

New Clarifications on Emergency Funds

From the AMA

As you know, concerns were raised Friday when the initial HHS Emergency Fund grants were released that, in agreeing to the terms and conditions of the grants, physicians were being required to attest that they diagnose, treat, or test patients for COVID-19. The AMA brought these concerns to the Secretary's office and HHS committed to posting some clarifying language. HHS has now modified some of the language to make its meaning more clear, as follows, stating that every patient is a possible case of COVID-19.

The website at <https://www.hhs.gov/provider-relief/index.html> now includes the following statement: If you ceased operation as a result of the COVID-19 pandemic, you are still eligible to receive funds so long as you provided diagnoses, testing, or care for individuals with possible or actual cases of COVID-19. Care does not have to be specific to treating COVID-19. HHS broadly views every patient as a possible case of COVID-19.

Also, the second provision of the Terms and Conditions has been changed to no longer say providers attest to "currently" taking care of patients, just that they did so after 1/31/2020: The Recipient certifies that it billed Medicare in 2019; provides or provided after January 31, 2020 diagnoses, testing, or care for individuals with possible or actual cases of COVID-19; is not currently terminated from participation in Medicare; is not currently excluded from participation in Medicare, Medicaid, and other Federal health care programs; and does not currently have Medicare billing privileges revoked.