



**Alliance's COVID-19 Highlights from 6.2.20 to 6.9.20 (Access detailed notes/links below)**

- **Alliance Updates**
  - Weekly PPE Update: FYI you can set yourself up with a Business Amazon account classified as a healthcare organization. You then are eligible to have expedited deliveries of medical/PPE supplies
  - Weekly Testing Update: We are still waiting on tests for group homes and other IDD facilities.
- **Colorado Legislative Report by Emma and Jim (Alliance Government Relations Committee Update)**
  - Budget Update: The Colorado Budget has passed the house/senate. IDD providers are still looking at a 1% provider reduction but all other IDD line items have been protected. (With the exception of EI caseload growth, which will be revisited later in the year.)
  - Bills Update:
    - We successfully got an amendment on [SB20-207](#). This is an unemployment insurance bill that we were concerned would impact Host Home Providers. We have mitigated that concern.
    - [HB 20-1306](#) the Repeal Report on Increase Rate for Direct Support (1407) has passed and is waiting for the Governor's' signatures.
    - [SCR20-001](#) Repeal Property Tax Assessment Rates (related to the Gallagher Amendment) just passed 2nd Reading in the Senate
- **Governor's office Updates**
  - [Governor Polis Signs Updated Safer at Home Executive Order to Transition to Safer at Home and in the Vast, Great Outdoors \(6.1.20\)](#)
- **CDHS: OEC Update**
  - EI Budget Cut Recommendation is expected to come out from DHS/OEC. They are anticipating up to 10% in reductions which might mean changing eligibility for EI, among other things. More information to come.
- **CDPHE Updates**
  - The [Public Health Order 20-20](#) required all Colorado licensed or certified skilled nursing facilities, intermediate care facilities, and assisted living residences to submit a COVID-19 Prevention and Response Plan to CDPHE by May 1, 2020. [View the prevention and response plans.](#)
- **HCPF Updates**
  - New HCPF Guidance: None this week.
  - New FAQ: None this week.
  - HCPF Webinar Highlights:
    - Moving forward, on the week HCPF's normal webinar does not occur, the Department will host an additional webinar with providers to dive deeper and ensure providers have a venue to ask questions about existing guidance and discuss changes as we understand this new normal. They will address the Top 6 Questions from providers. Here are the Top 6 Questions from the [June 5, 2020 Webinar](#).
      1. **When will HCPF provide additional guidance on the provisional telehealth approval?**
        - HCPF is exploring both remote supports and the use of telehealth to provide those services beyond retainer payments. HCPF has the approval until mid-September right now. HCPF is working with CMS to get approval beyond September.

2. Can HCPF provide further guidance on family visits and member's leaving the home?
    - For IRSS Settings only: Should follow the most recent [Safer at Home guidance](#) and in the Vast, Great Outdoors. Vulnerable individuals may leave their house if it is approved. If they do leave or have visitors, you should provide screening.
  3. When will testing be available for group homes?
    - TBA
  4. Has HCPF set an end date for retainer payments?
    - TBA
  5. Can stimulus payments be made for room and board?
    - It can be used to pay for the set room and board amount. These funds cannot be used to cover past accounts, unless explicitly agreed upon by the individual.
  6. For a person who does not have a primary care physician, do we need to get a professional medical information page (PIMP) before we approve services?
    - All initial functional needs assessments should continue to be completed within contractually established timelines.
- Questions answered by HCPF to Alliance
    - None this week.
  - **CDLE update**
    - None this week.
  - **Federal Updates**
    - **U.S. HHS Announces COVID Funding for Medicaid Providers: Distribution to Occur This Week.** HHS expects to distribute approximately \$15 billion to eligible providers that participate in state Medicaid and CHIP programs and have not received a payment from the Provider Relief Fund General Allocation. The safety net distribution will occur this week. Read the [press release](#) for more information or see the update below.
  - **Q&A for HCPF/Alliance**
    - It came up in the webinar last Friday that no-touch thermometers must be used however I cannot find this guidance anywhere, has anyone seen this guidance?
    - [Submit a question for state departments or Alliance HERE.](#)
  - **COVID NEWS/Webinars/Announcements**
    - [Colorado Leads the Way; Tom Turner, Community Options - published by Montrose Daily Press \(6.9.20\)](#)
    - [COVID-19 Infections and Deaths Are Higher Among Those with Intellectual Disabilities-](#) published by NPR (6.9.20)
    - Alliance will continue to host the TA Webinars through June, every Monday at 11am. We will NOT be doing separate COVID-19 Newsletters, so check A-Team News for COVID updates. A-Team News will be sent around 5:00pm every Tuesday.
    - [Next Provider/CM webinar: June 12, 2020 - 12:00 - 1:00 p.m. MDT](#)
    - [Congressional Leaders Author Bipartisan Letter Calling on Trump Administration to Commit Emergency Funding to Medicaid Providers](#) -published by ANCOR (6.3.20)
    - [Republicans Slow to Speak Up](#) published by Alex Ruoff, Bloomberg Law
    - [Billions in Federal COVID-19 Aid is Being Withheld From Those with Disabilities](#) published by Armando Contreras, The Arizona Republic
    - [Lawmakers Press HHS to Say When Medicaid-Reliant Providers Will Get COVID-19 Relief Funding](#) published by Robert King, Fierce Healthcare

