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Capital Minute: COVID-19 Special Edition

Check out this special edition of the Capital Minute to get up to speed with everything ACEP is doing to help protect emergency physicians and patients during the COVID-19 pandemic.

[Click here](#) to view the Capital Minute or click on the blue box below.



ACEP Continues Work on COVID-19 Relief Package

Although Congress is in recess until at least April 20, work is still being done remotely by lawmakers and their staff as they try to develop a fourth COVID-19 legislative package. ACEP again this week sent our list of "[Novel Coronavirus \(COVID-19\) Policy Priorities](#)" to every office on Capitol Hill and our staff continues to communicate our advocacy goals with key policymakers through e-mail, texts, and phone calls. While some of these items have already been accomplished (such as guaranteeing ED use of telehealth services), many more have been partially completed, and some will require additional action by Congress to ensure proper implementation.

In addition to these actions, ACEP is hosting its second congressional webinar on Tuesday, April 7, so that Members of Congress and their staff can hear directly from emergency physicians about what's happening on the ground and what type of support is needed, so that you can continue your heroic efforts to treat COVID-19 patients. Next week's webinar will feature Mark Rosenberg, DO, MBA, FACEP, Alison Haddock, MD, FACEP, and Stuart Kessler, MD FACEP.

To view the March 12 Congressional webinar, [click here](#).

CMS Makes Sweeping Regulatory Changes for COVID-19-Wins for Emergency Medicine

On Monday, the Centers for Medicare & Medicaid Services (CMS) [announced](#) a plethora of policies and waivers aimed at providing regulatory flexibility to health care practitioners during this crisis. **Numerous policies are big wins for emergency medicine -- and flexibilities that ACEP advocated hard for.**

Please find ACEP's summary of the major CMS policies [here](#).

Two major policies to note include:

1. Allowing medical screening exams (MSEs), a requirement under Emergency Medical Treatment and Labor Act (EMTALA), to be performed via telehealth; and
2. Adding the emergency department (ED) evaluation and management (E/M) codes to the list of approved Medicare telehealth services.

Both of these policy changes are critical. Being able to perform MSEs via telehealth will help protect you from unnecessary exposure to the virus and help preserve your limited supply of personal protective equipment. Further, having the ED E/M codes on the approved list of Medicare telehealth services will enable you to be appropriately reimbursed for the high quality and high intensity services you deliver remotely.

ACEP Hosts Webinar with CMS on EMTALA and Telehealth

Today, ACEP hosted a webinar with CMS staff to discuss the new EMTALA and telehealth policies CMS announced (see above). 300 emergency physicians participated in the webinar, which included a Q&A so that emergency physicians could ask about the policy changes. CMS will answer in writing any outstanding questions that were submitted during the webinar and a recording of the webinar will be made available soon.

The Joint Commission Issues Statement on Use of Face Masks Brought from Home

Last week, ACEP had a call with The Joint Commission (TJC) to convey our concern that hospitals were punishing or forbidding staff from wearing their self-purchased or donated PPE. We shared your personal (anonymous) stories that we collected of being sanctioned by your hospitals.

On Tuesday, TJC [issued a statement](#) supporting your right to bring your own standard face masks or respirators to wear at work when your healthcare organizations can't routinely provide access to PPE that is commensurate with your risk of exposure.

If you are having any trouble with your hospitals related to wearing donated or self-purchased PPE, we encourage you to share this statement with your administrators. If you continue to experience pushback, please reach out to us for further assistance at acepadvocacy@acep.org.

Financial Support Options

Emergency physicians may be eligible for numerous financial support options that were made available by the CARES Act. These include:

Medicare Advanced Payments

Last week, CMS [announced](#) the expansion of an advanced payment program for the duration of the COVID-19 national emergency. This payment is meant to help health care practitioners with their cash flow during this emergency. Under this program:

- Medicare-enrolled providers who have billed Medicare within the last six months and meet a few other criteria can request a specific amount up to three months-worth of their historical Medicare payments.
- CMS' Medicare Administrative Contractors will work to review and issue payments *within seven calendar days* of receiving the request.

• **Please note that this is NOT a grant.** Health care practitioners will be required to pay back the payment over time, starting 120 days after the receipt of the payment.

o Specifically, after 120 days, CMS will start recoup the funding by reducing each Medicare claim billed until the full amount is repaid. Health care practitioners must pay back the entire amount by 210-day period (seven months).

More details about the program, including eligibility criteria, the application process, and the recoupment/repayment process can be found [here](#). The American Medical Association also put together a [frequently asked questions document](#) on this program.

Grants and Direct Payments

The CARES Act includes a \$100 billion fund that the U.S. Department of Health and Human Services (HHS) will distribute to health care providers, including physicians, in the form of grants and direct payments. Unlike the advance payment program CMS announced on March 28, health care providers will not be required to repay any of this funding. More details on how to apply for this funding are forthcoming. However, please know that last Friday, ACEP sent a [letter](#) to HHS Secretary Alex Azar asking HHS to prioritize this funding for frontline health care practitioners, especially emergency physicians, who are risking their lives combating the virus and are at the highest risk of being exposed to COVID-19 and missing work. We also plan to send a follow-up letter to the Secretary with a specific funding request to ensure that you have the resources you need to safely and effectively do your job.

Small Business Loan Forgiveness

The CARES Act provides loan forgiveness for certain qualifying [Small Business Administration \(SBA\)](#) loans, including Section 7(a) Paycheck Protection Loans. To find out more information about the SBA's loan forgiveness programs, please click [here](#).

Mark Your Calendar: ACEP Virtual Hill Day is April 28

ACEP is planning a "Virtual Hill Day" since the Leadership and Advocacy Conference was canceled. This "phone-in" (rather than fly-in) event is your chance to communicate with federal legislators and their staff needs and concerns of emergency physicians and the patients you are treating on the frontlines of the COVID-19 pandemic. Conference call meetings will be scheduled between 12 Noon and 5 pm Eastern time. Your voice is important during this vital time, so this event is free for ACEP Members. The event is limited to only 600 participants. The deadline to register is April 22, 2020.

ACEP, Soapbox, and chapter leaders will put registrants together in advocacy teams organized by state. You will receive a script and a schedule with detailed instructions on whom to call, when to call, and the phone number you will be calling prior to April 28. ACEP will host a live webinar for registrants on **Thursday, April 23 at 1:00 pm ET** to brief you on the issues and prepare you to address these topics with your legislators. If you are unable to make the live session, it will be recorded and sent to all registrants.

ACEP COVID-19 Media Hub

ACEP launched a [COVID-19 media hub](#) so you can find the latest major news and health care articles about COVID-19 featuring ACEP and its spokespeople.

You are receiving the Weekly Update emails as a member of the ACEP 911 Network. If you no longer want to receive this publication and do not want to be a member of the ACEP 911 Network, please click unsubscribe below.



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ACEP Public Affairs | 2121 K Street, NW Suite 325 | Washington, DC 20037

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