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TO: Intermediate Care Facilities for Individuals with Intellectual Disabilities (ICF/IID)
FROM: Maine Department of Health and Human Services
SUBJECT: Intermediate Care Facility Extraordinary Circumstance Allowance in Response to COVID-19
DATE: March 30, 2020

The outbreak and spread of COVID-19 (novel coronavirus) require that health care providers take extra precautions to protect the residents in their care. The U.S. Centers for Medicare and Medicaid Services (CMS) and Centers for Disease Control and Prevention (CDC) have issued guidance for nursing facilities, which is relevant and appropriate for Intermediate Care Facilities, on infection control and screening of visitors and staff. Maine CDC has additional COVID-19 information on their website. Web links to the guidance are at the end of this memorandum. Note that guidance is updated on a regular basis, so please stay up to date.

The Maine Department of Health and Human Services (DHHS) recognizes the financial challenges that implementing this guidance may present to ICFs in Maine. To assist facilities in meeting this challenge, DHHS is sending this communication about the Extraordinary Circumstance Allowance (ECA) as defined in the Principles of Reimbursement for Intermediate Care Facilities for Individuals with Intellectual Disabilities, Principle 7200.

ICFs should track all additional costs, beyond their normal operating costs, associated with implementing the guidance from the CMS and CDC. We expect the costs incurred by providers will be in the areas of:

- Staffing above and beyond customary levels necessary to maintain proper ratios and to implement guidance (e.g. increased staffing levels necessary to monitor for potential infection, screening visitors) and;
- Supplies and personal protective equipment, such as alcohol-based hand sanitizers, facemasks, gowns, and tissues beyond levels typically purchased.

Providers should submit preliminary budgets for initial review that outline the scope and expected costs of additional actions taken and should submit reimbursement requests by the 30th of each month, as needed, to DHHS for review, approval, and payment. All requests should clearly identify the additional costs and the necessity of the costs in relationship to infection

control, screening visitors, and other emerging guidance from CMS and CDC. Reimbursement will be considered from March 1, 2020 going forward.

The Department is fully committed to partnering with ICFs to mitigate the impact of COVID-19 on Mainers in their care. However, please note that the Department must operate within certain funding constraints and depending on how the COVID-19 situation unfolds, may need to reassess the parameters of this ECA.

Please remit requests to the Division of Audit at DHHS.Audit@maine.gov, attention Herb Downs. Emails should include “ICF COVID-19 ECA Request” in the subject line and should contain all supporting documentation.

If you have any questions, please contact Herb Downs with the Division of Audit at DHHS.Audit@maine.gov with “ICF COVID-19 ECA Question” in the subject line or call the Division of Audit main line at 207-287-2403.

Resources:

CMS resources for Current Emergencies: <https://www.cms.gov/About-CMS/Agency-Information/Emergency/EPRO/Current-Emergencies/Current-Emergencies-page>

U.S. CDC guidance for Preparing for COVID-19: Long-term Care Facilities, Nursing Homes: <https://www.cdc.gov/coronavirus/2019-ncov/healthcare-facilities/prevent-spread-in-long-term-care-facilities.html>

Maine CDC guidance on COVID-19: <https://www.maine.gov/dhhs/mecdc/infectious-disease/epi/airborne/coronavirus.shtml>

Maine DHHS Office of MaineCare Services (OMS) resources: <https://www.maine.gov/dhhs/oms/COVID-19.shtml>

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