- **State Dept. Representative Updates, if attending**
  - None online.
- **Alliance Updates**
  - Alliance will continue to host the TA Webinars through June, every Monday at 11am. We will NOT be doing separate COVID-19 Newsletters, so check A-Team News for COVID updates. A-Team News will be sent around 5:00pm every Tuesday.
  - Alliance is one of four state associations that has been asked to lead a discussion at the annual ANCOR State Share Town Hall meeting on June 17<sup>th</sup>. We have been asked to present on “Program models and staffing, and what will change post COVID.” Contact Josh if you have a story to share!
    - Note that this is also during the Alliance Summit.
  - Don’t forget to sign up for the Alliance Virtual Summit/Member-Only Peer Network Meetings. <https://www.alliancecolorado.org/2020virtualsummit>
  - Weekly PPE Update
    - FYI you can set yourself up with a Business Amazon account classified as a healthcare organization. You then are eligible to have expedited deliveries of medical/PPE supplies. (From Jodi Walters)
- **Colorado Legislative Report by Emma Hudson Consulting and Colorado Legislative Strategies**
  - Speaker Becker announcing that this is the last five days of the legislative session. Last week they said they were going to work until June 19.
  - The vaccine bill on Sunday involved significant protesting.
  - The Paid Sick Leave bill should be up for second reading in the Senate today. It is expected that it will make it out of second reading. Some amendments were put on the bill related to seasonal workers and contract workers that got some of the hold-out Democrats to a “yes” vote. We expect it will pass on a slim party line vote, probably without Senator Williams voting in favor of it. It will make it through the House. If you are furloughed for less than 6 months and then come back to work, you maintain whatever you already accrued, but if you come back after 6 months you lose what you had accrued; this was a concession largely for ski country.
  - The police brutality bill will be up for second reading either today or tomorrow.
  - The legislators worked all weekend. There is a lot left to do so we expect late nights.
  - In Emma’s [Capitol Chronicles](#) from last week, she announced that the budget is through the House and Senate and they will be organizing conference committees sometime this week. There is money that came in from the CARES Act that they are trying to sort where it goes. The Senate budget hearing was short, and they only had 15 amendments to the entire budget and several of them were withdrawn; this is an incredible demonstration of bipartisanship. Things that are normally very partisan, are not, and things that are normally very bipartisan, have become partisan.
  - The budget will be to the Governor’s office shortly after it goes to conference committee to work out differences and then will be signed as soon as possible. The Conference Committee in this case is the JBC and they will iron out the differences in the two versions from the House and from the Senate.
  - **Question from chat box:** I am wondering if the telehealth bill that passed includes a definition of Medicaid that would include Medicaid Waiver services? Medicaid Waiver services were supposedly excluded in previous telehealth bills.
    - We don’t think it will have a huge impact on our services. What we are doing under Home Health Care Licensure, we can still use. It is not clear it will have an impact on the rest of the waivers. They wanted to keep the bill definition as close to the Executive Order as possible and avoid the required federal intervention that our waivers would need.

