



In this issue...

- [Senate Republican Leaders Introduce HEALS Act](#)
- [Upcoming COVID-19 Relief Deadlines](#)
- [2021 ICD-10 Official Guidelines and Reporting](#)
- [AMA Survey on Treating Pain During COVID-19 Pandemic](#)
- [HHS Renews Public Health Emergency, Continuing Telehealth Flexibilities](#)
- [Nurse Practitioner Flexibility During COVID-19 Pandemic](#)
- [What Should You do if a Provider Tests Positive for COVID-19?](#)
- [School Re-opening Guidance Resources](#)
- [IMAFS Financial Tip](#)
- [HHS Telemedicine Hack Learning Community](#)
- [Pre-Order Your 2020 Coding, Billing and Essential Reference Guides Today!](#)
- [Trump Signs Executive Orders On Drug Prices](#)
- [Gov. Little Applauds Federal Court Decision Supporting Idaho Health Insurance Option](#)
- [Order the 2020 IMA Directory of Idaho Physicians](#)
- [United Healthcare to Implement EPCS Requirement](#)
- [Medicare ABN Replacement Form](#)

Senate Republican Leaders Introduce HEALS Act

Senate Republicans have released their version of the fourth COVID-19 relief known as the Health, Economic Assistance, Liability Protection, and Schools (HEALS) Act.

The AMA has provided an overview of the current proposal:

- Extending repayment terms under the Medicare Accelerated and Advanced Payment program, delaying the start of the repayment period from 120 to 270 days after receipt of funds and extending the length of the repayment period from 12 to 18 months.
- Increasing the Public Health Services Emergency Fund established by the CARES Act by \$25 billion.
- Creating an exclusive federal cause of action for coronavirus medical liability claims, under which health care providers would be liable only for coronavirus-related injuries caused by gross negligence or willful misconduct.
- Expanding access to the Paycheck Protection Program to 501(c)(6) entities, which would include many health professional associations such as state medical societies and national specialty societies, and other program improvements.
- Providing authority to the Centers for Medicare and Medicaid Services to extend waivers and other telehealth policies through 2021.
- Maintaining Medicare Part B beneficiary premiums at 2020 rates through 2021.
- Requiring all personal protective equipment purchases for the National Strategic Stockpile to come from domestic suppliers whenever possible; state stockpiles of medical products and supplies would be established and supported by a \$1 billion annual appropriation through 2030.
- Providing \$16 billion for testing, contact tracing, and other COVID-related public health activities.

[Read the AMA's full summary of provisions that affect health care.](#)

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Since various COVID-19 relief programs are expiring at the end of July, Congress faces pressure to send a final bipartisan package to the President for signature prior to adjourning for recess on August 10.

Upcoming COVID-19 Relief Deadlines

August 3, 2020: HHS announced the additional distributions from the Provider Relief Fund to eligible Medicaid and Children's Health Insurance Program (CHIP) providers that participate in state Medicaid and CHIP programs. HHS expects to distribute approximately \$15 billion to eligible providers that participate in state Medicaid and CHIP programs and have not received a payment from the Provider Relief Fund General Distribution. HHS has created a [fact sheet](#) explaining the application process and answering frequently asked questions.

August 8, 2020: Extended deadline to apply for forgivable loans from the Small Business Administration (SBA) [Paycheck Protection Program \(PPP\)](#). The PPP loan provides 2.5 times your practice's average monthly payroll costs (excluding salaries of \$100,000 or more) and is capped at \$10 million.

2021 ICD-10 Official Guidelines and Reporting

The 2021 ICD-10 official guidelines and reporting were issued in July and go into effect on Oct. 1. Some of the updates give instructions on reporting COVID-19 (U07.14). These new guidelines include:

Instructions for U07.1 and coding acute respiratory manifestations of COVID-19, when the reason for the encounter is a respiratory manifestation, assign code U07.1 as the principal diagnosis and assign the code for the respiratory manifestation as the additional diagnoses. The guidelines are the same when the encounter is for a non-respiratory manifestation, code the U07.1 as the principal and the manifestation as the secondary/additional code.

Acute respiratory failure (J96.0) has been added as another code that can be added secondary to U07.1.

Social determinants of health can be coded if the patient self-reported the information and the clinician has entered the information in the health record. Found in categories Z55-Z65, report potential health hazards that may complicate the care of the patient (e.g., patient is homeless). A new hypertension guideline states when a patient has hypertensive CKD and acute renal failure, you should code both conditions but sequence the codes based on the reason for the visit.

