Welcome! We will get started momentarily.
Our Vision

Leaders are inspired, actively collaborating and using innovative strategies to work effectively with their communities to address behavioral and other complex health needs.

Our Guiding Principles

• Foster innovation
• Nurture collaboration
• Promote a culture of diversity and inclusion
• Facilitate connections
• Inspire communities to reduce health disparities

Our Mission

We provide leaders with the inspiration, tools, knowledge and professional connections to drive transformative change by:

• Seeking out members who bring diversity of thought, leadership experience, training, expertise and multi-sector representation;
• Providing an enriching space to facilitate direct connections, provocative conversations and ongoing collaboration between members;
• Creating an environment that allows for sharing of best practices, resources, experience and lessons learned across all levels of leadership and sectors.
• We want to hear from you! Share your questions via the chat box in ALL CAPS. We will answer as many as possible at the end of the webinar.

• A recording of today’s discussion with materials will be made available within 48 hours. We’ll send you an email once it is online.
Today’s webinar will explore:

- Frequent questions and concerns related to the new laws, programs and regulatory changes;
- General themes related to how States have used the 1135 waiver, and implications for providers;
- An overview of national and state resources and how they can be accessed by providers.
AGENDA

1. Welcome

2. Employer, Business Relief & Provider Obligations, Opportunities & Obstacles
   
   Greg Moore, JD

3. 1135 Waiver Use, Themes, National & State Resources, & Implications for Providers
   
   Ron Manderscheid, PhD

4. Questions and Answers
1135 Waiver Use, Themes, National & State Resources & Implications to Providers

Ron Manderscheid, PhD
National Association of County Behavioral Health and Developmental Disability Directors
rmanderscheid@nacbhd.org
Employer, Business Relief & Provider Obligations, Opportunities & Obstacles

Greg Moore, JD
Dickinson Wright, Behavioral Health Care Practice Group
AVANT Consulting, LLC
GMoore@dickinson-wright.com
EMPLOYER RE-OPENING – WHAT DO I NEED TO KNOW?

• **Opening Up America Again** – White House & CDC
  • **Gated Criteria** – Satisfy before moving to 3 Phases of Comeback
  • **Symptoms** – 14-day downward trend in Flu-like and COVID-like syndromic cases
  • **Cases** – 14-day downward trend in documented cases OR downward positive tests as % of total tests (2 ways to do it – flatten positives or increase testing)
  • **Hospital Capacity** – able to treat all non-crisis care AND able to test at-risk workers (including antibody test)
Employer Re-opening – What Do I Need to Know?

- **Develop Policies/Procedures** in line with Fed, State and local guidance
  - Distancing and PPE
  - Temperature Checks
  - Sanitation
  - Use and Disinfection of common / high traffic areas
  - Standards for business travel
- **Monitor for symptoms** – Prevent return until cleared by doctor
- **Develop protocol** for Workforce Contact Tracing of + employee
EMPLOYER RE-OPENING – WHAT DO I NEED TO KNOW ABOUT PHASE 1?

• Continue to **ENCOURAGE TELEWORK**, whenever possible and feasible with business operations.
• If possible, **RETURN TO WORK IN PHASES**.
• Close **COMMON AREAS** where personnel are likely to congregate and interact or enforce strict social distancing protocols.
• Minimize **NON-ESSENTIAL TRAVEL** and adhere to CDC guidelines regarding isolation following travel.
• Strongly consider **SPECIAL ACCOMMODATIONS** for personnel who are members of a **VULNERABLE POPULATION**.
EMPLOYER RE-OPENING – WHAT DO I NEED TO KNOW ABOUT PHASE II?

• Continue to **ENCOURAGE TELEWORK**, whenever possible and feasible with business operations.

• Close **COMMON AREAS** where personnel are likely to congregate and interact or enforce moderate social distancing protocols.

• Strongly consider **SPECIAL ACCOMMODATIONS** for personnel who are members of a **VULNERABLE POPULATION**.
Resume **UNRESTRICTED STAFFING** of worksites.
KEEPING THE WORKPLACE SAFE – ENCOURAGE EMPLOYEES TO...

