

# Meadows Institute COVID-19 Regulatory & Reimbursement Newsletter

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## *Letter to Providers #46: State and Federal Updates – March 5, 2021*

### Contents

<b>Texas Updates .....</b>	<b>2</b>
Extended Flexibility: FMSAs and CDS Employers .....	2
Abbot Opens Businesses, Lifts Mask Mandate.....	2
Revised Guidance for ICF/IID Providers Regarding Certain LTCR Requirements .....	3
Week 12 Vaccine Allocation (This Week) .....	3
School and Childcare Personnel now Eligible to be Vaccinated.....	3
Vaccine Webinars .....	4
Save Our Seniors Update.....	4
<b>Federal Updates.....</b>	<b>4</b>
CMS Clarifies Test Coverage .....	4
FDA Approves Johnson & Johnson Vaccine.....	5
FDA Authorizes At-Home Test.....	5
Minority Health Videos About Vaccine Safety .....	5
COVID Data Tracker’s “Your Community” Resource .....	6

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: FMSAs and CDS Employers

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<b>Date</b>	March 1, 2021
<b>Summary</b>	The Health and Human Services Commission (HHSC) has published Information Letter 2021-11, <a href="#">COVID-19 Guidance for Financial Management Service Agencies (FMSAs) and Consumer Directed Services (CDS) Employers</a> , replacing IL 2020-08. The revised information letter alerts FMSAs that the suspension of in-person CDS employer orientations is extended through March 31, 2021.
<b>Link</b>	<a href="https://hhs.texas.gov/about-hhs/communications-events/news/2021/03/hhsc-issues-covid-19-guidance-fmsas-cds-employers-il-2021-11">https://hhs.texas.gov/about-hhs/communications-events/news/2021/03/hhsc-issues-covid-19-guidance-fmsas-cds-employers-il-2021-11</a>

### Abbot Opens Businesses, Lifts Mask Mandate

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<b>Date</b>	March 2, 2021
<b>Summary</b>	Governor Abbott held a press conference in Lubbock announcing the issuance of <a href="#">Executive Order (GA-34)</a> , which lifts the state mask mandate in Texas and increases capacity of all businesses and facilities in the state to 100%. This executive order rescinds most of the Governor's earlier executive orders related to COVID-19. Businesses, including hospitals, may still limit capacity or implement additional safety protocols at their own discretion. If COVID-19 hospitalizations in any of the 22 hospital regions in Texas get above 15% of the hospital bed capacity in that region for seven straight days, a county judge in that region may use COVID-19 mitigation strategies. However, county judges may not impose jail time for not following COVID-19 orders nor may any penalties be imposed for failing to wear a face mask. If restrictions are imposed at a county level, those restrictions may not include reducing capacity to less than 50% for any type of entity.
<b>Link</b>	<a href="https://gov.texas.gov/news/post/governor-abbott-lifts-mask-mandate-opens-texas-100-percent">https://gov.texas.gov/news/post/governor-abbott-lifts-mask-mandate-opens-texas-100-percent</a>

## Revised Guidance for ICF/IID Providers Regarding Certain LTCR Requirements

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<b>Date</b>	March 1, 2021
<b>Summary</b>	HHSC updated PL 20-21, <a href="#">Suspension of Certain Long-Term Care Regulation Requirements during COVID-19 Outbreak</a> . The letter has been revised to include information for Intermediate Care Facilities for Individuals with an Intellectual Disability or Related Conditions (ICF/IID) regarding the discharge of residents who are absent from an ICF/IID because of COVID-19.
<b>Link</b>	<a href="https://www.tmhp.com/news/2021-03-01-revised-guidance-icfiid-providers-regarding-suspension-certain-ltcr-requirements">https://www.tmhp.com/news/2021-03-01-revised-guidance-icfiid-providers-regarding-suspension-certain-ltcr-requirements</a>

## Week 12 Vaccine Allocation (This Week)

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<b>Date</b>	February 26, 2021
<b>Summary</b>	The Department of State Health Services (DSHS) issued a news release recapping vaccine administration in Texas. According to the release, Texas providers swiftly resumed vaccination following the winter storms and have now administered more than 5 million doses. More than 3.3 million people have received at least one dose, and almost 1.7 million are fully vaccinated. Progress continues in vaccinating adults 65 years old and older with more than 40 percent having received at least one dose and nearly 1 in 5 fully vaccinated. The official allocation list is posted <a href="#">here</a> .
<b>Link</b>	<a href="https://www.dshs.state.tx.us/news/releases/2021/20210226.aspx">https://www.dshs.state.tx.us/news/releases/2021/20210226.aspx</a>

## School and Childcare Personnel now Eligible to be Vaccinated

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<b>Date</b>	March 3, 2021
<b>Summary</b>	DSHS notified all vaccine providers that they should immediately include school and childcare workers in vaccine administration. DSHS received a letter from the U.S. Department of Health and Human Services directing states to expand eligibility to include people who work in school and childcare operations. The federal directive defined the people eligible as “those who work in pre-primary, primary, and secondary schools, as well as Head Start and Early Head Start programs (including teachers, staff, and bus drivers) and those who work as or for licensed childcare providers, including center-based and family care providers.”

