

**Meadows Institute COVID-19 Regulatory & Reimbursement Newsletter**

***Letter to Providers #57: State and Federal Updates – May 21, 2021***

**Contents**

**Texas Updates .....2**

- State Budget Conference Committee..... 2
- Governor Abbott Issues Executive Order Prohibiting Government Entities From Mandating Masks..... 2
- Vaccine Updates ..... 3
  - Texas Vaccine Data ..... 3
  - Medicaid Allows Pfizer BioNTech COVID-19 Vaccine for Emergency Use in Adolescents ..... 3
  - Updated Vaccine Materials..... 3
- COVID-19 Testing..... 4
  - Test Kits Available for LTC Providers with Abbott ID NOW Machines..... 4
  - QW Modifier Required for COVID-19 Testing Procedure Code 87636 ..... 4
- 2021 Hurricane Season Emergency Preparedness with COVID-19 ..... 5

**Federal Updates.....6**

- HHS Announces \$3 Billion in American Rescue Plan Funding for SAMHSA Block Grants ..... 6
- \$7 Billion to Hire and Train Public Health Workers in Response to COVID-19..... 6
- CMS Updates ..... 7
  - Data Shows Vulnerable Americans Forgoing Mental Health Care During Pandemic ..... 7
  - Guidance on American Rescue Plan Act ..... 8
  - COVID-19 Vaccination Added to NF Rules ..... 8
- CDC Updated Guidance and Reports..... 9
  - Mask Guidance..... 9
  - Vaccine Coadministration ..... 9
  - Disparities in COVID-19 Vaccination Coverage Between Urban and Rural Counties ..... 10
  - Community-Based Testing for SARS-CoV-2 ..... 10
  - Vaccine Effectiveness of Pfizer-BioNTech and Moderna COVID-19 Vaccines Among Health Care Personnel ..... 10

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 Rachael McLaughlin at [rmclaughlin@mmhpi.org](mailto:rmclaughlin@mmhpi.org).

## Texas Updates

### State Budget Conference Committee

---

<b>Date</b>	May 19, 2021
<b>Summary</b>	The Conference Committee on SB 1, the state budget, met to release and adopt their final decisions. The bill still has to be printed and pass both chambers. SB 1 includes a budget rider requiring the Health and Human Services Commission (HHSC) to provide Medicaid reimbursement for behavioral health services authorized to be delivered via telehealth and telephone (audio only) for the 2022-2023 biennium.
<b>Link</b>	<a href="https://www.lbb.state.tx.us/Decision_Documents.aspx?Session=87&amp;Type=IssueDocketDecisions">https://www.lbb.state.tx.us/Decision_Documents.aspx?Session=87&amp;Type=IssueDocketDecisions</a>

### Governor Abbott Issues Executive Order Prohibiting Government Entities From Mandating Masks

---

<b>Date</b>	May 18, 2021
<b>Summary</b>	Governor Abbott <a href="#">issued an Executive Order</a> prohibiting governmental entities in Texas — including counties, cities, school districts, public health authorities, or government officials — from requiring or mandating mask wearing. Public schools may continue to follow current mask-wearing guidelines through June 4, 2021. State-supported living centers, government-owned or operated hospitals, Texas Department of Criminal Justice facilities, Texas Juvenile Justice Department facilities, and county and municipal jails are exempt from the Executive Order.
<b>Link</b>	<a href="https://gov.texas.gov/news/post/governor-abbott-issues-executive-order-prohibiting-government-entities-from-mandating-masks">https://gov.texas.gov/news/post/governor-abbott-issues-executive-order-prohibiting-government-entities-from-mandating-masks</a>

## Vaccine Updates

### Texas Vaccine Data

---

<b>Date</b>	May 14, 2021
<b>Summary</b>	Governor Abbott announced that Texas providers have administered more than 20 million COVID-19 vaccine doses. More than 50 percent of eligible Texans have been vaccinated with at least one dose. More vaccinations will occur now that adolescents ages 12-15 are eligible to receive vaccines. Additional data regarding Texas vaccinations can be accessed <a href="#">here</a> .
<b>Link</b>	<a href="https://gov.texas.gov/news/post/governor-abbott-announces-20-million-covid-19-vaccine-doses-administered-in-texas">https://gov.texas.gov/news/post/governor-abbott-announces-20-million-covid-19-vaccine-doses-administered-in-texas</a>

