

More Mandatory Testing and Funding for Senior Living Facilities

PUBLISHED ON

August 3, 2020

The federal government now has joined with many states in mandating COVID-19 testing for facilities in areas of increased vulnerability.

The Centers for Medicare and Medicaid Services (CMS) is requiring weekly testing of all staff for nursing homes in states with a 5% COVID-19 infection rate or greater - including Pennsylvania. The federal government also has deployed "task force strike teams" to provide onsite assistance to facilities experiencing COVID-19 outbreaks in Illinois, Florida, Louisiana, Ohio, Texas and Pennsylvania.

In addition, the federal government will allocate \$5 billion of the CARES Act provider relief funding to Medicare-participating facilities to enhance their response to COVID-19, including implementing infection control "mentorship" programs with subject matter experts, supplementing staff resources, increasing testing capabilities and providing new technology that allows residents to connect with family members who are not able to visit. This funding is in addition to the \$4.9 billion previously authorized to offset the additional costs of personal protective equipment and other extraordinary expenses incurred by facilities during the COVID-19 health crisis.

In order to receive federal funding, facilities must complete a COVID-19 training program sponsored by CMS in partnership with the Centers for Disease Control. This training consists of 23 online educational modules focused on infection control, strategies for isolating infected residents and best practices to prevent and mitigate outbreaks.

Although the increase in support for nursing homes is welcome, the challenge now will be to manage the various federal and state requirements for testing, funding and other COVID-19 response measures. Facilities in Pennsylvania just completed mandatory baseline testing of all residents and staff on July 24. Now some may be required by CMS to conduct weekly testing of staff while also complying with their state's testing directives and recommendations.

At the same time, use of funding provided by these federal and state programs must be separately accounted for and reconciled for later reporting. The Health Resources and Services Administration, which administers the distribution of federal relief funds, will issue guidance on August 17 concerning mandatory reporting by recipients of funding beginning October 1.

In the interim, facilities should carefully segregate and record their use of federal and state relief funds in preparation for reporting and possible audits. Also, while it should be expected that the federal and state health agencies will work cooperatively together in implementing COVID-19 response measures, facilities must regularly monitor both federal and state guidance for new testing and other requirements.

If you have any questions about new federal testing and assistance for senior living facilities, please [contact me](#) or

anyone in the [Senior Living Industry Group](#).

WRITTEN BY:



Christopher J. Churchill

Partner

Tel: (717) 399-1571

Email: cchurchill@barley.com