



South Carolina Department of Disabilities and Special Needs

Emergency Operations Center (EOC): EOC@DDSN.SC.GOV; 803-898-9754
SITUATIONAL REPORT NO. 9 DATE: APRIL 1, 2020
EVENT COVID-19 PANDEMIC

I. HR 6201 Families First Coronavirus Response Act:

Last evening, the Division of State Human Resources, Department of Administration, provided additional guidance to state agencies on implementing this new federal law. Although we understand providers in our network are not state employees, this information may be helpful in your implementation. The state guidance paralleled very helpful guidance over the weekend from the Department of Labor's document titled, "Families First Coronavirus Response Act: Questions and Answers." In particular, FAQ question #56 was particularly helpful in clarifying how a health care provider is defined by the Act, which was:

56. Who is a "health care provider" who may be excluded by their employer from paid sick leave and/or expanded family and medical leave?

For the purposes of employees who may be exempted from paid sick leave or expanded family and medical leave by their employer under the FFCRA, a health care provider is anyone employed at any ... local health department or agency, nursing facility, retirement facility, nursing home, home health care provider, ... This includes any permanent or temporary institution, facility, location, or site where medical services are provided that are similar to such institutions.

This definition includes any individual employed by an entity that contracts with any of the above institutions, employers, or entities institutions to provide services or to maintain the operation of the facility.

To minimize the spread of the virus associated with COVID-19, the Department encourages employers to be judicious when using this definition to exempt health care providers from the provisions of the FFCRA.

Implementation decisions must be made by each individual provider based on their unique situation, particularly how you will apply the "health care provider" and "health care worker" regulations to your operations and position duties. However, it may be useful to know DDSN's implementation designated the vast majority of its ICF Regional Centers' staff and all staff serving in our five Autism CTH II homes as health care workers.

Below are a list of resources and links to help your implementation:

- Families First Coronavirus Response Act Q&A: ([Click Here](#))
- Employee Rights Poster: ([Click Here](#))
- Federal Employee Rights Poster: ([Click Here](#))
- SC Department of Administration Memo Dated 3/30/20: ([Click Here](#))
- Families First Coronavirus Response Act-Employee Guidance and Request Form: ([Click Here](#))

II. EI Bulletin: ([Click Here](#))

Coronavirus Disease 2019 (COVID-19) Temporary Telephonic and Telehealth Services Updates outlines the temporary use of telehealth for Early Intervention during this national emergency. Further guidance expected to be released from DHHS.

DDSN will have to track the Telephonic/Telehealth billing separate from “normal” service delivery. In order to do this we will add a new drop down in Therap effective April 9, 2020. A new Activity Type of “Telehealth SC/FT” will be added and should be used when billing for Telehealth services. Any telehealth services that are delivered for ages 3-6 (that are documented in Therap) between the dates of March 30th and April 8th should be documented after April 9th. This short delay is to allow us time to edit our billing process. All telehealth units will begin appearing in your May invoice.

III. ABA Therapy Bulletin: ([Click Here](#))

For the convenience of those who also provide the Medicaid State Plan Autism Spectrum Disorder Applied Behavior Analysis services, the SCDHHS bulletin issued on March 30, 2020 on the topic of telehealth delivery is provided.

IV. CARES Act Recovery Rebate Checks:

Please note that the recovery rebate checks, once received by those individuals served in residential programs should not be included in income when applying the room and board calculation. These amounts are also not to be included as countable asset resources for 12 months after date of receipt. As a result, these funds should not be considered when monitoring asset resource limits. DDSN does recommend that providers consider placing these funds in an ABLE account or Pooled Fund Trust Account.

Individuals that receive SSA, VA, or Railroad retirement benefits should receive a check even if they have not filed a tax return for 2018 or 2019. SSI and SSDI recipients who have not filed a 2018 or 2019 tax return will need to complete a “simple tax form” to receive their recovery rebate. The IRS will be releasing this new “simple tax form” shortly; once developed it will be available at <https://www.irs.gov/coronavirus>

As a tax credit, these *payments do not count as income or resources for means-tested programs*. So receiving a rebate will not interfere with someone’s eligibility for SSI, SNAP, Medicaid, ACA premium credits, TANF, housing assistance, or other income-related federal programs.

Additional information at <https://www.irs.gov/newsroom/economic-impact-payments-what-you-need-to-know>

V. Q&A from 3/31/20 Provider Call: ([Click Here](#))

Please see the linked FAQ document from the March 31, 2020 Provider Situational Briefing.

VI. Update from the Greenwood Genetic Center: ([Click Here](#))

Please see the linked update from Greenwood Genetic Center.

VII. SCDHHS Medicaid Coronavirus Disease 19 Update Webinar: ([Click Here](#))

The South Carolina Department of Health and Human Services (SCDHHS) is hosting a webinar where it will update Healthy Connections Medicaid providers on the agency’s response to coronavirus disease 2019 COVID-19). The webinar will be held at 2 p.m. on Monday, April 6, 2020. Click the link above for more information.