- We successfully got an amendment on SB20-207. This is an unemployment insurance bill that we were concerned would impact Host Home Providers. We have mitigated that concern. Your GRACE team may work on a fix for that in the next couple of years.
- Denver City Council passed an increase in the local minimum wage that works its way up to \$15/hour. In response, the JBC passed a small increase mostly for personal care and homemaker services and a little bit for some residential services. We are still trying to figure out how it will work. How HCPF will distribute funds and any related reporting that may be required.
- SCR20-001 Repeal Property Tax Assessment Rates (related to the Gallagher Amendment) just passed 2nd Reading in the Senate. Given that's its greatest hurdle and it's a bipartisan measure, Emma expects it will sail through the rest of the process.
  - <https://leg.colorado.gov/bills/SCR20-001>
- We are still anticipating the 1% rate reduction.
- **Question from chat box:** can you remind us of what kind of budget shortfall they are predicting they will have to cover for FY21-22? \$4B?
  - Could be worse than this year but no one knows yet. The revenue forecast is scheduled for June 19 so we will know a little more then. This June revenue forecast tends to be more robust because they have housing data that is helpful for them. Housing and unemployment data come in at different times. We will report back on this.
- **Question from cat box:** just to clarify, the new telehealth bill will not cover Waiver services so then the ability to do telehealth for waiver services is dependent on HCPF memos, correct?
  - That is correct. Our understanding is that HCPF is working on this and this is a question we continue to ask them. They need CMS approval for this. We have asked them to give us at least a 2 week notice before retainer payments end. HCPF has approval to use telehealth and remote supports through September and they are trying to make that permanent.
- *There will be an Alliance Government Relations presentation at the Alliance Virtual Summit next week. If anyone has questions or topics you would like covered more in-depth, please let your GRACE Committee members know!* GRACE notes from last week's Committee meeting will be posted later today. Starting in July, we will open seats in that Committee, so please let your Alliance Leadership know if you are interested.
- **Governor's Office Updates**
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    - This goes through June. Make sure you are familiar with this order.
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  - COVID-19 prevention and response plan: [Public Health Order 20-20](#) required all Colorado licensed or certified skilled nursing facilities, intermediate care facilities, and assisted living residences to submit a COVID-19 Prevention and Response Plan to CDPHE by May 1, 2020. [View the prevention and response plans.](#)
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  - **HCPF Webinar Updates**
    - Moving forward, on the week HCPF's normal webinar does not occur, the Department will host an additional webinar with providers to dive deeper and ensure providers have a

venue to ask questions about existing guidance and discuss changes as we understand this new normal.

- [Next Provider/CM webinar: June 12, 2020 - 12:00 - 1:00 p.m. MDT](#)
- [June 5, 2020 Webinar](#)
  - Top six questions will be the focus of the meetings each week. The top questions last Friday were:
    - When will HCPF provide additional guidance on the provisional telehealth approval?
      - HCPF is exploring both remote supports and the use of telehealth to provide those services beyond retainer payments. HCPF has the approval until mid-September right now. HCPF is working with CMS to get approval beyond September.
    - Can HCPF provide further guidance on family visits and member's leaving the home?
      - For IRSS Settings only: Should follow the most recent [Safer at Home guidance](#) and in the Vast, Great Outdoors. Vulnerable individuals may leave their house if it is approved. If they do leave or have visitors, you should provide screening. Members who live in their own home or in a host home may leave the house or have visitors if approved. Providers, members, and families should have a conversation and work together.
      - CDPHE is working on visitation guidance for other settings. They are looking at allowing visitation with testing. They will have some criteria and guidance coming out soon. This will likely be a phased approach and facilities can have stricter guidelines.
    - When will testing be available for group homes?
      - CDPHE is coordinating the testing in congregate/licensed facilities first. Group homes are part of the settings that are being prioritized and will be reaching out when they have more resources.
    - Has HCPF set an end date for retainer payments?
      - We do not yet have a specific timeline for retainer payments. CMS should be publishing guidance soon. Additionally, we are working on a plan for what that may look like in the next several weeks/months. It is HCPFs full intention to provide people with a thoughtful timeline. However, at this time they do not have any more information as to when retainer payments will end.
    - Can stimulus payments be made for room and board?
      - It can be used to pay for the set room and board amount. These funds cannot be used to cover past accounts, unless explicitly agreed upon by the individual. A stimulus payment can only go toward backpay when the individual received adequate written notice of the owed amount during the time the payment was due, and the individual explicitly agreed to pay the previously owed amounts. The provider cannot use the stimulus payment unilaterally to cover payments without written consent from the individual.
    - For a person who does not have a primary care physician, do we need to get a professional medical information page (PIMP) before we approve services?

