



Visit our COVID-19 Page Here

Dear Member:

### **TRI Reconciliation Form Clarified**

Yesterday (7/1/20), nursing homes and PNMI Appendix C facilities received a letter from the DHHS Division of Audit regarding the Temporary Rate Increase (TRI) related to COVID-19 costs. The correspondence included a reconciliation form to be filled out by July 31, 2020. MHCA had previously expressed concern about conducting the reconciliation in the midst of the pandemic and was especially troubled by the apparent intention to use federal funds received by the facility to offset MaineCare payments. For example, we objected to including funds received under the Payroll Protection Program (PPP), as they are still considered loans at this time. Also, we pointed out that CARES Act funding received by facilities may be used to offset lost revenues due to low census, whereas DHHS has stated that state funds cannot be used for this purpose.

MHCA contacted the Division of Audit and the Office of MaineCare Services yesterday morning to raise these issues and asked the Department to reconsider the notice that was sent. They agreed that we raised some valid points and shortly after our discussion, sent out the following message:

*Earlier today you received communication regarding the Temporary Rate Increase reconciliation form required by the Department. The reconciliation form requires that Federal funding received be offset against the COVID-10 expenses. At this time, you do not need to offset the Federal funds against the allowable COVID-19 expenses, however, the Federal funds received do need to be reported. The Federal funds will be revisited during the audit of your 2020 fiscal year end cost report.*

The Department did not choose to alter the reporting form, but clearly stated that *federal funds will not be part of a settlement at this time*. We urge our members to comply with the July 31 deadline and will share additional information and guidance as it becomes available.

### **Claims Processing Guidance for 3-Day Stay and Spell-of-Illness Waivers**

Last week, the Centers for Medicare and Medicaid Services (CMS) updated SNF billing guidance related to Medicare beneficiaries receiving care when a SNF utilizes the COVID-19 public health emergency (PHE) 3-day stay and spell-of-illness waivers. The new guidance was posted in a revised MLN Matters article [SE20011](#) under the heading *Skilled Nursing Facility (SNF) Benefit Period Waiver - Provider Information* (pages 9-13).

This section includes a summary of the waivers, examples of how beneficiaries could qualify for the qualifying hospital stay (QHS) 3-day stay waiver as well as the spell-of-illness benefit period waiver. Most importantly, CMS included detailed guidance for documentation, completing MDS assessments, and entering claims data needed in order to permit processing of claims using the waivers. CMS notes that the MACs will be required to manually process waiver claims but must "make every effort to ensure timely payment" within the 14-day payment floor. Finally, CMS provided guidance related to handling claims previously submitted that need to be addressed to bypass existing edits.

AHCA/NCAL highly recommends that providers review the guidance and share with clinical and billing staff. CMS is expected to post frequently asked questions (FAQs) associated with is updated billing guidance soon. AHCA/NCAL will notify members when the FAQs are posted.

### **Communication Device UPDATE**

Devices are beginning to role in to MHCA and those facilities that have orders ready to go have been emailed. Currently several of the devices requested have pending delivery dates so MHCA wanted to update you as to the anticipated arrival times. We are distributing as fast as they come in, but you can use these ETAs as a best guess on when your devices will be available:

- **iPads** – Supplier estimates that these will be delivered around mid-month; however, since this is such a large order they will be higher on the priority list we hope to get these during the second week of July. We will monitor closely and email facility contacts as soon as they arrive.
- **Surface Go** – These devices shipped on June 30, 2020. We expect their arrive by Wednesday July 8.
- **Headsets** – These devices are backordered due to work from home initiatives. The updated estimated ship date is 7/14.

### **Summary of LTC Call With Maine CDC 07/01/2020**

During the Wednesday LTC call with Rita Owsiak and Carrie Rice of the Maine CDC, they provided insight into the current Maine COVID-19 status stating that we are trending, as a state toward a second wave. According to the data shared on the call, Maine is currently seeing 3294 cases and never dropped back to baseline regarding positive case rates. There was strong guidance that Maine nursing homes and congregate care settings should continue to follow the restrictions such as visitors, communal dining and infection control practices that have existed since early in the emergency. Below are several areas of discussion during this call:

- **14-day isolation of residents who go out for appointments:** According to recent guidance, a resident leaving for a medically essential appointment and returning is not considered a readmission. When a resident is leaving the facility for a medically essential appointment facilities should implement Source Control Measures such as ensure that the resident wear a cloth face covering or facemask (if tolerated) whenever they leave their room, including for procedures outside the facility.
- **Communal Dining:** The CDC recommendations for restricting communal dining remains in effect. AHCA has put out the following considerations for when facilities return to communal dining-resume communal dining only with reasonable limitations, including spacing residents and tables and ensuring staff have proper PPE. MHCA understands that many facilities have opted for shift style meals to allow for social distancing. This practice may remain in place at this time.
- **Beautician/Hairdresser Services:** If you have a staff member already coming into the facility who is a licensed hairstylist, there are no issues with allowing them to provide haircuts. If a staff member who is already coming into the facility is not licensed, it is ok to provide this service with permission and if there is no charge for the service. This is allowed under the Board of Cosmetology's emergency clause.
- **Baseline Testing in Congregate Care Settings:** Currently Maine CDC and DLC have partnered with one facility and have finished the pilot program. They were able to learn several key takeaways and are planning to move forward with several additional facility pilots taking into consideration the information from the initial trial. MHCA does not know who, where or how the facilities were selected to participate.

### **MeMDA Requests Your Input**

The Maine Medical Directors Association (MeMDA) would first like to thank all Maine facilities for their commitment to resident health and safety during this COVID-19 pandemic. MeMDA would like to follow up on a previous survey of facilities and request additional information on testing strategies and common practices to be able to best synthesize the common Maine approaches and ask that your facility infection preventionist or other designated individual complete this short 3 minute survey. We thank you for your attention and time to this request. You can access this survey by clicking the following

link: <https://www.surveymonkey.com/r/Y9QYM79>

**Share your 4th of July Celebrations with MHCA**

While this year's Independence Day celebrations may look different, we know members are creative and planning some fun events. Be sure to tag us in your social media posts and visit our page to see what your peers are up to at [MHCA Facebook Page!](#)

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

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