This action does not change the other groups prioritized for vaccination in Texas. Providers are encouraged to continue their efforts to vaccinate older adults since the burden of COVID-19 falls most severely on people age 65 and older.

**Link** <https://dshs.texas.gov/news/releases/2021/20210303.aspx>

## Vaccine Webinars

**Summary** With the rapidly changing vaccine landscape, providers are strongly encouraged to participate in the DSHS vaccine webinars that occur on Tuesdays and Thursdays. Past webinar recordings and resources are available [here](#). If you are not receiving registration emails, please contact DSHS at [covid19vacmgmt@dshs.texas.gov](mailto:covid19vacmgmt@dshs.texas.gov) to be added to the distribution list.

**Link** <https://www.dshs.state.tx.us/immunize/covid19/COVID-19-Vaccine-Provider-Webinars/>

## Save Our Seniors Update

**Date** March 1, 2021

**Summary** Gov. Abbott issued a news release announcing the first week of the Save Our Seniors initiative, with 26 counties participating. The state has allocated up to 8,000 vaccine doses for the first week of the program, which the state will use in partnership with local officials and service organizations to target Texans who are 75 years and older or homebound.

**Link** <https://gov.texas.gov/news/post/governor-abbott-t-dem-launch-first-week-of-save-our-seniors-initiative-in-26-counties>

## Federal Updates

### CMS Clarifies Test Coverage

**Date** February 26, 2021

**Summary** The Centers for Medicare & Medicaid Services (CMS) released guidance clarifying federal requirements for health plans to cover certain items and services related to diagnostic testing for COVID-19 without cost-sharing, prior authorization, or other medical management requirements. The guidance also includes information on federal reimbursement for COVID-19-related services provided to the uninsured.

**Link** | <https://www.cms.gov/newsroom/press-releases/biden-administration-strengthens-requirements-plans-and-issuers-cover-covid-19-diagnostic-testing>

## FDA Approves Johnson & Johnson Vaccine

<b>Date</b>	February 27, 2021
<b>Summary</b>	The Food and Drug Administration (FDA) issued emergency use authorization for the Johnson & Johnson vaccine and posted a <a href="#">fact sheet for providers</a> indicating the vaccine is intended for people aged 18 and older. The fact sheet for patients is available <a href="#">here</a> . FDA also released <a href="#">information</a> indicating that Johnson & Johnson's COVID-19 single-dose vaccine candidate is safe and effective. According to the data, the Johnson & Johnson candidate is 66% effective against overall COVID-19 illness, with an 85% effectiveness at preventing severe illness.
<b>Link</b>	<a href="https://www.fda.gov/news-events/press-announcements/fda-issues-emergency-use-authorization-third-covid-19-vaccine">https://www.fda.gov/news-events/press-announcements/fda-issues-emergency-use-authorization-third-covid-19-vaccine</a>

## FDA Authorizes At-Home Test

<b>Date</b>	March 1, 2021
<b>Summary</b>	FDA issued an emergency use authorization for the Quidel QuickVue At-Home COVID-19 Test, a prescription antigen test that allows individuals to collect and test a sample at home when their health care provider suspects they have COVID-19 within six days of symptom onset.
<b>Link</b>	<a href="https://www.fda.gov/media/146309/download">https://www.fda.gov/media/146309/download</a>

## Minority Health Videos About Vaccine Safety

<b>Date</b>	February 24, 2021
<b>Summary</b>	FDA's Office of Minority Health and Health Equity released two videos on COVID-19 vaccines and the importance of communities of color, who have been disproportionately impacted by COVID-19, getting vaccinated to protect themselves and loved ones from the virus.
<b>Link</b>	<a href="https://www.youtube.com/playlist?list=PLey4Qe-UxcxbdJTzbekD712YosmrV78uE">https://www.youtube.com/playlist?list=PLey4Qe-UxcxbdJTzbekD712YosmrV78uE</a>

## COVID Data Tracker’s “Your Community” Resource

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<b>Date</b>	February 19, 2021
<b>Summary</b>	Understanding how COVID-19 is impacting counties can help an individual take steps to protect his or herself and loved ones. “Your Community” on the Centers for Disease Control and Prevention’s (CDC’s) COVID Data Tracker allows one to explore county level data, including cases, deaths, testing, and hospital admissions.
<b>Link</b>	<a href="https://www.youtube.com/watch?v=4VYv1ohwxVM">https://www.youtube.com/watch?v=4VYv1ohwxVM</a>