The CDC made edits to the coding guidelines for vaping-related disorders. The new guideline instructs coders to code U07.0 as the principal diagnosis when the patient presents with complaints related to vaping and you should report additional manifestation codes such as J96.0 with lung injury, but you should not report other associated respiratory signs, such as shortness of breath.

Additional guidance has been provided regarding COVID-19 infection in pregnancy. The guideline instructs coders to report O98.5 as the primary diagnosis followed by U07.1. The new guidance states when a patient tests positive for COVID-19 during an encounter that is unrelated to the disease the coder should sequence the diagnosis order as first the reason for the encounter, O98.5 and then U07.1 followed by any appropriate COVID-19 manifestation codes.

There are other 2021 ICD-10 office guideline updates and these will all be covered during our IMA webinar education series seminars beginning again in September.

AMA Survey on Treating Pain During COVID-19 Pandemic

The American Medical Association Advocacy Resource Center is asking for your help to complete a survey specifically on the issue of treating patients with pain. We know that you have received many surveys, but this is the first to specifically address issues affecting physicians who treat patients with pain during the COVID-19 pandemic. The results will help inform future advocacy efforts.

[Fill out the survey here.](#)

HHS Renews Public Health Emergency, Continuing Telehealth Flexibilities

The Department of Health & Human Services Secretary (HHS) Secretary Alex Azar renewed the declaration that a national public health emergency exists due to COVID-19. The renewal is effective July 25, 2020 until October 23, 2020, unless the Secretary terminates it earlier. The public health emergency declaration must be renewed every 90 days to remain active. This renewed declaration authorizes HHS to continue implementing important telehealth and other flexibilities.

Nurse Practitioner Flexibility During COVID-19 Pandemic

Congress and CMS have enacted some permanent and temporary changes to how nurse practitioners can practice due to the pandemic. One permanent change now allows NP's to order home health care. [The CARES Act allows a Medicare beneficiary to be under the care of a NP or PA who is working within state law.](#) The NP can order home health services, establish and review, sign a plan of care and certify and recertify a patient's eligibility for Medicare home health services. NP's should bill for these services using home health certification codes.

Another temporary change allows for NP's and PA's to provide care to hospitalized patients as the physician of record. [NP's and PA's may now supervise diagnostic tests as authorized under state law and licensure.](#)

What Should You do if a Provider Tests Positive for COVID-19?

The Centers for Disease Control and Prevention (CDC) has [updated its guidance regarding health care professionals safely returning to work](#), emphasizing a COVID-19 symptoms-based strategy over a testing-based strategy. CMS had also issued guidelines regarding health care providers who test positive for COVID-19: [Interim US Guidance for Risk Assessment and Work Restrictions for Healthcare Personnel with Potential Exposure to COVID-19](#).

The IMA has spoken with the CDC and was told that a physician's office is not tasked by state law with contact tracing the infected provider's contact with patients. The public health officials who are notified of the positive test will do the contact tracing. Although, it is important to communicate with your staff and to have each employee tested.

Holland & Heart LLP wrote an article to offer helpful legal advice on this matter: [Communicating with Employees About a Positive COVID-19 Case in the Workplace](#). In this article, it is advised to quickly inform employees that a fellow employee has tested positive while maintaining employee privacy. In addition, the article states, "Consider whether others have been in contact with your employee in the course of performing his or her job, such as vendors, customers, co-tenants, etc. If so, then the notification should go to them as well, protecting the name of the individual, but letting them know of the positive test and timeframe during which they may have been exposed."

View IMA's full guide on this issue [here](#).

School Re-opening Guidance Resources

Many Idaho school districts are still determining their plans for the upcoming school year. We hope the resources below may be helpful if you, as a physician, are asked for or would like to give input on this matter to your community school officials. Here are some resources about safely reopening schools:

[CDC Guidance for Schools or Childcare](#)

[American Academy of Pediatrics School Re-Opening Guidance](#)

[Idaho State Board of Education Back to School Framework](#)

[ISBE COVID-19 Resources](#)

[Idaho School Districts Website List](#)

IMAFS Financial Tip



Has recent market volatility prompted you to consider making a change to your investments? This can be tempting when markets are rough. [Check out the video below](#). Much like changing lanes in traffic, impulsive moves can add anxiety and risk with no guarantee that you will benefit.

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HHS Telemedicine Hack Learning Community

The U.S. Department of Health and Human Services (HHS) has put together a 10-week learning community to accelerate telemedicine implementation to ambulatory providers called “HHS Telemedicine Hack”.

