

8/28/2020

Good Afternoon REDC Members,

Below you'll find your weekly policy update as well as some reminders:

- **Reminder to Share Virtual Advocacy Day Information- DEADLINE TO REGISTER IS AUGUST 28th:**

- Virtual Advocacy Day is set for **September 23, 2020** between 10AM-5PM EST [*exact times will vary based on team locations*], with message training at 6-7:30PM EST on **September 22, 2020**.
 - We urge REDC Members to share the information and encourage your staff to attend, particularly including your operations/contracting staff in addition to others!
 - The topics that we will be advocating can be beneficial to REDC Members if passed into law:
 - **Nutrition CARE Act**- providing medical nutrition therapy (dietitian services) coverage under Medicare Part B. *Note if passed, this will also go to TRICARE.*
 - **Telehealth Expansion** for ERISA & ACA plans
 - Registration Information to Share:
 - Here is the link to the registration page: <https://bit.ly/393TDVF>.

- **SERVE Act:**

- No news from Congress or DHA!
- You may have seen on the DNC convention, but Presidential candidate's wife, Dr. Biden, has a huge passion to ensuring military members **and particularly military families** have access to health care. They did a big segment on this the other night. To me, this rings bells that with the Senate language included in the NDAA, we'd very likely be able to get the Biden administration to implement themselves.

- **Milliman High Cost Patient Study Released:**

- The attached August 2020 Milliman report detailing validated data findings that support the value of behavioral health integration (BH care in medical settings) as regards both total healthcare cost savings, and improved patient outcomes.
- It's the latest in a series of reports on this subject the highly-respected Milliman firm has produced, in 2014, 2018 and now 2020.

- **COVID Relief Package Items**

- **Provider Relief Funding Deadline Extended—Friday, August 28**
 - HHS has extended the deadline to Friday, August 28 for healthcare providers who participate in Medicaid and CHIP to apply to the Provider Relief Fund established in the CARES Act.
 - This application allow providers to apply for the balance of funding up to 2% of their annual patient revenue.
 - HHS decided to reopen the application process after learning that many providers, including many Medicaid and CHIP providers, did not apply to the prior Medicare-based distribution because they had relatively low Medicare revenues.

- HHS also announced it is working on another funding distribution from the Provider Relief Fund focused on providers who have not received any funding including those who only bill commercially or do not directly bill for the services they provide to Medicare and Medicaid beneficiaries.
 - Information about how to apply for the various Provider Relief Fund distributions is on the HHS [website](#)
 - **CMS Responds to Sens. Cassidy (R-LA) & Smith (D-MN) Letter (*response attached*)**
 - CMS responded to Sens. Smith and Cassidy's letter expressing concerns over the availability and payment of audio-only telehealth services during the COVID-19 pandemic.
 - The response explains that CMS expanded telehealth coverage to more than 80 services and allowed for certain services that were only covered for established patients to cover new patients as well.
 - Additionally, the response states that CMS increased the payment rates for audio-only telephone visits to be equivalent to the payment rates for levels 2-4 office/outpatient E/M visits with established patients.
 - **Senate Republicans Release Smaller COVID Package (*bill language attached*)**
 - The legislation includes the following funding:
 - Unemployment insurance - \$170 B
 - Post Office - \$10 B
 - Paycheck Protection Program - \$157 B
 - Liability - \$0
 - Health funding and education funding - \$150 B
 - The bill is not expected to move in either the Senate or House
- **Telehealth:**
 - New data from FAIR Health shows telehealth claims jumped from 0.15% of medical claims in May 2019 to 8.69% this year.
 - This is less than the year-over-year increase in April; telehealth made up 0.15% of claims in 2019, compared to 13% this year.
 - The decrease coincides with the lifting of lockdown orders, and the biggest decrease is in Southern states where telehealth dropped from 9.81% of medical claims in April to 5.87% in May.
 - Data company Harmony Healthcare IT recently polled 2,000 Americans and found 2/3 of patients have used telehealth since the pandemic began, compared to less than half before it started.
 - About 60% say they plan to continue using virtual care, and 52% said they'd see their provider more frequently if they could use telehealth in the future.
- **ACA Watch:**
 - **Supreme Court will hear Trump Administration-backed challenge to the ACA on November 10**
 - This will be one week after the election and the administration will have to argue for the dismantling of the ACA in the aftermath of the election.
 - Republican candidates down the ballot could face greater pressure over the party's lack of a viable replacement plan a decade after the ACA's enactment.
 - A Supreme Court decision on the lawsuit isn't likely until the spring.
 - **Judge Freezes Trump Administration's rollback of ACA anti-discrimination protections for transgender patients**
 - The judge cited a recent landmark Supreme Court decision awarding workplace discrimination protections to LBTGQ employees.

- Monday's decision didn't address other provisions of Trump's revised nondiscrimination rules, which eased requirements for health care providers and insurers to give information in 15 languages and offer translation services. It also left alone Trump's rollback of protections for patients seeking abortion.
- **Oklahoma Withdraws Conservative Plan That Would Alter Medicaid Financing**
 - The withdrawal deals a major blow to the Trump Administration's effort to remake the safety net program.
 - In late June, voters in the state passed a ballot initiative to expand Medicaid, which also appeared to bar Gov. Stitt's block grant plan.
 - The state was the only one so far to take the Trump Administration up on its offer to eventually block-grant its Medicaid expansion population.

Best,

Katrina Velasquez, Esq., M.A.

Managing Principal

Center Road Solutions, L.L.C.