OPRA MEMBER UPDATE

Department of Labor Releases Q & A

On March 29th, the US Department of Labor (DOL) released a lengthy Question & Answer document related to the implementation of the Family First Coronavirus Response Act (FFCRA). The guidance contains answers to several questions recently posed by members for example;

Question 2- Outlines the process for determining how you count employees for the '500 Employee' threshold.
Questions 4, 58 and 59- Offers guidance for an employer with fewer than 50 employees on claiming claim an exemption for the benefits under FFCRA.
Question 56- Very importantly, the answer to this question outlines broadly the definition of a health care provider as it pertains to the expanded FMLA benefits under the FFCRA. To read more about this specific provision, visit OPRA's website post on this topic here.

DOL's full FFCRA Question & Answer page can be found here.

For any questions regarding the FFCRA, please email us at covidqs@opra.org

OOD Enacts Temporary Measure for Contract Employment

Per OOD Release: We know many OOD participants are experiencing disruptions in their employment or delays in their job search as a result of the COVID-19 pandemic. We have also heard some CRPs are having difficulty maintaining staffing levels required of them under their AbilityOne contracts and/or their DAS Office of Procurement from Community Rehabilitation Programs (OPCRP) contracts (for example, janitorial contracts at essential operations such as rest areas).

Rationale for Temporary Measure: To support our partners to meet their requirements under these contracts and to assist participants in developing and maintaining the necessary skills and abilities needed for competitive integrated employment, OOD is issuing guidance and allowing for the following temporary measures, which are effective immediately.

Communication with OOD Participants: Consistent with regular practice, OOD will continue to make OOD participants aware of employment opportunities available through AbilityOne and OPCRP contracts. When doing so, **OOD will also explain that we could assist participants in temporarily gaining and maintaining work skills in these employment opportunities while they are experiencing a disruption in their employment or job search as a result of the COVID-19 pandemic.**

Once the participant can resume a job search, OOD will continue to provide services, consistent with the participant's Individualized Plan for Employment (IPE), needed to pursue or return to an employment goal consistent with the federal definition of Competitive Integrated Employment (CIE).
Services to Participants: OOD may pay for On-The-Job Supports, Rehabilitation Technology, and/or Transportation services necessary for an individual to participate in AbilityOne and OPCRP contracts."
Please contact Scott at smarks@opra.org with questions or comments.

ODM Issues New EVV Guidance

After listening to feedback, on March 27th ODM issued guidance, making the following changes to Electronic Visit Verification;

-New providers to the Medicaid program will not need to complete EVV training in order to obtain a Medicaid provider agreement during the COVID emergency.
-For ODA and ODM visits, the voice and signature verification requirement will be temporarily waived.
-Effective Tuesday, March 31, 2020, the visit verification, signature verification and service verification exceptions will be turned off for the duration of the emergency. Exceptions that occur in the meantime do not need to be cleared.

Ohio | Department of Medicaid

Dear Provider:

You have been identified as a provider with an active Medicaid contract to provide services that are subject to Electronic Visit Verification (EVV) requirements. The Ohio Department of Medicaid (ODM) would like to clarify expectations regarding EVV during the COVID-19 emergency. Providers of EVV-eligible services should use best efforts to continue using EVV during this crisis. The following adjustments, however, apply during the time of the state of emergency related to the COVID-19 pandemic:

- The EVV training requirement for new providers is suspended. This means new providers do not have to take EVV training and submit a training completion certificate before completing their enrollment process. However, any new provider of EVV-eligible services during this time will need to take EVV training after the COVID-19 crisis has passed, if they wish to continue to be a Medicaid provider.

- The requirement for providers to capture client verification after an EVV-eligible visit is temporarily suspended. Temporarily relaxing this requirement is intended to assist with safe physical distancing practices by removing the need to pass a device between the caregiver and individual at the end of a visit. While the verification requirement will continue to appear on the device screen, the caregiver can select "Skip Verification" when ending the visit in the Sandata Mobile Connect (SMC) application. If providers are logging an EVV visit over the phone using telephony, they can simply hang up on the *Call Out* when they get to the client verification prompt.

- The Sandata system also will suspend the Client Signature Exception, the Visit Verification Exception, and the Service Verification Exception at this time. These exceptions will be put back into place after the emergency is over. The exceptions will be turned off as of Tuesday, March 31. In the meantime, providers are not required to clear the Client Signature Exception, Visit Verification Exception, or Service Verification Exception.

No claims are being denied because of EVV at this time. ODM will use EVV and logged visits to help ensure that individuals continue to receive services throughout this emergency and identify individuals who may not be receiving expected services. Thank you for your efforts and cooperation during this time. If you have questions regarding EVV, please reach out to EVV@medicaid.ohio.gov. If you have questions about COVID-19, visit https://coronavirus.ohio.gov, or call 833-427-5634 (833-4-ASK-ODH).

DODD Updates:

With so many changes and memos coming from DODD this week, we have attempted to compile all of the week's updates here below.

Covid 19 FAQs: Features updated guidance from March 30, outlining important issues regarding the stay at home order.
3/27: Latest DODD Guidance and Resources: Including EI, HIPAA, and ICF Cost Reporting
3/26:DODD Guidance and Resources: Including guidance on service authorizations, Behavior support, emergency tele-health, expediting background checks and non-medical transportation
Guidance: Certification Span Extensions for Upcoming Renewals
MUI Registry Unit: Updated Guidance
Service Authorization Requirements Frozen
What Ohio's Stay-at-Home Order Means for Ohio's Developmental Disabilities System
Guidance: Certification Span Extensions for Upcoming Renewals
OSSAS Suspends Scheduled Compliance Reviews, Regulatory Work
Guidance: Home Waiver Settings
Guidance: Day Support Service Options
DODD's Statewide Support Teams Available for COVID-19 Response
Guidance: Providers of Waiver-Funded Services
Guidance for ICFs Regarding COVID-19
COVID-19: Updates for ICFs
Guidance: Rule Relief for Medication Administration Certification Renewals

Covid-19 Resources

We understand that during this time it can feel like the proverbially firehose of information. We wanted to take the moment to provide several links and resources we hope are helpful in sorting through the most pertinent information out there.
The Ohio Department of Health dedicated Covid-19 Homepage
OPRA's Covid-19 Resource Center: Our new website including shared member resources, vendor partner resources, information on small business loan assistance, HR resources, and much more!
The Center for Disease Control's Covid 19 Home Page
Ohio EMA's Tabletop Excercise Toolkit
DOL Covid Resource Page: This page contains many useful resources for navigating the many labor/HR issues changes happening in response to Covid-19
Red Cross Online CPR/First Aid Training Courses
DODD Statewide Support Teams
DODD Resources and Support