



Visit our COVID-19 Page Here

Dear Member:

Department of Labor Guidance on New Leave Benefits Excludes Health Facility Employees

In response to AHCA/NCAL's advocacy to include nursing home, assisted living, and ID/DD staff in their definition of "health care provider," the Department of Labor has published guidance to address exemptions and employer requirements to the expanded Family Medical Leave Act and sick leave benefits included in the recently passed Families First Coronavirus Response Act. Of note, the Department's exemptions [FAQ](#) (see #56) states that the "health care provider" exemption to these new leave requirements applies to "anyone employed at any... nursing facility, retirement facility, nursing home, home health care provider... This includes any permanent or temporary institution, facility, location, or site where medical services are provided that are similar to such institutions." The exemption also applies to employees of contractors with the above institutions who "provide services or to maintain the operation of the facility." Employers with over 500 employees are also exempted. Please review this [FAQ](#) closely. Additionally, the Department of Labor has posted an [Employer Fact Sheet](#) and an [Employer Notice Requirements FAQ](#).

Summary of Maine CDC ALL Provider call today:

Maine COVID-19 by the numbers:

The increase in Maine cases is consistent with other state experience and projections. Maine CDC continues to ask people to stay at home and remain out of the public as much as possible.

- 275 current cases (6 cases in long term care facilities)
- 49 individuals currently hospitalized
- 41 recoveries
- 3 deaths
- 40 healthcare workers currently COVID positive
- 90/176 available ICU beds in Maine
- 250/300 available vents in Maine
- 90 Alternative vent units available

PPE update and new procedure:

Last week Maine received 1st and 2nd National Stockpile delivery. Additionally, Maine anticipate a 3rd delivery tonight. **This may be the last shipment Maine receives.** ME CDC is in the process of reviewing all the requests and evaluating distribution.

According to Bill Jenkins, Emergency Response Director for MEMA, the decision was made to go to web Emergency Operations Center (EOC) with a web interface for handling the PPE disbursement. WEB EOC is managed by the district liaison (not available to general public/healthcare providers to self-enter). The District liaison will enter the request for PPE on behalf of the requestor. If approved, Maine DOT will deliver your requests.

Maine CDC strongly suggests that you reach out to your county district liaison (aka county EMA) to discuss your request for PPE. If you had previously submitted a request, you do not need to resubmit. That is still being filled based on prioritization by MEMA.

Providers can use the same request form that you've been using, but the change is that the district liaison will enter that in on your behalf.

There are 16 EMA district liaisons. Link to your district liaison: <https://www.maine.gov/mema/ema-community/county-local/county-emergency-management-agencies>

Alternative care sites:

Maine has about 250 beds to be pushed out through modular settings and the ME CDC is evaluating on where these might be necessary. This could range from a tent in a parking lot to a solid setting. ME CDC will be reaching out to the major hospital systems to start this discussion.

Changing symptom profiles:

Fever, cough and shortness of breath are still the best indicators. GI tract issues may be a presenting symptom but soon after the person begins to present with fever and cough. This is still evolving but the original screening tools are the best way to access for risk.

Lab results and turnaround time:

HETL has the capacity for around 2,000 tests. Maine CDC continues to increase capacity with new machines and testing kits and has been more permissive with guidelines on HETL lab runs. The priority for HETL quick turnaround labs are:

- Hospitalized patients
- Healthcare workers
- Congregate living settings etc.

Communicating after a confirmed case

With cases now being identified in our long term care facilities, it's important to keep families and staff informed once you have confirmed a case of COVID-19 in your building. To help with communication to all stakeholders, MHCA has updated its web site, <https://www.mehca.org/covid>, under Communications/Media with the following tools:

- [Template Family Letter for Confirmed COVID-19 Case](#)
- [Infection Control Statement and Talking Points for Confirmed COVID-19 Case](#)
- [Crisis Communication Abbreviated Presentation](#)
- [Emergency Preparedness and Media Plan](#)

Medicare Accelerated and Advanced Payments Now Available

CMS recently announced that it is expanding its accelerated and advance payment program for Medicare providers during the public health emergency related to COVID-19. These payments provide emergency funding and address cash flow issues based on historical payments when there is disruption in claims submission and/or claims processing.

To qualify for accelerated or advance payments, the provider or supplier must:

- Have billed Medicare for claims within 180 days immediately prior to the date of signature on the provider's/supplier's request form;
- Not be in bankruptcy;
- Not be under active medical review or program integrity investigation; and
- Not have any outstanding delinquent Medicare overpayments.

Medicare will start accepting and processing the Accelerated and Advance Payment Requests immediately. CMS anticipates that the **payments will be issued within 7 days** of the provider's request. See an [informational fact sheet](#) on the accelerated/advance payment process and how to submit a request.

MHCA adds MDS resource

MHCA has added, "Five Things Your MDS Coordinators Should Know," to its web site, <https://www.mehca.org/covid>, under MHCA Created Resources.

Thank you for all you do to care for your residents and staff.

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