### Medicaid Allows Pfizer BioNTech COVID-19 Vaccine for Emergency Use in Adolescents

---

<b>Date</b>	May 10, 2021
<b>Summary</b>	On May 10, 2021, the U.S. Food & Drug Administration (FDA) issued updated age restrictions for the Emergency Use Authorization (EUA) for the Pfizer-BioNTech COVID-19 Vaccine. HHSC modified the vaccine on the Medicaid and Children's Health Insurance Program (CHIP) formularies to be a payable pharmacy benefit for people 12 years of age and older, effective May 10, 2021. HHSC will continue to follow the Medicare rate for vaccine administration.
<b>Link</b>	<a href="https://www.txvendordrug.com/about/news/2021/medicaid-allows-pfizer-biontech-covid-19-vaccine-emergency-use-adolescents">https://www.txvendordrug.com/about/news/2021/medicaid-allows-pfizer-biontech-covid-19-vaccine-emergency-use-adolescents</a>

### Updated Vaccine Materials

---

<b>Date</b>	May 13, 2021
<b>Summary</b>	The Texas Department of State Health Services (DSHS) updated digital graphics and messaging focusing on vaccine education, with an emphasis on adolescent populations, given the recent Pfizer approval. This includes updated social media posts, videos, and other tools in English and Spanish to help encourage vaccine education.
<b>Link</b>	<a href="https://dshs.texas.gov/covidvaccin toolkit/">https://dshs.texas.gov/covidvaccin toolkit/</a>

## COVID-19 Testing

### Test Kits Available for LTC Providers with Abbott ID NOW Machines

<b>Date</b>	May 14, 2021
<b>Summary</b>	<p>COVID-19 test kits for the Abbott ID NOW machine are available. There is no charge for long-term care (LTC) providers that request them. You can <a href="#">contact</a> the LTC regulation regional director for your facility's region if you need COVID-19 test kits for the Abbott ID NOW machine.</p> <p>This initiative is separate from the <a href="#">BinaxNOW initiative described in PL 2020-49</a>. LTC providers in need of BinaxNOW test supplies should continue to follow the BinaxNOW initiative process.</p>
<b>Link</b>	<a href="https://hhs.texas.gov/about-hhs/communications-events/news/2021/05/test-kits-available-ltc-providers-abbott-id-now-machines">https://hhs.texas.gov/about-hhs/communications-events/news/2021/05/test-kits-available-ltc-providers-abbott-id-now-machines</a>

### QW Modifier Required for COVID-19 Testing Procedure Code 87636

<b>Date</b>	May 14, 2021
<b>Summary</b>	<p>Effective for dates of service on or after October 6, 2020, COVID-19 testing procedure code 87636 will require the modifier QW when billed. Affected claims submitted with dates of service on or after October 6, 2020 may be reprocessed. When the claims are reprocessed, providers may receive additional payment, which will be reflected on Remittance and Status Reports.</p> <p>For more information about procedure code 87636, providers can refer to the articles, "<a href="#">COVID-19 Testing Procedure Codes 87636, 87637, and 87811 Are Now Benefits</a>" and "<a href="#">COVID-19 Testing Procedure Codes 87636, 87637, and 87811 Are Now Benefits of the CSHCN Services Program</a>," which were published on the Texas Medicaid and Healthcare Partnership (TMHP) website.</p>
<b>Link</b>	<a href="https://www.tmhp.com/news/2021-05-14-qw-modifier-required-covid-19-testing-procedure-code-87636">https://www.tmhp.com/news/2021-05-14-qw-modifier-required-covid-19-testing-procedure-code-87636</a>

