PUBLIC POLICY PARTNERS
COVID-19 RESOURCES

To help people navigate the information stream coming from all levels of government and the private sector in response to COVID-19, Public Policy Partners will be collecting and conveying information and resources that we hope will be useful to our clients and fellow Marylanders. As there are very many sources of information, and new sources coming out every single day, we will not assume to capture them all. Rather, we will curate and share ones that appear to be most useful to our clients and our network.

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A.   FEDERAL RESPONSE

Beginning in March, the United States Congress passed several COVID-19 relief packages to aid the public health and economic response to the pandemic. The first provided $8.3 million for public health providers, research, and small business loans. The second bill from Congress greatly expanded paid leave, made COVID-19 testing free, and provided for various family supports. The third was the large $2 trillion CARES Act. This provided assistance to a wide range of entities, including hospitals, businesses, schools, and assistance to individuals including expanding who can get unemployment insurance and direct relief payments. There's a section-by-section [explanation of the CARES Act here](). Congress is considering moving an additional relief package, and there are active negotiations between legislative leadership and the White House.

B.   MARYLAND EXECUTIVE BRANCH

Governor Hogan's website has an [Executive Order page](). This page is updated with each new Executive Order (EO) issued by the Governor. The EOs are typically broad in scope and typically followed by State agency guidance on implementation. We have provided specific detail about many of the EOs and state agency guidance in this document.

The State of Maryland is posting often-updated [information on COVID-19](), including a dashboard on the number of cases by locality/zip code, frequently asked questions, and a large variety of resources. The dashboard is updated every day at 10:00 a.m.

Updated Beginning on April 24th, Governor Hogan set into motion his plan to gradually remove the many restrictions put into place in the original responses to the pandemic. The stages of the plan are found in ["Maryland Strong: Roadmap to Recovery."](https://) [Additional EOs and more detailed guidance have been posted as well](). The stages in the Governor's plan set the upper limits with regard to what businesses and services can be open and at what capacity. Local governments maintain discretion in response to local public health indicators. The Governor continues to strongly encourage those who can work from home to continue to do so and people with underlying health conditions to stay at home.

You can find details on [Governor Hogan's A-Z Guide to Coronavirus Response in Maryland]()

New Attorney General Brian Frosh, in partnership with the Maryland Access to Justice Commission, has created the COVID-19 Access to Justice Task Force to ensure Maryland's civil justice system is accessible to people, especially people of color, during and after the pandemic. The Task Force and its many subcommittees will be making recommendations related to health, disaster recovery, business, government, housing, and others. A list of members, subcommittees and other information is available [here]().

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C.   MARYLAND JUDICIARY

Updated The Maryland Judiciary had announced significant changes in operations when the pandemic began. Subsequently, a "reopening" order was issued listing detailed steps of how and when courts would resume services. It is important to refer to the following resources when seeking information about court operations:

- Administrative orders and updates from the Judiciary;
- Chief Judge Barbera's order detailing the resumption of State court operations; and
- Maryland Access to Justice Commission information related to State, Federal and Immigration Courts, as well as Administrative Hearings.

D.   MARYLAND GENERAL ASSEMBLY

The Maryland General Assembly has created a Joint COVID-19 Response Legislative Workgroup. Meetings are being live streamed and previous meetings' audio and video recordings are posted on their website, as are the presentations.

E.   HEALTH CARE RESOURCES FOR PROVIDERS

1.   REIMBURSEMENT FOR COVID-RELATED COSTS - THE UNINSURED

The CARES Act provides reimbursement to providers for health care services related to COVID-19. HRSA has released guidance on the reimbursement program.

2.   TELEHEALTH

Licensure Boards: Governor Hogan signed Senate Bill 402/House Bill 448 on April 3rd. The legislation went into effect immediately. All health care professionals are now authorized to use all available telehealth technology (synchronous or asynchronous) to communicate with new and existing patients. Health care professionals need to be: 1) licensed or certified by a Maryland board; or 2) Working under a compact authorized under state law. Special note: Health professionals licensed out-of-state may also provide telehealth services if working under a facility as authorized by the Governor's Executive Order.

