

MMHPI COVID-19 Regulatory & Reimbursement Newsletter

Letter to Providers #13: State and Federal Updates – June 19, 2020

With federal and state health care policies changing rapidly in response to COVID-19, the Meadows Mental Health Policy Institute (MMHPI) is issuing *COVID-19 Regulatory & Reimbursement Newsletters* to support providers as they navigate this new terrain. In this newsletter, we highlight several recent changes to regulatory and reimbursement rules. We will be distributing these newsletters on a regular basis during the pandemic to provide information on federal, state, and local regulatory and reimbursement changes.

These newsletters, along with additional information on mental health resources during a pandemic, are posted here: <https://www.texasstateofmind.org/covid-19/>. 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.

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Texas Updates

Appendix K to 1915(c) Waiver Approvals

Date	June 8, 2020
Summary	<p>The Texas Health and Human Services Commission (HHSC) received approval from the Centers for Medicare & Medicaid Services (CMS) for Appendix K requests for each 1915(c) waiver on June 8, 2020. Approvals for Appendix K's include, but are not limited to:</p> <ul style="list-style-type: none"> • Extensions for reassessments and reevaluations • Allowing for remote delivery of case management and orientations for financial management services agencies • Waiving home and community-based services (HCS) requirements that individuals are able to have visitors of their choosing at any time • Allowing for virtual evaluation assessments and person-centered service planning meetings • Adjusting prior approval/authorization elements approved in the waiver • Allowances for HCS residence requirements, such as allowing four-person residences to serve up to six people • Allowing certain individuals in HCS living in a three-or four-person residence to temporarily move to an Intermediate Care Facilities for Individuals with an Intellectual Disability or Related Conditions (ICF/IDD) • Allowing youth in the Medically Dependent Children Program (MDCP) aging out of STAR Kids to stay in STAR Kids rather than transitioning to STAR+PLUS during the public health emergency • Allowing suspension of interest list releases in certain situations in HCS, MDCP, Community Living Assistance and Support Services (CLASS) and the Deaf Blind with Multiple Disabilities (DBMD) Program
Links	<p>https://www.medicaid.gov/state-resource-center/downloads/tx-appendix-k-appvl-ltr.pdf</p> <p>https://hhs.texas.gov/sites/default/files/documents/services/health/coronavirus-covid-19/mcs-covid-19-info-handout-june-18-2020.pdf</p>

Guidance for Facilities Who Receive COVID-19 Test Results from Tests Taken More Than 14 Days Ago

Date	June 16, 2020
Summary	<p>HHSC posted the following guidance for facilities that receive COVID-19 test results from tests taken more than 14 days ago. If a positive test is received:</p> <ul style="list-style-type: none"> • Consider the resident as recovered if they meet the Centers for Disease Control and Prevention (CDC) testing or signs/symptoms criteria. <ul style="list-style-type: none"> ○ The resident is considered infectious from two days before symptom onset until the time that they qualify to discontinue isolation (see discontinuation of isolation recommendations for healthcare and non-healthcare settings): https://www.cdc.gov/coronavirus/2019-ncov/hcp/disposition-in-home-patients.html; https://www.cdc.gov/coronavirus/2019-ncov/hcp/disposition-hospitalized-patients.html). • If anyone at the facility had close contact with the resident during their infectious period, then the person must be quarantined for 14 days after their last contact that occurred during the infectious period. • If there are no additional positives through testing or signs and symptoms, return to routine operations. • Consider re-testing based on environment and situation. • If the resident tested negative and has been asymptomatic, then the resident may be treated as without COVID-19.
Link	https://hhs.texas.gov/about-hhs/communications-events/news/2020/06/guidance-facilities-who-receive-covid-19-test-results-tests-taken-more-14-days-ago

Updates for Healthy Texas Woman and Family Planning Programs

Date	June 16, 2020
Summary	<p>Updates to Testing Codes</p> <p>Texas Medicaid & Healthcare Partnership (TMHP) posted an update to their article, Coronavirus (COVID-19) Testing Procedure Codes to Become a Benefit for HTW and Family Planning Programs, which was originally published on March 23, 2020. The article stated procedure code U0002 is a benefit of the Healthy Texas Women (HTW) program and the state-funded Family Planning Program for dates of service on or after February 4, 2020. CMS has categorized procedure code U0002 as a Clinical Laboratory Improvement Amendments (CLIA) waived test. Effective for dates of service on or after March 20, 2020, procedure code U0002 must be submitted with modifier QW.</p>

