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Government Shutdown Averted, Temporary Funding Through Dec. 11
The Senate passed a short-term funding bill to avoid a government shutdown on Wednesday night by a vote of 84 to 10. The roughly $1.4 trillion Continuing Resolution will keep federal agencies and programs operating until Dec. 11. The House approved the bill last week and President Trump signed it into law Thursday morning.

In addition to maintaining government operations, the bill also provides temporary reauthorization for a number of health programs, including Medicare, Medicaid, and other related health care "extenders" like the Medicare Geographic Practice Cost Index (GPCI) Floor, Medicaid Community Mental Health Services Demonstration Programs, and others. It also extends funding for Community Health Centers, the National Health Service Corps, the Special Diabetes Program, and Teaching Health Centers Graduate Medical Education (THCGME).

House Approves Another COVID Relief Bill as Negotiations Falter
On Thursday evening, the House narrowly passed a $2.2 trillion COVID relief measure (H.R. 925) by a vote of 214 to 207 with opposition by all Republicans and nearly 20 Democrats. The bill was brought up for a vote despite the ongoing discussions between Speaker of the House Nancy Pelosi (D-CA) and Treasury Secretary Steve Mnuchin who is representing the White House in the negotiations.

The House proposal represents a significant reduction from the Democrats' $3.4 trillion bill, the "HEROES Act" (H.R. 6800), which passed in May by a vote of 208 to 199. However, the White House countered earlier in the week by raising its proposal from $1 trillion to $1.6 trillion. Many of the Democrats who opposed the bill had vocally been urging Speaker Pelosi to seek a compromise with Republicans, even if it didn't meet the party's full demands, in order to get additional aid to their constituents sooner rather than later. Speaker Pelosi outlined several areas where the two parties were still far apart, including issues with a child tax credit, additional aid for state and local governments, and COVID-related liability protections.
Despite the vote, Pelosi and Mnuchin are expected to talk again today and a pre-election deal is still possible, just unlikely at this point.

### House Passes Two ACEP-Supported Mental Health and Suicide Prevention Bills

On Tuesday, the House approved two more ACEP-supported bills by voice vote:

- **H.R. 2519**, the "Improving Mental Health Access from the Emergency Department Act," sponsored by Rep. Raul Ruiz, MD (D-CA), would establish grants to EDs to support follow-up services for individuals who present for care of acute mental health episodes. These grants would be used to create, support, or expand programs intended to expeditiously transition these individuals who are treated at the ED to an appropriate facility or setting for follow-on care.

- **H.R. 4861**, the "Effective Suicide Screening and Assessment in the Emergency Department Act," sponsored by Reps. Gus Bilirakis (R-FL) and Eliot Engel (D-NY), would create voluntary grant programs to improve the identification, assessment, and treatment of patients in the ED who are at risk for suicide by developing policies and procedures for identifying and assessing at-risk patients and enhancing the coordination of care for such individuals after discharge.

### ACEP-supported COVID-19 Survivor Benefits Legislation Introduced

On September 29, Representative Norma Torres (D-CA) introduced H.R. 8441, the "Frontline Heroes Act," a bill that would establish a COVID-19 Frontline Healthcare Heroes Survivor and Disability Benefit Program. The legislation builds off previous ACEP-supported efforts that Rep. Torres began earlier this year near the beginning of the COVID-19 pandemic, and ACEP worked with Rep. Torres and her staff to help develop this legislation. Additionally, ACEP President William Jaquis, MD, FACEP, was quoted in Rep. Torres’ press release announcing the legislation:

> "Though cases of COVID-19 are down in some areas of the country, many areas are facing a surge, and emergency physicians and other frontline health care workers continue to put their lives on the line as they fight the pandemic," said William Jaquis, MD, FACEP, president of the American College of Emergency Physicians (ACEP). "Sadly, as some of our colleagues worked to save their patients' lives, they sacrificed their own in the process. We mourn our colleagues in emergency medicine who’ve lost their lives to COVID-19. ACEP is grateful to Rep. Torres for her efforts that honor the sacrifice made by health care workers, and importantly, provide invaluable assistance to families of emergency physicians and other frontline health care workers who have been permanently disabled or died due to COVID-19."

The bill would provide survival benefits to the families of emergency physicians and other frontline health care workers who die from COVID-19, and would also provide disability benefits to health care workers who are permanently disabled due to COVID-19 related health complications. This survival/disability benefits program is modeled directly after similar existing federal programs, like the Radiation Exposure Compensation Act Trust Fund and the Public Safety Officers’ Benefits (PSOB) Program.

A fact sheet on the legislation can be found [here](#).

### HHS Secretary Extends the COVID-19 Public Health Emergency

Today, HHS Secretary Alex Azar announced that he would extend the COVID-19 public health emergency (PHE) for another 90 days. It was currently set to expire on October 23, 2020 and the 90-day extension becomes effective on that date. Therefore, the PHE is now set to expire on January 21, 2021.