The Secretary of Health, in consultation with the boards, has taken some additional steps. Some licensure boards have taken additional steps. The Secretary has authorized alcohol

[and drug trainees](#) to provide telehealth services and [behavioral analysts](#) to provide audio only services in addition to telehealth services.

The Maryland Health Care Commission has issued a [guide](#) to providing telehealth services.

Updated **Medicaid Reimbursement:** Medicaid normally reimburses for telehealth services when both the health care practitioner and patient are at an approved clinical site. Telehealth services are also required to be synchronous through audio and visual technology. Under an [Executive Order](#), the Governor granted broad authority to Medicaid to reimburse for broader telecommunication tools, including audio-only (phone calls). Some of the Governor's authority is dependent on the federal state of emergency, which has been [extended to October 23rd](#). The Secretary has issued guidance on waiving key requirements:

- [Patients may be in their homes and other non-clinical settings. According to the Maryland Department of Health, this policy will be effective to the end of the Governor's declared state of emergency, and it is not dependent on the federal state of the emergency. During the federal state of emergency, however, enforcement of HIPAA standards has been relaxed](#);
- Communications may be through telephone or audio-only for [somatic care](#), for [behavioral health care](#), and for [psychiatric rehab](#);
- Dentists may now bill for synchronous audio-visual [teledentistry services](#);
- [IEP services](#) may be reimbursed for telehealth delivery. Telehealth services can include services related to psychotherapy, occupational therapy, physical therapy, speech language pathology, and service coordination. Nursing, audiology, and therapeutic behavioral services are not reimbursable;
- [Remote patient monitoring](#) has been expanded. Reimbursement for remote patient monitoring is normally limited to patients: 1) with a history of hospitalization; and 2) COPD, congestive heart failure, or diabetes. Now, reimbursement is available for any somatic patient for whose condition can be monitored through RPM.
- Developmental Disabilities Services: The Developmental Disabilities Administration [issued guidance](#) about services being provided through telehealth.
- [Well Child Visits](#): Medicaid will pay for well child visits for children over 2 years of age through telehealth. Medicaid will also pay for follow-up in-person visits for services, such as immunization, that cannot be provided through telehealth.

Please stay tuned. We expect that there will be permanent changes to Medicaid reimbursement policies beyond the pandemic.

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Private Insurance – State Regulated Plans: While there are no strict requirements, the Insurance Commissioner and Maryland Health Benefit Exchange may facilitate reimbursement of telehealth services by private insures in the State market under [SB 1080/HB 1663](#), emergency legislation signed into law by Governor Hogan on March 19th. Under existing state law, Insurance Article 15-139, insurers must reimburse for telehealth services as the same rate as in-person services. Telehealth does not include audio-only or telephone-only calls.

Medicare: Medicare normally limits telehealth reimbursement to synchronous (audio and video) communication with established patients. The patients also must be at an approved clinical site, except for designated rural areas where patients may be at home. Under the public health emergency, [CMS has expanded reimbursement](#) to patient in their homes. In addition, [CMS has allowed](#) federally qualified health centers (FQHCs) and rural health clinics (RHCs) to be reimbursed as distant site providers.   FQHCs and RHCs may now also bill for asynchronous services known as "online digital evaluation and management services." CMS issued specific [guidance on April 17th](#)about payment rates to FQHCs for synchronous telehealth services during the public health emergency. CMS issued [further guidance](#) on April 30th about expanded telehealth reimbursement for FQHCs and RHCs.

TRICARE: The Department of Defense has issued rules to broaden telehealth reimbursement during the public health emergency. Changes include reimbursement for telephone-only appointments, when a physical exam is not required. It is notable that the [Department has indicated](#) that some of the changes may become permanent.

ERISA – Exempt Insurance Plans (Self-Insured): No information is available on any federal actions.