Additional Testing Codes

Additional procedure codes for coronavirus testing are a benefit of the HTW program and the state-funded Family Planning Program, effective on or after the following dates of service:

Dates of Service	Procedure Codes
March 1, 2020	G2023
March 13, 2020	87635
April 10, 2020	86328 and 86769
April 14, 2020	U0003 and U0004

Note: The new procedure codes will not be reimbursed until expenditures are approved and the rates are adopted by Texas Medicaid. Providers will be notified of any benefit changes in a future article.

Services provided before the expenditures are approved will be denied with an explanation of benefits (EOB) 02008, “This procedure code has been approved as a benefit pending the approval of expenditures. Providers will be notified of the effective dates of service in a future notification if expenditures are approved.” Once expenditures are approved, TMHP will automatically reprocess the affected claims. Providers are not required to appeal the claims unless they are denied for other reasons after the claims reprocessing is complete.

Effective for dates of service on or after March 20, 2020, procedure code 87635 must be submitted with modifier QW.

Effective for dates of service on or after April 10, 2020, the description for procedure code 86318 has been revised. Providers must contact the appropriate copyright holder to obtain procedure code descriptions.

Links

http://www.tmhp.com/News_Items/2020/06-June/06-16-20%20Update%20to%20Coronavirus%20COVID-19%20Testing%20P%20Codes%20to%20Become%20a%20Benefit%20for%20HTW%20and%20Family%20Planning%20Programs.pdf

http://www.tmhp.com/News_Items/2020/06-June/06-16-20%20Additional%20P%20Codes%20for%20Coronavirus%20Testing%20for%20HTW%20and%20Family%20Planning%20Programs.pdf

Delivery System Reform Incentive Payment Program

COVID-19-Related Federal Match Percentage Calculations

Date	June 17, 2020
Summary	<p>CMS increased the Federal Medical Assistance Percentage (FMAP) for Medicaid due to the COVID-19 pandemic. The Delivery System Reform Incentive Payment (DSRIP) calculation is directly impacted by the enhanced FMAP. CMS' direction provides that the enhanced FMAP (67.02%) could apply to payments made after January 1, 2020, which means DSRIP payments processed in January 2020 were eligible for the enhanced FMAP. HHSC drew down additional funding, and it is being used to offset the amount of IGT needed to fund the payment.</p> <p>Using an anchor distributed spreadsheet, providers can determine their estimated payment amount. The current enhanced FMAP is 67.09%/32.91%.</p> <p>The Transformation Waiver Team will email the anchors information to share with providers regarding how much will be paid by category and measure by June 19, 2020. HHSC Rate Analysis is unable to answer questions regarding this information. Please send any questions regarding this information to TXHealthcareTransformation@hhsc.state.tx.us.</p>
Link	https://rad.hhs.texas.gov/hospitals-clinic-services

COVID-19-Related Changes for FY 2020

Date	June 12, 2020
Summary	<p>HHSC announced proposed changes to the DSRIP Program for demonstration year 9, or fiscal year 2020, in response to COVID-19. HHSC proposes a number of allowances for Categories B and C payments. Read the proposed changes to the program funding and mechanics protocol, a summary of changes, and the estimated average achievement values. HHSC requests feedback on these changes be submitted to TXHealthcareTransformation@hhsc.state.tx.us by June 26, 2020.</p>
Source	<p>HHSC HealthCare Transformation Waiver Team. "Anchor Call Notes – 6/12/20." Email, June 12, 2020.</p>

HHSC Updates to FAQs

Behavioral Health Providers

Date	June 12, 2020
Summary	<p>HHSC updated COVID-19-related frequently asked questions (FAQs) for behavioral health providers. New FAQs include:</p> <p>Q. When do the emergency rules related to substance use disorder services end?</p> <p>A. Emergency rules cannot be effective for longer than 120 days and cannot be renewed for longer than 60 days. Exact effective and expiration dates for emergency rules may can be found in the Texas Register, available at https://texreg.sos.state.tx.us/public/regviewctx\$.startup. Locate the rules by entering [keyword or rule number] in the [search document text/rule number] field.</p> <p>For example: To search for Emergency Rule §500.44, first enter “500” in the field labeled Chapter Number. Then enter the “Rule Number (s)” in the fields labeled Rule Number. *In this example, only Rule 44 is being searched, however, the “From” and “To” “Rule Number” fields allow users to search a sequential set of rules simultaneously. Last, click “Find”.</p>
Link	https://hhs.texas.gov/sites/default/files/documents/services/health/behavioral-health-services-covid-faq.pdf

