



Visit our COVID-19 Page  
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**Dear Member:**

### **CMS Hosts COVID-19 National Nursing Home Call TONIGHT**

The Centers for Medicare and Medicaid Services (CMS) Administrator Seema Verma and Administration officials are hosting a National Nursing Home COVID-19 Call on Tuesday, September 8 from 6:30 – 7:30 PM Eastern. Speakers will include:

- Seema Verma, Administrator, Centers for Medicare and Medicaid Services (CMS)
- Robert R. Redfield, MD, Director, Centers for Disease Control and Prevention (CDC)
- Admiral Brett P. Giroir, MD, Assistant Secretary for Health, U.S. Department of Health and Human Services (HHS)
- Lee Fleisher, MD, Chief Medical Officer, CMS

Participants can join by dialing **(833) 614-0820 (muted line) using conference ID 6353368**. Conference lines are limited, so participants are encouraged to join via [webcast](#)

### **CMS Posts New County COVID-19 Positive Test Rates**

The Centers for Medicare and Medicaid (CMS) posted today a [new excel file dated 9-8-20](#) that flags positive test rates in counties. Each county highlighted in green, yellow and red should be used to dictate your routine testing frequency of staff that is based on data from August 27 - September 2, 2020. Rates of county positivity are posted here. As of this posting, all Maine counties are "green" and *Maine DLC has indicated that it is using the national positivity rates for now, but that could be subject to change. Please use this new file in place of the prior file in setting your routine testing frequency. As a reminder, Maine testing plans are due to DLC by September 15th and your first round of testing should be in progress or completed by September 30th.*

Please note the following while reviewing the new file:

- Green counties must test staff 1 x per month
- Yellow counties must test 1 x per week
- Red counties must test 2 x per week

If your county increased in color, please change your testing frequency today. If your county decreased in color, you must continue to test at last week's frequency until you have two county reports at a lower color.

CMS has indicated they will post an updated file on the 1st and 3rd Mondays of each month. We recommend you continue to check for updates weekly as this is a new process.

Members should refer to the following resources for more information:

- [AHCA Summary of CMS' Testing Requirements](#)
- [AHCA Guidance on How to Get Started with Testing](#)

### **Deadline Quickly Approaching to Apply for HHS Funding Allocation for Private Pay Assisted Living**

The U.S. Department of Health and Human Services (HHS) has announced that private-pay assisted living/memory care providers will be eligible to apply for CARES Act Provider Relief Funds under the current Phase 2 General Distribution round of funding. Like other providers applying for Phase 2 funding, **eligible assisted living communities will receive 2 percent of their annual revenue from patient care and will have until September 13, 2020 to begin their application.**

Please visit the [Provider Relief Fund Page](#) for more information. AHCA has created a **Tip Sheet on Keys to Successful Application Submissions** to assist homes with their

applications that can be found [here](#).

Even if your facility has previously completed a survey through HHS you STILL NEED TO APPLY to be eligible for this funding disbursement.

Assisted Living Providers MUST apply for this funding by September 13, 2020. There will be NO extensions or options for application beyond this date. If you DO NOT apply through the portal you will not be able to receive this funding. MHCA strongly suggests that you ensure your assisted living home has applied by following the link above and referring to the Tip Sheet created by AHCA.

Eligible Providers include:

- Be an approved assisted living facility.

Additionally, to be eligible to apply, the applicant must meet all of the following requirements:

- Filed a federal income tax return for fiscal years 2017, 2018, 2019; or be exempt from filing a return
- Provided patient care after January 31, 2020 (Note: patient care includes health care, services and support, as provided in a medical setting, at home, or in the community)
- Did not permanently cease providing patient care directly or indirectly
- For individuals, reported on Form 1040 (or other tax form) gross receipts or sales from providing patient care

### **Navigating Resident Outings, Medical Appointments, and Everything in Between**

COVID-19 has been around for months and there still isn't a one-size fits all approach that addresses how to navigate the process of residents going on outings, which may be with their families, to attend medical visits (including outpatient hemodialysis), or all other reasons for leaving the building that residents normally did prior to COVID-19 and will at least some will need to continue during the new COVID-19 era.

The decision on what to do when residents return to the facility is based on their exposure risk during their "outing". According to the Centers for Disease Control and Prevention (CDC), "part of the challenge is being able to determine the level of risk for a particular exposure." The reason for this is due in part to the individual risks that are associated with community prevalence of COVID-19 transmission rates and the infection prevention and control (IPC) practices that are being performed during transport, care delivery, and during other interactions associated with the outings. Since exposure risk varies, a one-size fits all approach is not appropriate.

For steps long term care facilities can take to educate, inform, and guide decisions about outings, [download AHCA's updated resource](#).

### **Suspension of Employee Social Security Payroll Taxes Appears to be Optional**

On August 28, the IRS issued Notice [2020-65](#), allowing employers to suspend withholding and paying to the IRS eligible employees' Social Security payroll taxes, as part of COVID-19 relief.

The payroll tax "holiday," or suspension period, runs from September 1 through December 31, 2020 and applies only to employees whose wages are less than \$4,000 for a biweekly pay period, including salaried workers earning less than \$104,000 per year. Current guidance does not mandate that employers stop withholding Social Security tax during this period. *This appears to be optional for employers and employees to participate.*

Companies that suspend collection of employees' payroll tax would be required to collect additional amounts from workers' paychecks from January 1 through April 30, 2021 to repay the tax obligation. Failure of an employer to withhold and pay such amounts by April 30, 2021 will result in accrual of interest, penalties and additions to tax beginning on May 1, 2021. Employees may not want to defer as they may be concerned about paying the additional amount of taxes in early 2021 due to the deferment.

Additional information can be found on the [Society for Human Resource Management's](#) website and on [ADP's website](#).

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

Nadine L. Grosso  
Vice President and Director of Communications  
[ngrosso@mehca.org](mailto:ngrosso@mehca.org)