3.   HEALTH CARE PROVIDER LICENSURE

Licensure Extension: The Governor [issued an Executive Order](#) to extend all state licenses, including health professional and health facility licenses, for 30 days beyond the State's public health emergency.

Reciprocity: The Governor issued an [Executive Order](#) allowing out-of-state health care practitioners to provide services (in-person or telehealth) in Maryland: 1) if the practitioner works for one of the following facilities: hospital, related institution (group home), ambulatory surgery center, home health, hospice, or another facility requiring a certificate of need; or 2) if the practitioner works for another program or provider approved by the Secretary. In addition, the [Board of Professional Counselors and](#)

Therapists has authorized out-of-state practitioners to provide telehealth services to patients in Maryland for the purpose of continuity of care.

Inactive Licenses: The Governor's Executive Order also allows for health facilities, as defined in the Executive Order, to employ health professionals with inactive state licenses.

Scope of Practice: The Governor's Executive Order also allows for health professionals to practice outside their scope if they can do so safely and work for a facility, as defined in the Executive Order.

Pharmacists: On May 19th, the Governor issued an Executive Order to expand pharmacists' scope of practice to order and administer COVID-19 tests.

4.   BEHAVIORAL HEALTH

For those in the behavioral health field, the Substance Abuse and Mental Health Services Administration has a growing list of guidance and resources for providers. At the State level the Behavioral Health Administration has a significant amount of information that is updated frequently. It is helpful to visit their website frequently to keep abreast of the latest information and use the link to submit questions. There is also information on the National Council for Behavioral Health website.

5.   HEALTH INSURANCE ENROLLMENT AND CONTINUOUS COVERAGE

Medicaid: Medicaid has waived premium requirements for MCHP and the Employed Individuals with Disabilities program.

Private Insurance: The Maryland Insurance Administration (MIA) has encouraged all Life & Health Carriers and Property and Casualty Insurers doing business in the State to make reasonable accommodations so that individuals and businesses do not lose coverage due to non-payment of premium during this emergency. Reasonable accommodations may include suspension of premiums due, extension of billing due dates and premium grace periods, and waiver of installment and late payment fees.

On July 30th, Maryland Insurance Commission Kathleen Birrane issued a bulletin requiring health carriers to suspend health benefit cancellations and non-renewals of individual health policies for non-payment of premium. The regulation will be in effect for 60 days and only applies to individual health policies and only for the reason of non-payment of premiums.

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Qualified Health Plans: The Maryland Health Benefit Exchange has extended the emergency special enrollment period through **December 31st 2020**. The application is available daily from 6 a.m. to 11 p.m. Visit their [website](#) for details.

6.   NETWORK ADEQUACY

Medicaid*:* With permission from CMS, Medicaid is easing some [provider enrollment requirements](#), including allowing for providers with licenses in other states. Medicaid issued [new guidance](#) on May 1st for options for providers enrolling in Medicaid during COVID-19.

Private Insurance – State-Regulated Plans*:* The [MIA urges health insurance carriers](#) to plan for granting out-of-network referrals if there are not sufficient numbers of appropriately qualified providers in the provider panel to treat COVID-19. Carriers are also encouraged to enter into agreements with providers to prevent balance billing of members.

Medicare: CMS is [easing some of its provider enrollment requirements](#), similar to Medicaid.

7.   BENEFITS

Pharmacy:
- Medicaid: Medicaid is not enforcing [preauthorization requirements](#). In the fee for service program, Medicaid is allowing for [early refills](#).
- Private Insurance – State Regulated Plans: The [MIA has required commercial insurers to waive restrictions](#) on prescription medication refills and authorize payment to pharmacies for at least a 30-day supply of any prescription medication, regardless of the date upon which the prescription medication had most recently been filled by a pharmacist.