Intermediate Care Facilities for Individuals with an Intellectual Disability or Related Conditions

Date	June 15, 2020
Summary	<p>HHSC posted the COVID-19 updates and FAQs with Long-Term Care Regulations and the Department of State Health Services (DSHS) for ICF/IDD providers. FAQs include:</p> <ul style="list-style-type: none"> • Is there any guidance at this time regarding the Economic Impact Payments and how they count against their trust fund balance and the time the money has to be spent if they do count against their allowable balance? • With all the extra screening, monitoring and separation, it is putting more load on our direct care support staff that are already overworked and underpaid. Has there been anything decided on assisting with emergency compensation for the direct care staff? • If a resident is newly admitted to an ICF, do they have to be quarantined for 14 days?

Links

Webinar recording: <https://hhs.texas.gov/about-hhs/communications-events/news/2020/06/june-15-icf-provider-covid-19-webinar-hhsc-ltcr-regulatory>

Webinar presentation: <https://hhs.texas.gov/sites/default/files/documents/doing-business-with-hhs/providers/long-term-care/nf/nf-covid-updates-ga-webinar-june-12-2020.pdf>

Submitting Contract Applications and Contract Information for LTC Programs and Services

Date	June 11, 2020
Summary	<p>Due to COVID-19 precautions, HHSC is taking protective measures for the public and HHSC staff. HHSC encourages contract applicants and current contractors for long-term care programs and services to submit contract applications and other contract information by email or fax as described below.</p> <p>For waiver and community-based programs enrolled by Medicaid and Children’s Health Insurance Program (CHIP) Services – Contract Administration and Provider Monitoring, submit contract applications and other contract information by email (IDDwaivercontractenrollment@hhsc.state.tx.us) or fax to 512-206-3916.</p> <p>Click on the hyperlinks for each program or service type below to review the list of required forms that must be submitted for each contract application:</p> <ul style="list-style-type: none"> • Consumer Directed Services-CLASS • CDS-DBMD • CDS-HCS • CDS-PHC • CDS-TxHmL • CLASS-CFS • CLASS-CMA • CLASS-DSA • CLASS-SFS • DBMD • HCS • Hospice • TAS • TxHmL <p>Important Note: People who sign the contract application or any other contract documents must be referenced on either the Form 2031, Designation of Authorized Individual(s) - Business Entity, or Form 2031-G, Designation of Authorized Individual(s) – Governmental Entity.</p>
Link	<p>https://hhs.texas.gov/about-hhs/communications-events/news/2020/06/submitting-contract-applications-contract-information-ltc-programs-services</p>

Telemonitoring Services Policy Draft Available for Comment

Summary	<p>HHSC has opened the following drafts for public comment:</p> <ul style="list-style-type: none"> • Telehealth Services Policy • Telemedicine Services Policy <p>Comments will be accepted until June 29, 2020. The draft is posted on the Medicaid Medical and Dental Policy webpage.</p>
Link	https://hhs.texas.gov/services/health/medicaid-chip/about-medicaid-chip/medicaid-medical-dental-policies

Telemedicine in Rural Trauma Facilities

Date	June 10, 2020
Summary	<p>HHSC posted GL 20-2004, relating to the use of telemedicine medical services in trauma facilities. The letter provides instruction to hospitals located in counties with a population of less than 30,000 on the use of telemedicine medical services to satisfy a Level IV trauma facility designation requirement.</p>
Link	https://hhs.texas.gov/sites/default/files/documents/doing-business-with-hhs/provider-portal/facilities-regulation/memos/gl-20-2004.pdf