- All initial functional needs assessments should continue to be completed within contractually established timelines. As stated in [Memo 20-049](#) “for HCBS assessments completed on or after March 18, 2020, CM will complete the ULTC 100.2) to determine functional eligibility without the requirement for a completed PMIP for the duration of COVID-10 public health emergency. Members seek admission into an HCBS waiver that requires a specific diagnosis may do so without a completed PMIP”
  - New Questions from HCPF webinar chat on 6/5/20:
    - Can message therapy start May 1<sup>st</sup> in the home?
      - The Safer at Home Guidance didn’t discontinue allowing people getting services in their home, the 1-on-1 services were never stopped. Providers have been able to bill and provide those services, they must follow the Safer and Home guidelines. They have not allowed “remote” massage therapy.
    - Jodi: I am assuming under the new order and in alignment with the visitor guidelines you just stated that individuals that are vulnerable CAN choose to work in a SEG format IF we are making informed, rationale, cautious decisions?
      - This is correct.
    - Kristie: Is HCPF planning a formal way to get feedback from members? (Safer at Home is extended to July 1)
      - HCPF has put together a small group to talk about how services are working now, and how they will look in the future. They will be gathering information. They will have some email-formal process. They will have stakeholder groups too.
    - You can take a mask off to eat/drink.
    - The Department is working with both the Governor's office and CDPHE about Day Programs. They are certainly considering the possibility to treat them like day camps and follow those guidelines.
    - Group homes: HCPF asked that you work with each person in the home to make sure they know the risks, but they are allowed to go into the community. The question really is: What would you do in your own home?
  - **HCPF Guidance**
    - None this week.
  - **HCPF FAQ**
    - Nothing new: FAQs last updated: May 27, 2020 10:00 am
  - **HCPF Question Follow Up**
    - Alliance did not have a meeting with Bonnie and the HCPF team last week.
- **CDLE update**
  - None at this time.
- **Federal Updates**
  - **U.S. HHS Announces COVID Funding for Medicaid Providers: Distribution to Occur This Week**
    - Today, the U.S. Department of Health and Human Services (HHS), through the Health Resources and Services Administration (HRSA), announced additional distributions from the Provider Relief Fund to eligible Medicaid and Children's Health Insurance Program (CHIP) providers that participate in state Medicaid and CHIP programs. HHS expects to distribute approximately \$15 billion to eligible providers that participate in state Medicaid and CHIP programs and have not received a payment from the Provider Relief Fund General Allocation. The safety net distribution will occur this week. According to

the [press release](#), on Wednesday, “HHS will launch an enhanced Provider Relief Fund Payment Portal that will allow eligible Medicaid and CHIP providers to report their annual patient revenue, which will be used as a factor in determining their Provider Relief Fund payment. The payment to each provider will be at least 2 percent of reported gross revenue from patient care; the final amount each provider receives will be determined after the data is submitted, including information about the number of Medicaid patients providers serve.”

- More information about eligibility and the fund can be found [here](#). HHS has also issued the [terms and conditions](#) providers must accept in order to receive funds. ANCOR will be working to understand exactly how the payments will be calculated and Alliance will be sharing more information on next week’s Monday COVID webinar. Congrats to those of you who took action to push for this additional funding to help Medicaid providers navigate the COVID crisis!
- **Q&A from today’s chat box:**
  - It came up in the webinar last Friday that no-touch thermometers must be used however I cannot find this guidance anywhere, has anyone seen this guidance?
    - Member replied that they have not seen anything regarding no touch thermometers. We submitted a procedure for disinfection of temporal thermometers with our isolation plan and did not receive any guidance that their use was unacceptable.
    - CDPHE references only temporal thermometers in their discussion about business screenings.
    - We think this is CDC guidance and we will look into it.
  - Has there been any State reaction to the federal jobs report last Thursday? Does Colorado line up with the jobs report?
    - This hasn't been discussed on the legislative floor nor has Emma heard from legislators or lobbyists about it. We will look into this still.