COVID-19 vaccine, making Texas the national leader in vaccinations according to <a href="#">CDC data</a>. This milestone comes one month to the day after the first doses arrived at vaccine providers in the state. Also, among the top 20 states for doses distributed, Texas ranks number one for percentage of doses administered. The release touts the efforts and dedication of Texas health care workers.</p>
<b>Link</b>	<a href="https://gov.texas.gov/news/post/texas-first-state-to-administer-1-million-covid-19-vaccines">https://gov.texas.gov/news/post/texas-first-state-to-administer-1-million-covid-19-vaccines</a>

## Vaccine Allocation for Week of January 18

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<b>Date</b>	January 18, 2021
<b>Summary</b>	<p>Texas received 333,650 first doses of COVID-19 vaccine this week. DSHS instructed the Centers for Disease Control and Prevention (CDC) to ship those doses to 260 providers across Texas. This includes 77 hub providers that will focus on large community vaccination efforts and 183 additional providers as Texas vaccinates health care workers, residents of long-term care facilities, people 65 and older, and those with medical conditions that put them at greater risk of hospitalization and death from COVID-19. In addition to the first doses mentioned above, the state is ordering about 500,000 doses intended as the second dose for people first vaccinated a few weeks ago.</p> <p>You can find more information on the COVID-19 vaccine at <a href="https://dshs.texas.gov/coronavirus/immunize/vaccine.aspx">dshs.texas.gov/coronavirus/immunize/vaccine.aspx</a></p>
<b>Link</b>	<a href="https://dshs.texas.gov/news/releases/2021/20210116.aspx">https://dshs.texas.gov/news/releases/2021/20210116.aspx</a>

## Federal Updates

### Updated Federal Reporting Guidance

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<b>Date</b>	January 12, 2021
<b>Summary</b>	<p>The United States Department of Health &amp; Human Services (HHS) issued updated guidance to hospitals on the reporting of COVID-19-related data. Specifically, HHS requests that hospitals report data on COVID-19 vaccine administration to health care personnel and patients once per week. The new data fields were made available in the HHS TeleTracking system along with the associated data upload template. As Texas is one of the states certified to submit COVID-19 data to HHS on behalf of their hospitals, DSHS is currently working to make the necessary updates to EMResources and will communicate further instructions once those data fields are available. While reporting the data fields is optional at this time, HHS has indicated that it may publicly report facility-level data from these fields on the HHS Protect public portal in the future.</p>
<b>Link</b>	<a href="https://www.hhs.gov/sites/default/files/covid-19-faqs-hospitals-hospital-laboratory-acute-care-facility-data-reporting.pdf">https://www.hhs.gov/sites/default/files/covid-19-faqs-hospitals-hospital-laboratory-acute-care-facility-data-reporting.pdf</a>

## HHS Updates Provider Relief Fund Reporting Requirements

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<b>Date</b>	January 15, 2021
<b>Summary</b>	HHS updated Provider Relief Fund reporting requirements, informing recipients who received one or more payments exceeding \$10,000 in the aggregate of the data elements that they will be required to report as part of the post-payment reporting process. This document supersedes the November 2, 2020 <a href="#">Post-Payment Notice of Reporting Requirements</a> .
<b>Link</b>	<a href="https://www.hhs.gov/sites/default/files/provider-post-payment-notice-of-reporting-requirements-january-2021.pdf">https://www.hhs.gov/sites/default/files/provider-post-payment-notice-of-reporting-requirements-january-2021.pdf</a>

## CDC Report: COVID-19 Trends Among Persons Aged 0–24 Years

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<b>Date</b>	January 13, 2021
<b>Summary</b>	CDC found COVID-19 cases in children, adolescents, and young adults have increased since summer 2020, with weekly incidence higher in each successively increasing age group. Trends among children and adolescents aged 0–17 years paralleled those among adults. To enable safer in-person learning, schools and communities should fully implement and strictly adhere to multiple mitigation strategies, especially universal and proper mask wearing, to reduce both school and community COVID-19 incidence.
<b>Link</b>	<a href="https://www.cdc.gov/mmwr/volumes/70/wr/mm7003e1.htm?s_cid=mm7003e1_w">https://www.cdc.gov/mmwr/volumes/70/wr/mm7003e1.htm?s_cid=mm7003e1_w</a>

## Webinar: Impact of COVID-19 on Kids and Families

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<b>Date</b>	January 26, 2021
<b>Summary</b>	The National Center for Disaster Medicine and Public Health will host a webinar to discuss the impact of COVID-19 on kids and families. Join the webinar at 9 a.m. CT on January 26, 2021 to hear from experts working in pediatric emergency medicine, clinical psychology, and behavioral health as they address how families can work together to keep healthy routines, manage emotions/behavior, and build resilience. <a href="#">Register in advance here.</a>
<b>Link</b>	<a href="https://usuhs.zoom.us/meeting/register/tJ0pceuvrj4qGddBK0c1NPlhRVaD0xKXhBJo">https://usuhs.zoom.us/meeting/register/tJ0pceuvrj4qGddBK0c1NPlhRVaD0xKXhBJo</a>