## 2021 Hurricane Season Emergency Preparedness with COVID-19

<b>Date</b>	May 18, 2021
<b>Summary</b>	<p>LTC providers in Texas are reminded to review their emergency preparedness and response plans and make updates if necessary, before the start of the Atlantic hurricane season, which runs from June 1, 2021 through November 30, 2021.</p> <p>Providers should factor in COVID-19 contingencies when reviewing their preparedness plans. For example, as applicable:</p> <ul style="list-style-type: none"><li>• Are your receiving facilities and transportation contracts still viable?</li><li>• If your provider type is allowed to evacuate to a hotel and that is in your plan, are hotels open in your destination?</li><li>• How will you maintain infection control measures during evacuation sheltering-in-place?</li><li>• If you have COVID-19 positive persons in your facility, how will that affect evacuation or sheltering-in-place?</li><li>• How will you ensure PPE is available in addition to food and medicine?</li></ul> <p>Providers affected by an adverse event such as severe weather or expected to temporarily exceed capacity due to a disaster, should contact their HHSC <a href="#">LTC Regulatory regional office</a> or <a href="#">Waiver Survey and Certification</a> (for waiver program providers).</p> <p>Please refer to <a href="#">Provider Letter 2018-19 Emergency Preparedness Reminder</a>, as applicable, and to your program's rules for additional information regarding emergency preparedness.</p>
<b>Link</b>	<a href="https://hhs.texas.gov/about-hhs/communications-events/news/2021/05/2021-hurricane-season-emergency-preparedness-covid-19">https://hhs.texas.gov/about-hhs/communications-events/news/2021/05/2021-hurricane-season-emergency-preparedness-covid-19</a>

## Federal Updates

### HHS Announces \$3 Billion in American Rescue Plan Funding for SAMHSA Block Grants

---

<b>Date</b>	May 18, 2021
<b>Summary</b>	The American Rescue Plan Act provided nearly \$4 billion in direct mental health and substance use disorder funding, including \$1.5 billion for the Substance Abuse and Prevention Treatment Block Grant and \$1.5 billion for the Mental Health Services Block Grant. On May 18, 2021, the Substance Abuse and Mental Health Services Administration (SAMHSA) announced the awarding of \$1.5 billion in Substance Abuse and Prevention Treatment Block Grant funding and \$1.5 billion in Mental Health Services Block Grant funding to states and territories. Texas will receive \$117.1 million in supplemental awards from the <a href="#">Substance Abuse and Prevention Treatment Block Grant</a> and \$128.8 million in supplemental awards from the <a href="#">Mental Health Services Block Grant</a> .
<b>Link</b>	<a href="https://www.hhs.gov/about/news/2021/05/18/hhs-announces-3-billion-in-american-rescue-plan-funding-for-samhsa-block-grants.html">https://www.hhs.gov/about/news/2021/05/18/hhs-announces-3-billion-in-american-rescue-plan-funding-for-samhsa-block-grants.html</a>

### \$7 Billion to Hire and Train Public Health Workers in Response to COVID-19

---

<b>Date</b>	May 13, 2021
<b>Summary</b>	\$7.4 billion from the American Rescue Plan Act is allotted to recruit and hire public health workers to respond to the pandemic and prepare for future public health challenges. The funding will allow the United States to expand its public health workforce, create jobs to support vaccinations, testing, contact tracing, and community outreach, and strengthen public health infrastructure. This includes launching a Public Health AmeriCorps and creating a new grant program to provide under-resourced health departments with the support they need to hire staff.
<b>Link</b>	<a href="https://www.whitehouse.gov/briefing-room/statements-releases/2021/05/13/fact-sheet-biden-harris-administration-to-invest-7-billion-from-american-rescue-plan-to-hire-and-train-public-health-workers-in-response-to-covid-19/">https://www.whitehouse.gov/briefing-room/statements-releases/2021/05/13/fact-sheet-biden-harris-administration-to-invest-7-billion-from-american-rescue-plan-to-hire-and-train-public-health-workers-in-response-to-covid-19/</a>