Survey for Community Health Workers

Date	June 15, 2020
Summary	<p>DSHS is sharing a survey link for community health workers (CHWs) and promotores at the request of University of Houston CHW Training Center. DSHS will not be collecting or analyzing any of the responses or data related to the study.</p> <p>Training Program: University of Houston CHW Training Center Survey: COVID- 19: Understanding the Availability of Resources for Frontline Health and Community Health Workers Date: June 15 – August 15, 2020 Time: Open access during specific dates. Survey may take up to 20 minutes to complete Cost: Free, participate in one of five \$20.00 online gift card opportunities. Language: English Access: To survey Questions: For any questions, please email CHWI@central.uh.edu or messenger(IM)at https://www.facebook.com/uhchwi/</p>
Link	https://uhtimes.az1.qualtrics.com/jfe/form/SV_bgBdTfkoa7khhSR

CEU: Expanding the Role of Promotores / CHWs as Contact Tracers – Addressing COVID-19

Date	June 15, 2020
Summary	<p>Dia de La Mujer Latina, Inc. (DML) and the Intercultural Center for Health, Research, and Wellness are offering a free two-hour continuing education unit (CEU) training program for promotores and CHWs.</p> <p>Training Program: Dia de La Mujer Latina, Inc. (DML) and the Intercultural Center for Health, Research, and Wellness.</p> <p>Course Title: Expanding the role of Promotores/CHWs as Contact Tracers – Addressing COVID19</p> <p>Dates: June 15-June 30, 2020</p> <p>Time: This is a pre-recorded course open for two weeks.</p> <p>Cost: Free</p> <p>Number of Hours: Two DSHS-certified CEUs for CHWs (Knowledge Base – one hour and Service Coordination – one hour)</p> <p>Language: The pre-recorded webinar is presented in English beginning on June 15.</p> <p>Registration Information: Register at the website event.</p> <p>Introduction: Venus Ginés, CHWI</p> <p>DSHS-Certified Instructors: Venus Ginés, CHWI, and Robyn Correll Carlyle, CHWI</p> <p>Certificates: Two-hour CEU Certificates for both Promotores and CHWs only will be e-mailed upon completion of the post-survey from chwccovid@gmail.com.</p> <p>Contact Information: For any questions, please e-mail chwccovid@gmail.com</p>
Link	https://register.gotowebinar.com/register/2948509062770371087

Federal Updates

Provider Relief Fund Payments to Texas Safety Net Hospitals

Date	June 12, 2020
Summary	<p>Last week, we noted the United States Department of Health & Human Services (HHS) announced the distribution of \$10 billion in Provider Relief Funds to safety net hospitals that serve our most vulnerable citizens. 57 safety net hospitals in Texas are expected to receive \$692,231,896 in total payments; this is the third most of any state. Terms and conditions for the safety net distribution are available here. See HHS' FAQs (updated June 12, 2020) for more information.</p>
Link	https://www.hhs.gov/sites/default/files/safety-net-hospital-provider-relief-payment-state-breakdown.pdf

CDC Testing Guidance

Date	June 12, 2020
Summary	The CDC consolidated its recommendations for COVID-19 testing. It also released testing strategy options for high-density critical infrastructure workplaces, such as law enforcement, agriculture, and critical manufacturing.
Link	https://www.cdc.gov/coronavirus/2019-ncov/hcp/testing-overview.html

New Emergency Use Authorization for COVID-19 Point-of-Care Test

Date	June 10, 2020
Summary	The Food and Drug Administration (FDA) issued an emergency use authorization for Cue Health Inc.'s new nasal swab test in patient care settings. Point-of-care tests eliminate the need for off-site lab testing and instead allow hospitals and emergency departments to produce results and provide patients with more immediate access to those test results.
Link	https://www.fda.gov/media/138823/download

CDC Guidance to Expand Access to Essential Health Services

Date	June 10, 2020
Summary	The CDC released guidance on telehealth benefits, strategies, and safeguards. The purpose of the guidance is to describe the landscape of telehealth services and provide considerations for healthcare systems, practices, and providers using telehealth services to provide virtual care during and beyond the COVID-19 pandemic.
Link	https://www.cdc.gov/coronavirus/2019-ncov/hcp/telehealth.html

Funding Opportunity: Secondary COVID-19 Effects Among Minority Populations

Date	June 5, 2020
Summary	The National Institute on Minority Health and Health Disparities is accepting applications through December 15, 2020 for funding to expand and improve digital health interventions to identify, treat, and provide services for health conditions secondary to the COVID-19 pandemic. The funding is specific to health disparity populations and those with medical or social vulnerabilities.
Link	https://grants.nih.gov/grants/guide/notice-files/NOT-MH-20-053.html