- **Practice good hygiene**
  - Stop handshaking – use other noncontact methods of greeting
  - Clean hands at the door and schedule regular hand washing reminders by email
  - Create habits and reminders to avoid touching their faces and cover coughs and sneezes
  - Disinfect surfaces like doorknobs, tables, desks, and handrails regularly
  - Increase ventilation by opening windows or adjusting air conditioning

- **Be careful with meetings and travel**
  - Use videoconferencing for meetings when possible
  - When not possible, hold meetings in open, well-ventilated spaces
  - Consider adjusting or postponing large meetings or gatherings
  - Assess the risks of business travel

- **Handle food carefully**
  - Limit food sharing
  - Strengthen health screening for cafeteria staff and their close contacts
  - Ensure cafeteria staff and their close contacts practice strict hygiene

- **Stay home if...**
  - They are feeling sick
  - They have a sick family member in their home

- **Encourage employees to:**
  - Practice good hygiene
  - Stop handshaking – use other noncontact methods of greeting
  - Clean hands at the door and schedule regular hand washing reminders by email
  - Create habits and reminders to avoid touching their faces and cover coughs and sneezes
  - Disinfect surfaces like doorknobs, tables, desks, and handrails regularly
  - Increase ventilation by opening windows or adjusting air conditioning
PROVIDER RE-OPENING: WHAT DO I NEED TO KNOW

• Use State Executive Order - The Who and When
• Use CDC Guidance Documents – The How
• CMS – Re-opening Facilities to Provide Non-emergent Non-COVID-19 Healthcare
BUSINESS RELIEF – AVAILABLE OPPORTUNITIES

• **Medicare Payment Advance Program** – Permits advance of up to 100% of 3-month payment amount. Repayment / recoupment to begin 120 days after payment – continue claim filing which will be offset. Automatic Process. Process is unique to each MAC. See hyperlink.

• **SBA Paycheck Protection Loans** – Appropriations dried up. As of this writing 310 billion additional close to happening. WILL ONLY LAST FEW DAYS.

• **SBA Economic Injury Disaster Loans (EIDL)** – To overcome temporary loss of revenue. Appropriations dried up. Has an advance component. CARES Act keeps open through 12/31/20.

• **Public Health and Social Services Emergency Fund** – $100B as a part of CARES Act. HHS distributed $30B via direct deposit on 4/10. All Medicare Fee For Service providers in 2019 eligible. Requires attestation to terms and conditions (OH NO!) 10 pages – exec comp; gun control; abortion; drugs; porn.
**Home & Community based Attendant Services** – CARES Act permits Medicaid Programs to pay for if delivered in Acute Care hospital – assist with ADL in effort to reduce LOS. Identify services in Plan of Care

- **Telehealth Expansion** – Expansion of coverage and reimbursement. Most common CPT codes for telehealth. Also a full list of services eligible for telehealth reimbursement (CMS). For most part commercial insurance has followed. (OH NO!) parity violations have increased as opportunity to reduce services (SUD / autism) has become attractive.
BUSINESS RELIEF – AVAILABLE OPPORTUNITIES – LOSS MITIGATION

• **Force Majeure Provisions** – Do they excuse or delay contractual obligations?

• **Business Interruption Insurance** – Should I file a claim? – YES!
  • Lloyd’s of London
  • Aspen American Insurance
  • Auto-owners Insurance
  • Society Insurance
  • Oregon Mutual Insurance
  • Topa Insurance Company
1135 Waiver Use & Themes, National & State Resources, Implications to Providers

Ron Manderscheid, PhD
National Association of County Behavioral Health and Developmental Disability Directors
rmanderscheid@nacbhd.org
We want to hear from you!
Share your questions via the chat box. We will answer as many as possible.
Holly Salazar
Director of Operations
The College for Behavioral Health Leadership
hsalazar@leaders4health.org
www.leaders4health.org