## CMS Updates

### Data Shows Vulnerable Americans Forgoing Mental Health Care During Pandemic

---

<b>Date</b>	May 14, 2021
<b>Summary</b>	<p>The Centers for Medicare &amp; Medicaid Services (CMS) released <a href="#">data</a> highlighting the continued impact the COVID-19 Public Health Emergency (PHE) is having on CHIP beneficiaries and utilization of health services. The data show that, from March 2020 through October 2020, beneficiaries have foregone millions of primary, preventive, and mental health care visits due to the COVID-19 PHE, compared to the same period in 2019. Although utilization rates for some treatments have rebounded to pre-pandemic levels, mental health services show the slowest rebound.</p> <p>To help close this gap in services, CMS is <a href="#">emphasizing mental health care</a> in its recently launched Connecting Kids to Coverage National Campaign, a national outreach and enrollment initiative funded under the Children's Health Insurance Program Reauthorization Act (CHIPRA) and the Affordable Care Act, which reaches out to families with children and teens eligible for Medicaid and CHIP.</p> <p>More information on CMS' analyses can be found <a href="#">here</a>.</p>
<b>Link</b>	<a href="https://www.cms.gov/newsroom/press-releases/cms-data-shows-vulnerable-americans-forgoing-mental-health-care-during-covid-19-pandemic">https://www.cms.gov/newsroom/press-releases/cms-data-shows-vulnerable-americans-forgoing-mental-health-care-during-covid-19-pandemic</a>

## Guidance on American Rescue Plan Act

<b>Date</b>	May 13, 2021
<b>Summary</b>	<p>CMS <a href="#">issued guidance</a> on how states can receive enhanced funding, provided through the American Rescue Plan Act, to increase access to home and community-based services (HCBS), mental health rehabilitative services, and substance use disorder services for Medicaid beneficiaries. These benefits provide critical services to millions of older adults and people with disabilities as well as adults, children, and youth with serious behavioral health needs allowing them to receive services in their homes and communities instead of nursing homes and other institutions.</p> <p>States may submit a state plan amendment to CMS to receive a 10% increase in federal medical assistance percentage (FMAP) for providing certain Home- and Community-Based Services (HCBS), mental health rehabilitative services, and substance use disorder services as outlined in the guidance. The guidance allows for states to claim the enhanced funding starting on April 1, 2021 through March 31, 2022. The state could receive enhanced funding for recruitment of additional behavioral health providers, implementation of new behavioral health services, increased payment rates to providers, or expanded access to telehealth during the COVID-19 pandemic.</p>
<b>Link</b>	<a href="https://www.cms.gov/newsroom/press-releases/cms-issues-guidance-american-rescue-plan-funding-medicaid-home-and-community-based-services">https://www.cms.gov/newsroom/press-releases/cms-issues-guidance-american-rescue-plan-funding-medicaid-home-and-community-based-services</a>

## COVID-19 Vaccination Added to NF Rules

<b>Date</b>	May 11, 2021
<b>Summary</b>	<p>CMS has issued <a href="#">Quality Safety &amp; Oversight Memo QSO-21-19-NH</a>. The memo announces the addition of COVID-19 vaccination to immunization related requirements. This includes:</p> <ul style="list-style-type: none"><li>• New requirements for educating residents or resident representatives and staff on the benefits and potential side effects with the COVID-19 vaccine.</li><li>• Offering the vaccine.</li></ul> <p>Nursing facilities must also report COVID-19 vaccine and therapeutics treatment information to the Centers for Disease Control and Prevention's (CDC) National Healthcare Safety Network.</p>
<b>Link</b>	<a href="https://hhs.texas.gov/about-hhs/communications-events/news/2021/05/cms-adds-covid-19-vaccination-nf-rules-qso-21-19-nh">https://hhs.texas.gov/about-hhs/communications-events/news/2021/05/cms-adds-covid-19-vaccination-nf-rules-qso-21-19-nh</a>

## CDC Updated Guidance and Reports

### Mask Guidance

---

<b>Date</b>	May 13, 2021
<b>Summary</b>	CDC issued new guidance indicating that fully vaccinated people can now gather with other people without masks indoors and outdoors, even if some in their group are unvaccinated. This marks the first time CDC has said it is safe for vaccinated people to remove masks in any kind of group gathering — big or small, indoors or outdoors, no matter who is present. As a reminder, last month it released guidelines that said fully vaccinated people could walk, run, bike, dine, and gather outdoors without masks with members of their households and other vaccinated family and friends. According to the new guidance, CDC continues to recommend masks be worn where required by federal, state, local, tribal or territorial laws, rules and regulations, including local businesses and workplaces; such places include health care settings, planes or public transit, correctional facilities, and homeless shelters. CDC said health care facilities should continue to refer to CDC's <a href="#">infection prevention and control guidance for recommendations</a> regarding source control and physical distancing in health care settings.
<b>Link</b>	<a href="https://www.cdc.gov/coronavirus/2019-ncov/vaccines/fully-vaccinated-guidance.html">https://www.cdc.gov/coronavirus/2019-ncov/vaccines/fully-vaccinated-guidance.html</a>

