Coronavirus (COVID-19) Resources

For breaking COVID-19 related legal updates, please consider

subscribing to our COVID-19 Task Force Newsletter.

Message from Nelson Hardiman:

We are living through a public health crisis as the coronavirus (COVID-19) pandemic spreads across the globe. At Nelson Hardiman, we have been fielding calls nonstop in recent weeks from organizations struggling with emerging issues, including decisions about how to respond to the evolving risks, the need for new policies to address safety challenges, and privacy concerns fueled by a demand for information on infectious disease risks.

Nelson Hardiman is committed to the health and wellbeing of our entire community. We are standing shoulder to shoulder with the healthcare community in responding to the crisis presented by COVID-19. What does that mean?

1. Nelson Hardiman remains open and hard at work. Our team is responding to the needs of healthcare providers –hospitals, telehealth providers, product manufacturers, senior care providers, labs, pharmacies, physician practices, and more – as well as other organizations addressing workforce and health issues. Whatever points of confusion or new questions around COVID-19 you are experiencing, we are here to help.

1. Nelson Hardiman will be sharing content in the coming weeks and months as the situation evolves to provide updates and resources on emerging issues presented by COVID-19. If you have ideas about what you would like to know, we are open to your suggestions. Please email info@nelsonhardiman.com.

1. In the interim, we encourage everyone to regularly visit the Center for Disease Control and Prevention (CDC) Coronavirus resource page for best practices and essential information. We also recommend the World Health Organization (WHO) resources.

We will be providing more information ahead. In this difficult time, we send our prayers for you, your family, friends, and communities to be safe and healthy.

Nelson Hardiman, LLP.

COVID-19 Articles, Client Alerts, and Webinars

- CARES Act “Provider Relief Fund” Makes Medicare Part A and B Payments to Providers (4/13/2020)
- The Paycheck Protection Program for Small Businesses (4/13/2020)
- Main Street Lending Program Provides Financial Assistance to Small and Medium-Sized Physician Practices (4/13/2020)
- Webinar: Targeting Healthcare Provider Employment Concerns | Navigating COVID-19 Issues (4/10/2020)
- OCR Suspends Penalties for Business Associate Disclosures for Public Health and Health Oversight Activities Not Permitted by Business Associate Agreements (4/8/2020)
- Radio Interview: COVID-19 Impact on Contracts, Privacy and Public Privacy and Reliability of Data (3/30/2020)
- Maximize Your Cashflow During COVID-19: Four Things You Can Do RIGHT NOW (3/30/2020)
- Webinar: Telehealth Considerations for Behavioral Healthcare Providers: Mental Health and Addiction Treatment (3/24/2020)

- COVID-19 Public Health Emergency Prompts Relaxed Enforcement of HIPAA Requirements Relating to Telehealth (3/24/2020)

COVID-19 Resources (last updated 4/17/2020)

Our COVID-19 resource page includes federal and state resources on COVID-19 and will be updated over the course of this crisis to keep you informed of the latest developments.

For further information, please contact Harry Nelson at hnelson@nelsonhardiman.com

For media inquiries, please contact Jennifer Coren at jcoren@nelsonhardiman.com

Federal Resources

Coronavirus Preparedness and Response Supplemental Appropriations Act, 2020, Pub. L. 116-123 (3/6/20) (Provides $8.3 billion in emergency funding for federal agencies to respond to COVID-19 outbreak and providing waiver authority for Medicare coverage of telehealth services during certain emergencies).

CMS:

- CMS COVID-19 Partner Toolkit, including link to CMS Landing Page re Current Emergencies, including COVID-19
- CMS Waivers
- CMS COVID-19 FAQs (3/12/20)
- Information for PACE Organizations Regarding Infection Control and Prevention of Coronavirus Disease 2019 (COVID-19) (3/17/20).