Deductibles and Co-Pays for COVID-19 Related Services:

- Medicaid: No actions because there are no deductibles and copayments in Medicaid.
- Private Insurance – State Regulated Plans: Emergency regulations, as authorized by SB 1080/HB 1663, from the MIA have been approved [waiving certain deductibles, co-pays and other cost-sharing](#) to control spread of COVID-19. Carriers must waive any cost-sharing, including co-payments, coinsurance and deductibles, for any visit, lab fees, or

immunizations for COVID-19. Carriers could, but are not required to, choose to waive other cost-sharing requirements.

8.   HEALTH CARE FACILITIES AND PROGRAMS

The CARES Act Provider Relief Fund: The federal Department of Health and Human Services has opened a portal for Medicaid providers to apply for assistance through August 28, 2020. The updated information for applying for the Medicaid Provider Relief Fund is here and the link to the portal is here.

Long-Term Care, Older Adults, and Other Vulnerable Communities: The Governor has issued an Executive Order that requires the Secretary of Health to issue specific directives about reducing risk and the treatment of COVID-19 for nursing homes. The Executive Order also allows, but does not mandate, the Secretary to also issue such directives if necessary, to assisted living, hospice, residential treatment facilities, home health, and related institutions (group homes). On April 29, the Governor revised his Executive Order directing the Secretary of Health to issue guidance mandating testing of patients and staff. The Secretary has issued guidance to allow facilities to restore visitation programs under certain circumstances.

The Secretary of Health has issued guidance for addressing COVID-19 risk in long-term care, facilities serving older adults, small group homes, and congregate facility settings. More information is expected as the Secretary implements the Governor's Executive Order for specific directives for nursing homes.

In home health settings, CMS now permits occupational therapists to determine the eligibility of an individual for home health services under Medicare.

Following the direction of the Governor, the Secretary of Health issued guidance that allows health care providers to resume providing non-urgent health care services, including dental care on May 7th. Providers must follow guidelines concerning PPE, social distancing, and screening patients.

9.   PPE

The Department of Commerce launched a public-private initiative to connect buyers and manufacturers of PPE.

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F.   BUSINESS RESOURCES

1.   MARYLAND SMALL BUSINESS COVID-19 RESOURCES

Maryland has established a [COVID-19 Business Response website](#) with information to assist businesses who are reopening. The site also includes a link to Maryland's Roadmap to Recovery Plan.

2.   FEDERAL CARES ACT (PHASES 1-3.5)

Through the federal CARES Act, small and mid-sized businesses and nonprofits with 500 or fewer employees may be eligible for forgivable loans to be used to meet payroll and associated costs, such as health insurance. To help navigate the best options for your business or nonprofit, including information on the Paycheck Protection Program (PPP), visit the [Small Business Administration's Coronavirus Relief Options webpage](#). Businesses and nonprofits are encouraged to periodically check the website for updates as deadlines and eligibility requirements occasionally change.

In addition to the SBA, Senator Van Hollen has created a [Coronavirus Resource Page](#), which includes fact sheets on the CARES Act, to assist businesses understand which programs they might be eligible for.

Small Business Loans – Non-Disaster: The Small Business Administration is also offering [Express Bridge Loans](#) and [Debt Relief Programs](#) to businesses affected by COVID-19.

Unemployment Insurance Information for Employers: As a result of the ongoing impact of COVID-19, Maryland has changed and expanded unemployment eligibility. Information about the temporary changes can be found on the Maryland Department of Labor's [Unemployment Website](#). In addition, employers with 25 or more employees impacted by a coronavirus-related layoff or shutdown may open unemployment claims for all affected employees. For more information, visit the Maryland Department of Labor's [Bulk Claims Services Frequently Asked Questions](#) page.

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3.   Additional Nonprofit Resources:

Governor Hogan is allocating $50 million to the Maryland Nonprofit Recovery Initiative (NORI) to assist nonprofit organizations whose critical operations have been financially impacted by COVID-19 and state-of-emergency. The following funding opportunities will be administered through several departments on a first-come-first-served basis:

Maryland Department of Housing and Community Development (DHCD):

- At least $30 million via DHCD to nonprofit organizations engaged in the economic recovery, health and human services and housing of underserved communities and underserved populations.
- $10 million via DHCD for nonprofits licensed by Maryland Behavioral Health Administration (BHA) and the Developmental Disabilities Administration (DDA).
- Visit DHCD's Notice of Funding Availability webpage or email DHCD dhcd.nonprofitsrecovery@maryland.gov for more information.

