

OPRA FRIDAY FIVE

News, Resources and Events for OPRA Members

AUGUST 7, 2020

FFCRA: On Monday, a court in New York struck down a key FFCRA provision regarding Enhanced Paid Sick Leave and FMLA. After hard-fought advocacy, DOL published guidance that providers under 500 employees could actively claim a 'health care provider exclusion' to exempt essential DSP and other staff from the leave. Monday's decision essentially vacates DOL's guidance and the ability to exclude such professionals from the said leave. This is a very significant development that could have serious impact on workforce capacity and we are working with our partners at Vorys to understand the full implications and next steps. [Vorys will be holding a "Return to Work" call next Thursday](#), where we expect this topic to be covered and we will be working to develop and provide more resources to navigate this situation.

Member Data Survey: Last week, Christine sent out surveys to our ICF and Residential waiver committees in a data-gathering effort to help us fully understand the impact COVID has had on member agencies over the past several months. This information will be a vital part of our advocacy efforts over the next few weeks and months. We originally had a deadline of Aug. 7 (today) to complete the survey, but understanding how busy you all are and the level of data we requested, are extending that deadline to next Friday 8/14. We are extremely grateful and appreciative of you taking the time to help us compile this very important data.

[To complete the survey for Residential HPC and OS/OC services, Click here.](#)

[To complete the survey for ICF services, click here.](#)

Day Array: Thanks to everyone who attended yesterday's Day Array committee and to Court Sturts, Nyoka Craddolph, and Lori Stanfa, who all joined the committee to supply their respective agency reports. The most significant news of the morning came with the announcement that Basic Employment Skills Training (BEST), is now expected to be implemented in October of 2021, as opposed to March 2021, giving system partners more time to plan for these future services in the Blueprint for Adult & Employment Services workgroup, which meets next week on August 11.

N95 Fit Testing: We are aware that in certain industries, the Occupational Safety and Health Administration, may be reviewing and citing providers for not properly 'fitting' N95 respirators for staff working with people diagnosed with COVID. While we are not aware of any OSHA citations in our field at this point, it is important that agencies review the attached information to ensure diligence was taken in regards to OSHA requirements. We understand the ability to access N95 respirators is extremely limited and we are engaged in a PPE study project to better understand the availability of these respirators and are working with our national partners to understand and influence OSHA's enforcement of this policy. The use of respirators, such as N95s, as opposed to face coverings is required only when directly working with people who have tested positive for COVID-19.

[Fitting Medical Respirators Instructional Video from 3M](#)

[Performing a Seal Check When Donning an N95 Mask](#)

[OSHA Respirator Fit Test Instructional](#)

[DODD Long-Term Services and Supports \(LTSS\) Pre-Surge Planning Toolkit](#)



In Case You Missed It...

Additional Updates From The OPRA Team and System Partners

ICF Controlling Board Funds Portal: ICF providers can now apply for the OBM/Controlling Board funds. We know many of our ICF members have already submitted an application, but wanted to remind those who may not yet have filled out an application [through the portal, which can be accessed here.](#)

HHS Provider Relief: Last Friday, HHS again delayed the deadline to apply for the Provider Relief Fund, this time to August 28th. The press release also included information on how providers that were shut out of the current portal due to previous Medicare billing can access funds to make up the difference. The portal for those providers unable to access the Medicaid tranche due to Medicare billing will have a new portal and process opening on Monday. [Click here to learn more.](#)

Memo Monday: This week's roundup of DODD news contained updates regarding the ADS/Voc Hab Reopening codes in MSS, the FY21 ICF Rate table, 3 new RFP opportunities and several more memos. [Click here to read Memo Monday.](#)

Census 2020: There is still time to complete and help those who you support complete their 2020 Census questionnaire. This Decennial census will play into formulas on funding for local programs and representation in congress. Due to COVID and other political pressures, the Census is ending its data collection much earlier than anticipated. This is really bad news for populations that are typically under-counted. [You can find more information here.](#)

STEP Webinar: Thanks to everyone who attended and helped us present our joint webinar with OACB on STEP services and billing codes. Our apologies to anyone who was unable to attend due to the limited capacity, but both the power-point and video recording of the session [can be found on OPRA's website here.](#) Please contact Scott at Smarks@opra.org with any questions.

Upcoming Events

8/12: DODD Live Chat - ICF Quality Indicators

8/13: OPRA Health Care Committee Meeting

News and Resources

"Gov. Mike DeWine tests negative for coronavirus after initial positive test stuns Ohio"

"Ohio Treasurer recognizes August as #ABLEtoSave Month"

OPRA PPE Resource Page

Dispatch: "Ohio Medicaid officials misled public on drug spending study"