Including:

- Information to Medicare Advantage Organizations Related to COVID-19 (3/10/20).
- Dialysis Facilities: QSO-20-19-ESRD, Guidance for Infection Control and Prevention of Coronavirus Disease 2019 (COVID-19) in dialysis facilities (3/10/20).
- Home Health: QSO-20-18-HHA, Guidance for Infection Control and Prevention Concerning Coronavirus Disease 2019 (COVID-19) in Home Health Agencies (HHAs) (3/10/20).
- Respirators: QSO-20-17-ALL, Guidance for use of Certain Industrial Respirators by Health Care Personnel (3/10/20).
- Hospice: QSO-20-16-Hospice, Guidance for Infection Control and Prevention Concerning Coronavirus Disease 2019 (COVID-19) by Hospice Agencies (3/9/20).
- EMTALA: QSO-20-15 Hospital/CAH/EMTALA, Emergency Medical Treatment and Labor Act (EMTALA) Requirements and Implications Related to Coronavirus Disease 2019 (COVID-19) (3/9/20).
- Nursing Homes: QSO-20-14-NH Revised 3/13/20, Guidance for Infection Control and Prevention of Coronavirus Disease 2019 (COVID-19) in nursing homes (revised 3/9/20). CMS Announces New Measures to Protect Nursing Home Residents from COVID-19 (3/13/20).
- Hospitals: QSO-20-13-Hospitals, Guidance for Infection Control and Prevention Concerning Coronavirus Disease (COVID-19): FAQs and Considerations for Patient Triage, Placement and Hospital Discharge (3/4/20).
- QSO-20-12-All, Suspension of Survey Activities (3/4/20)
- QSO-20-10-CLIA, Notification to Surveyors of the Authorization for Emergency Use of the CDC 2019-Novel Coronavirus (2019-nCoV) Real-Time RT-PCR Diagnostic Panel Assay and Guidance for use in CDC Qualified Laboratories (2/6/20).
- QSO-20-09-ALL, Information for Healthcare Facilities Concerning 2019 Novel Coronavirus Illness (2019-nCoV) (2/6/20).

CDC

- CDC Coronavirus 2019 Landing Page
- CDC ICD-10-CM Official Coding Guidelines (2/20/20)

California Resources

California Department of Public Health

- California Department of Public Health Landing Page for Guidance Documents re COVID-19
- Letter to Laboratories – Important information for laboratories about testing for COVID-19 (3/24/20).

Including CDPH All Facilities Letters:

- California Governor's Executive Order Further Enhancing State and Local Government's Ability to Respond to COVID-19 Pandemic (3/12/20).
- Guidance for Limiting the Transmission of COVID-19 in Long-Term Care Facilities (3/11/20).
- Hospitals Surge Survey to Assess Capacity Regarding Coronavirus Disease 2019 (COVID-19) and Reminder to Contact Medical Health Operational Area Coordination Office
- Guidance for Healthcare Facilities on Preparing for Coronavirus Disease 2019 (COVID-19) (3/3/20).
- Infection Control Recommendations for Facilities with Suspect Coronavirus 2019 (COVID-19) Patients (2/28/20)
- Environmental Infection Control for the Coronavirus Disease 2019 (COVID-19) (2/19/20)
- 2019 Novel Coronavirus Interim Guidance for Risk Assessment and Health Management of Healthcare Personnel with Potential Exposure (2/10/20)
- State Health & Emergency Officials Announce Latest COVID-19 Facts: *New Guidance Issued to Long-Term Care and Adult and Senior Care Facilities, (3/14/20)*
- AFL 20-24. Guidance for Procedures and Transfer of Deceased Persons with Confirmed or Suspected Coronavirus Disease 2019 (3/16/20)

Telehealth Resources

- Telehealth Coverage Policies in the Time of COVID-19 To-Date (3/23/20).
- CMS General Provider Telehealth and Telemedicine Tool Kit (3/20/20).
- California Telehealth Policy – COVID-19 Changes (3/23/20).
- ESRD Provider Telehealth and Telemedicine Tool Kit (3/20/20).
- Office of Civil Rights Notification of Enforcement Discretion for Telehealth Remote Communications During the COVID-19 Nationwide Public Health Emergency, including FAQ.
- Medicaid State Plan Fee-for-Service Payments for Services Delivered Via Telehealth (3/17/20).
- Medicare Telemedicine Health Care Fact Sheet (3/17/20).
- Medicare Telehealth Frequently Asked Questions (3/17/20).
- HHS Notification of Enforcement Discretion for Telehealth Remote Communications during the COVID-19 Nationwide Public Health Emergency.

Other

- Department of Managed Health Care Memo to All Full Service Commercial and Medi-Cal Health Care Service Plans re COVID-19 Screening and Testing (3/5/20)
- California Governor's Proclamation of State of Emergency (3/4/20)
- California Employment Development Department COVID-19 Landing Page