Maryland Department of Commerce (Commerce):

- Up to $8 million to nonprofits that have already applied for their Covid-19 Emergency Grant Program but were not able to be funded in the earlier round. For more information, contact COVID-19 Emergency Grant Program Applications by email at: covid-19.application@maryland.gov.
- $3 million via the Maryland Arts Council for arts and cultural organizations affected by Covid-19 impacts. For more information, visit the Maryland State Arts Council Arts Recovery Grant program webpage or email Dana Parsons at dana.parsons@maryland.gov.

Maryland Nonprofits has a comprehensive list of resources geared toward nonprofit organizations, including webinars geared to nonprofits, public and private sources of funding, advocacy resources, and a place to promote the continued great work of community organizations. Nonprofits impacted by COVID-19 who are ineligible for funding through the CARES Act may still apply for certain tax credits through the Internal Revenue Service (IRS). Specific credits can be found on the IRS website.

Local Resources: PPP is aware of an increasing number of local jurisdictions that have created grant programs, largely funded with federal CARES Act funds, to businesses and nonprofits. Since these grant opportunities have varying requirements, check your local government's COVID-19 Resource Page, provided by the Maryland Association of Counties.

G.   EMPLOYEE RESOURCES

1.   MARYLAND BUSINESS RELIEF WIZARD

The State of Maryland has partnered with numerous organizations to create an online tool that helps connect businesses and nonprofits with the resources and programming for which they may be eligible.

2.   Paid Sick Leave

Eligibility: Employees who are unable to work, including unable to telework; and are employed by a public or private employer with less than 500 employees.

Exceptions: A majority of federal employees are exempt from the paid leave extension covering school and child care provider closings.

Benefits:

- If you are quarantined and/or experiencing COVID 19 symptoms and seeking a medical diagnosis: up to 80 hours of regular pay (up to $511/day)
- If you have a "bona fide" need to care for an individual who is quarantined, to care for a child whose school or child care provider is closed for COVID 19 reasons: up to 80 hours at 2/3 pay (up to $200/day)
- If you have been employed for at least 30 calendar days and are unable to work due to a "bona fide" need to care for a child whose school or child care provider is closed for COVID-19 reasons: Up to an additional 10 weeks at 2/3 pay (up to $200/day).

Sources: U.S. Dept of Labor   Senator Chris Van Hollen   Maryland Department of Labor

3.   UNEMPLOYMENT INSURANCE BENEFITS

The Maryland Department of Labor launched a new one-stop unemployment insurance application allowing all newly eligible Marylanders to file claims entirely online. This includes those who are eligible for the Pandemic Unemployment Assistance program, such as those who are self-employed, and individuals who were previously required to file by phone. Apply for Unemployment Insurance in MD.

Please note that the Division of Unemployment Insurance's website and call centers are currently experiencing an unprecedented volume of users due to COVID-19. This may result in long wait times.

Eligibility

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- Individuals who are unable to work, including telework and who are NOT receiving paid sick leave or paid family leave.
- Most employees are eligible for pandemic related unemployment benefits through December 31, 2020. <u>Unemployment benefits have been extended to individuals who are self-employed and/or independent contractors.</u>
- If you recently exhausted your unemployment benefits, or were already receiving unemployment pre-COVID-19, you are eligible for extended benefits.
- [FAQ on eligibility for COVID-19 specific/CARES Act unemployment in Maryland](#)
- If you worked in a state other than Maryland, you must apply for unemployment from the state where you were employed.