This is the third time Secretary Azar has extended the PHE. The extension of the PHE means that the waivers and flexibilities that the Centers for Medicare & Medicaid Services (CMS) and other federal agencies have instituted to help health care practitioners and facilities respond to the pandemic will remain in place.

### HHS Announces Additional $20 Billion Distribution from the Provider Relief Fund

On Thursday, the Department of Health and Human Services (HHS) announced another general distribution from the Provider Relief Fund—a $175 billion fund appropriated by Congress that helps
cover health care providers’ lost revenues and increased expenses due to COVID-19. The $20 billion distribution is open to health care providers and groups, including emergency physicians and emergency medicine group practices, who have already received funding from the Provider Relief Fund.

As a reminder, you or your group have thus far been eligible to receive up to 2 percent of your 2018 total revenue from the Provider Relief Fund. HHS is now allowing you or your group to potentially receive additional funding on top of that. You or your group will be required to submit financial information in order to help HHS determine your or your group’s share of the funds.

Specifically, HHS will ask you or your group to review and confirm that you or your group have already received a Provider Relief Fund payment equal to approximately 2 percent of patient care revenue. If you or your group have not yet received Provider Relief Fund payments of 2 percent of patient revenue, you or your group will receive a payment that, when combined with prior payments (if any), equals 2 percent of patient care revenue. HHS will determine these payments first. With the remaining balance of the $20 billion budget, HHS will then calculate an equitable add-on payment that considers:

- The change in your or your group’s operating revenues from patient care;
- The change in your or your group’s operating expenses from patient care, including expenses incurred related to COVID-19; and
- Payments you or your group have already received through prior Provider Relief Fund distributions.

You or your group will have from October 5, 2020 through November 6, 2020 to apply for this funding. Since HHS is allocating this funding equitably to everyone who applies, it is urging everyone to apply early and not to wait until the last day or week of the application period. Applying early will help to expedite HHS’s review process and payment calculations, and ultimately accelerate the distribution of all payments.

All payment recipients will be required to attest to receiving this funding and will have to accept the associated Terms and Conditions. HHS will continue to host webinars to assist providers through the application process.

National Academies Release Final Framework for Equitable Allocation of COVID-19 Vaccine

Today, the National Academies of Sciences, Engineering, and Medicine released a final report, Framework for Equitable Allocation of COVID-19 Vaccine, that presents a framework for considering how to appropriately distribute a COVID-19 vaccine. The report considers four risk-based criteria to set general priorities among various population groups: (1) risk of acquiring infection, (2) risk of severe morbidity and mortality, (3) risk of negative societal impact, and (4) risk of transmitting infection to others. Based on these criteria, the report establishes four phases of allocating the vaccine:
Further, the report makes the following seven recommendations:

- Adopt the framework for equitable allocation of COVID-19 vaccine.
- Leverage and expand the use of existing systems, structures, and partnerships across all levels of government and provide the necessary resources to ensure equitable allocation, distribution, and administration of COVID-19 vaccine.
- Provide and administer COVID-19 vaccine with no out-of-pocket costs for those being vaccinated.
- Create and appropriately fund a COVID-19 vaccine risk communication and community engagement program.
- Develop and launch a COVID-19 vaccine promotion campaign.
- Build an evidence base for effective strategies for COVID-19 vaccine promotion and acceptance.
- Support equitable allocation of COVID-19 vaccine globally.

**Regs & Eggs: Digging through President Trump’s Health Care Plan--What’s Old and What’s New**

Last week, President Trump announced his long awaited “America First Health Plan”. The plan primarily came in the form of a long executive order (EO) that attempts to lay out the Trump Administration’s health care priorities and vision going forward.

Read the [Regs & Eggs blog](#) to find out which policies in the plan are old news and which are novel ideas.

**ACEP 2020 Voter Resource Center**

ACEP created a special tool to help you engage in the 2020 elections and beyond, the [ACEP 2020 Voter Resource Center](#), a non-partisan platform where you can easily check if you are registered to vote, learn how to vote early or request an absentee ballot, and see who is running in your area. You can also share with colleagues, family and friends. ACEP members can also access the [NEMPAC website](#) for information on how ACEP’s political action committee is working on your behalf in the 2020 congressional elections.

**2020 Election Update with Charlie Cook at ACEP20 Unconventional**

Just days before the November elections, hear the latest forecast and news from Charlie Cook, Editor and Publisher of the Cook Political Report and Political Analyst for the National Journal Group. NEMPAC is offering this exclusive update to VIP donors in conjunction with ACEP20 on October 26, 12 pm ET/11
am CT. All Give-a-Shift Donors will receive an invitation by email. Not sure if you’re at the Give-A-Shift level or want to increase? Simply click here to contribute or click here to email us to find out your donor status.

Click here to learn about all the other exciting things happening at **ACEP20 Unconventional** - the world’s largest EM conference and this year’s must-attend online experience - Oct. 26-29.

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