

# CONGRESS MUST PROVIDE ADDITIONAL COVID RELIEF PRIORITIZING LONG TERM CARE



**AHCA**  
AMERICAN HEALTH CARE ASSOCIATION

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NATIONAL CENTER FOR ASSISTED LIVING

“Congress must fulfill its duty. Health care facilities, including nursing homes and assisted living communities, are already experiencing an uptick in new COVID cases, and they need every possible resource heading into what promises to be a challenging winter.”

**Mark Parkinson**  
AHCA/NCAL President & CEO

## Steps Congress Can Take During Lame Duck Session To Help Protect Long Term Care Residents & Caregivers

Health care providers need ongoing financial support in order to combat the virus. Long term care facilities, specifically, need significant assistance due to the high cost of personal protective equipment (PPE), frequent testing, and staff support (additional caregivers and hero pay).

### Providing Additional Funding For The Frontlines

1

**Add \$100 billion to U.S. Department of Health and Human Services (HHS) Provider Relief Fund**

With most of the \$175 billion Provider Relief Fund distributed, health care providers, including long term care facilities, will need additional funds to continue its response to the COVID pandemic heading into the cold and flu season, which provides new challenges especially with the major increase in COVID cases in the general population across the country. **While available to all health care providers, a substantial portion should be dedicated to long term care.**

2

**Create a \$5 billion Long Term Care Testing Fund**

For labs and licensed skilled nursing facilities (SNF) or assisted living communities (AL) to apply to cover the costs of any testing ordered by a governmental entity. At present, it is not clear who is covering testing and how much needs to be done, especially for staff. Funding for testing should be available through the period an effective vaccine is deployed (not the end of the declared public health emergency [PHE] if sooner). Testing costs should be moved from the SNF Medicare Part A per diem (intended for patient care) to Medicare Part A consolidated billing.

3

**Create a COVID-19 Add-On Rate for SNFs**

Consistent with the hospital COVID-19 add-on rate and using the HIV/AIDS Add-On language as a model, develop a 30 percent add-on for SNF residents with a positive diagnosis or potential positive residents requiring enhanced practices.

**4** **Support efforts such as S. 3768** To provide much needed funding to long term care facilities for PPE, testing and hazard pay

**5** **Funding for Independent Special Needs Plans** Provide access to funding for small, Independent Special Needs Plans focused on nursing home and assisted living residents to offset losses associated with COVID-19.

### **Prioritizing Long Term Care Residents & Staff**

Our residents – mostly older adults with multiple, complex health conditions – are the most vulnerable when it comes to COVID-19. Long term care residents make up eight percent of the U.S. cases, yet 40 percent of the nation’s deaths. These seniors and individuals with disabilities, as well as their caregivers, must be made a priority during this pandemic.

**6** **Prioritize COVID-19 testing to the providers and population most at risk**, long term care settings to ensure residents and staff are able to get a test and receive timely results.

**7** **Vaccine priority:** Direct the Centers for Disease Control and Prevention (CDC) to ensure that SNF and AL residents and staff are the first and highest priority for vaccine distribution and administration.

### **Protecting Medicaid**

Medicaid is the primary payer for nursing homes, covering more than 60 percent of all nursing home residents and approximately 50 percent of costs for all long term care services. However, Medicaid reimbursements only cover 70 to 80 percent of the actual cost of nursing home care, resulting in shoestring budgets and ongoing losses for many providers. The COVID-19 pandemic has only intensified these financial challenges.

**8** **Increase the Federal Matching Assistance Percentage (FMAP)** by 14 percentage points through June 30, 2021. At a time of financial instability, this would ensure state governments have the resources they need to continue providing critical services.

### **Providing Limited Immunity From Liability For COVID-Related Activities**

This is an unprecedented public health crisis and caregivers are doing everything they can with limited resources and ever-changing information. Providers or individual staff members who are following government guidance should not be held responsible for their good faith efforts during this once-in-a-century pandemic.

**9** Along with many other health care providers, long term care providers and staff need limited and reasonable liability protection, so they can continue to offer quality care during this challenging time without fear of reprisal.

“Without adequate funding and resources, the U.S. will repeat the same mistakes made during the initial outbreak last spring and the major spike over the summer. We need Congress to prioritize our vulnerable seniors and their caregivers in long term care facilities, by passing another COVID relief package during the lame duck session on Congress.” **Mark Parkinson, AHCA/NCAL President & CEO**