Benefits

- <u>Individuals who are eligible for regular unemployment coverage</u> AND who cannot work due to COVID-19 may receive $600 per week on top of current regular UI benefits, with an extension of up to 13 additional weeks of those benefits for a maximum of 39 weeks.
  - [FAQ](#) on unemployment insurance for individuals who are eligible under normal circumstances
  - Regular unemployment benefits in Maryland range from $50 to $430 per week.
- <u>Individuals who are NOT usually eligible for regular unemployment benefits</u> AND who cannot work due to COVID-19 are eligible for a maximum of 39 weeks of benefits, which includes $600 of additional assistance.
- Effective January 27, 2020 through December 31, 2020.

Sources: [Maryland Department of Labor](#)   [National Law Review](#)

4.   KNOW YOUR RIGHTS

Public Justice Center has a comprehensive guide to your rights for accessing paid sick leave, family medical leave, unemployment benefits, changes in employment status and more [here](#).

H.   HOUSING

Updated ***Foreclosures and Evictions:*** While there had been a partial moratorium on evictions since the start of the pandemic, the Maryland Judiciary is phasing in a return to

operations which will allow for more evictions to take place. The [Maryland Judiciary](#) and the [Public Justice Center](#) have up-to-date information.

Utilities: [Governor Hogan](#) has also temporarily halted any utility shut offs during the pandemic and prohibited residential utility companies from charging late fees during this time.

Know Your Rights: The Public Justice Center has a resource guide for tenants including how to obtain legal representation [here](#).

I.   PUBLIC EDUCATION RESOURCES

*Updated** The Maryland State Department of Education has issued its *[Recovery Plan for Education](#)* with guidance for local school systems as they make decisions on the 2020-2021 school year. Local school systems are required to have their recovery plans completed and posted by August 14, 2020.

Childcare: On June 10th, the Maryland Department of Education announced that all child care providers may reopen, as long as they follow all health department protocols listed on the [MSDE website](#) and adhere to class size restrictions. Class sizes in child care centers are now expanded to a maximum of 15 individuals per classroom.

Students with Disabilities: The Maryland State Department of Education has created a [COVID-19 resource page](#) related to education services for children with disabilities In addition, on June 10th, the Department announced that all nonpublic special education schools may reopen to serve students with disabilities, as long as they follow the same capacity parameters as public school systems.

Additional Resources: The [University of Maryland School of Public Health](#) has put together a list of different types of ideas and resources for children to engage in at home. Parents spending more time at home with children may find this helpful.

J.   TAXES

The [Comptroller's Office](#) has information on tax filing deadlines, temporary cessation of collections, and more on their website.

For information on direct cash payments, [visit the IRS](#).

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K. PERSONAL RESOURCES

Personal Wellbeing: It is important that we all address our mental health needs during this time. The Maryland Department of Health has posted [tips and resources](#) and has released [20 public service videos](#) suggesting ways to cope with stress, anxiety and depression during this pandemic.

Maryland Crisis Hotline: For those in crisis who need help, use Maryland's crisis hotline by calling 211, or check out resources on their [website](#).

Financial Assistance: [CASH Campaign of Maryland](#) has a list of various resources that can be helpful to individuals and families with their finances.

Talking to your Children: There are resources available to help you engage with your children about COVID-19. [Children's Mental Health Matters](#) and the [National Child Traumatic Stress Network](#) have advice.

Access to Naloxone: If you are a person who uses drugs or if you are around people who use drugs, there is a useful guide to various resources in Maryland, including free statewide mail-order naloxone. Visit [Naloxone for All](#) for information.

FAQ for Youth: The Baltimore City Health Department has developed a [one-page FAQ](#) on COVID-19 specifically for young people with some basic facts and local resources.

Maryland Health Benefit Exchange: The emergency special enrollment period has been through **December 31st** for currently uninsured or newly uninsured Maryland residents. You do not need to be sick to enroll. Individuals who are uninsured due to recent job loss or who missed the regular open enrollment period may apply. The application is available daily from 6 a.m. to 11 p.m. Visit their [website](#) for details.

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