### Vaccine Coadministration

---

<b>Date</b>	May 13, 2021
<b>Summary</b>	CDC recently stated that it is acceptable to get the COVID-19 vaccine at the same time as other vaccines; CDC previously recommended people wait 14 days after the COVID-19 vaccine before getting other vaccines. Similarly, the American Academy of Pediatrics released a <a href="#">policy statement</a> indicating it supports “coadministration of routine childhood and adolescent immunizations with COVID-19 vaccines (or vaccination in the days before or after) for children and adolescents who are behind on or due for immunizations and/or at increased risk from vaccine-preventable diseases.” The new recommendation will enable pediatricians to administer COVID-19 vaccines in conjunction with patients’ other scheduled vaccinations that may have been missed due to the pandemic.
<b>Link</b>	<a href="https://www.npr.org/sections/coronavirus-live-updates/2021/05/13/996528695/adolescents-can-get-routine-immunizations-with-their-covid-shots-cdc-advisers-sa">https://www.npr.org/sections/coronavirus-live-updates/2021/05/13/996528695/adolescents-can-get-routine-immunizations-with-their-covid-shots-cdc-advisers-sa</a>

### Disparities in COVID-19 Vaccination Coverage Between Urban and Rural Counties

---

<b>Date</b>	May 18, 2021
<b>Summary</b>	COVID-19 vaccination coverage was lower in rural counties (38.9%) than in urban counties (45.7%); disparities persisted among age groups and by sex. Disparities in COVID-19 vaccination access and coverage between urban and rural communities can hinder progress toward ending the pandemic. Public health practitioners should collaborate with health care providers, pharmacies, employers, faith leaders, and other community partners to identify and address barriers to COVID-19 vaccination in rural areas.
<b>Link</b>	<a href="https://www.cdc.gov/mmwr/volumes/70/wr/mm7020e3.htm?s_cid=mm7020e3_w">https://www.cdc.gov/mmwr/volumes/70/wr/mm7020e3.htm?s_cid=mm7020e3_w</a>

### Community-Based Testing for SARS-CoV-2

---

<b>Date</b>	May 14, 2021
<b>Summary</b>	From May 13, 2020 to November 14, 2020, a total of 253,904 tests were conducted at community-based testing (CBT) sites. Compared with persons in other testing settings, those tested at CBT sites were more likely to be Hispanic and to live in areas that are economically marginalized. The proportion of positive test results was larger at CBT sites. CBT initiatives led by public health departments can reach communities with less access to testing in other settings and disproportionately higher COVID-19 rates.
<b>Link</b>	<a href="https://www.cdc.gov/mmwr/volumes/70/wr/mm7019a4.htm?s_cid=mm7019a4_w">https://www.cdc.gov/mmwr/volumes/70/wr/mm7019a4.htm?s_cid=mm7019a4_w</a>

### Vaccine Effectiveness of Pfizer-BioNTech and Moderna COVID-19 Vaccines Among Health Care Personnel

---

<b>Date</b>	May 14, 2021
<b>Summary</b>	The first U.S. multisite test-negative design vaccine effectiveness study among health care personnel (HCP) found a single dose of Pfizer-BioNTech or Moderna COVID-19 vaccines to be 82 percent effective against symptomatic COVID-19 and 2 doses to be 94 percent effective. The mRNA vaccines are highly effective at preventing symptomatic COVID-19 among U.S. HCP.
<b>Link</b>	<a href="https://www.cdc.gov/mmwr/volumes/70/wr/mm7020e2.htm?s_cid=mm7020e2_w">https://www.cdc.gov/mmwr/volumes/70/wr/mm7020e2.htm?s_cid=mm7020e2_w</a>