Key components of Telemedicine Hack include:

- Five teleECHO sessions on key topics (e.g., workflows, documentation, reimbursement) highlighting best practices and case studies from the field
- Five virtual “office hour” discussion panels with case presenters, government agencies, topical experts, and stakeholder associations responding to your questions
- Inter-session peer-to-peer learning facilitated via virtual discussion boards and ad hoc interest groups
- CME/CEU credits are available for attending, at no cost to participants

[Click here](#) to see how to register, the session dates, etc.

Pre-Order Your 2020 Coding, Billing and Essential Reference Guides Today!

Who doesn't want to accurately increase reimbursement and work with the secure knowledge that your claims are coded correctly? Your staff needs the most accurate coding and billing information and, as an IMA member, you're offered the membership benefit of discounted coding books.

The CPT® Professional 2021 Edition from AMA provides guidelines and illustrations that other publishers may not provide and includes information that is helpful in determining that the most accurate code is submitted for the procedure or service performed. We also offer Optum 360° to include Optum's CPT® coding book. The Optum CPT® book costs less than the AMA book and is a good coding resource to have for additional coders.

New This Year: The E/M Office Visit Compendium 2021. CPT® E/M (Evaluation & Management) codes are changing significantly for office visits for the 2021 code set year. Be sure to purchase this valuable resource for understanding changes to CPT® coding for office and outpatient visits.

IMA offers resources that are focused on specialty coding, such as procedures in cardiology, gastroenterology, OB/GYN and dermatology. We also provide resources that explain modifiers and how they should be used as well as MACRA, HIPAA and more.

IMA is now accepting pre-orders for 2021 coding books: [Click here to pre-order 2021 coding resources](#).

If you would like to inquire about a specific book that is not featured here, please contact Rebecca Adams at rebecca@idmed.org or 208-344-7888. Books will be shipped once they are released from the publisher.

Trump Signs Executive Orders On Drug Prices

The Trump administration has announced four executive orders to lower drug prices, but health policy experts say they will likely offer patients only minimal relief and may take months to implement, if they're implemented at all.

The orders included allowing certain drugs to be imported from Canada and making changes to the way discounts negotiated by middlemen called pharmacy benefit managers are passed on to Medicare patients.

The most radical order involves requiring Medicare to pay the same price for some drugs — the ones patients receive in the hospital as part of Medicare Part B — that other countries pay. However, Trump said he is giving the pharmaceutical industry until Aug. 24 to make a deal with him before he implements it.

"We may not need to implement the fourth executive order, which is a very tough order," he said. [Lupkin, NPR, 7/24]

Read this full NPR article [here](#).

Gov. Little Applauds Federal Court Decision Supporting Idaho Health Insurance Option

Governor Brad Little applauded a federal court decision that supports Idaho's approach for Enhanced Short-term Plans.

"Many Idaho families have been priced out of Affordable Care Act coverage, and the D.C. Circuit decision assures Idahoans access to additional, affordable coverage options that could make sense for their needs," said Gov. Little.

On July 17, 2020, the U.S. Court of Appeals for the District of Columbia Circuit said in a 2-1 decision that the administration had the legal authority to increase the duration of the health plans from three to 12 months, with the option of renewing them for 36 months.

Read the governor's full press release [here](#).

Order the 2020 IMA Directory of Idaho Physicians

Your complimentary copy of the 2020 IMA Directory of Idaho Physicians is here and ready to deliver to you! IMA is happy to provide the Directory as a free IMA membership benefit; you can also order additional copies for a discounted price of \$40. Non-members can purchase copies for \$140.

Fill out this form to order your directory today!

United Healthcare to Implement EPCS Requirement

Starting July 1, 2020 OptumRx home delivery services will no longer fill prescriptions received by hard copy, fax or phone for opioids and other controlled substances. Physicians will be required to be EPCS enabled to e-prescribe any of these medications.

Please note that this only affects OptumRx home delivery services and not OptumRx pharmacy benefits as a whole. Members can still receive prescriptions for controlled substances without e-prescriptions at their local pharmacies. United Healthcare is offering some exemptions for eligible providers. To learn more, contact EPCSquestions@optum.com.

Federal regulations dictate the CMS SUPPORT Act that requires ePrescribing for controlled substance prescriptions for Medicare members effective January 1, 2021, with limited exemptions.

Medicare ABN Replacement Form

The Advance Beneficiary Notice of Noncoverage (ABN) is issued by providers to beneficiaries when that provider believes a service will not be covered by Medicare. Medicare has issued a new ABN form that needs to replace your current one. Please remember, this form would not be used in cases when the

service is statutorily excluded. This new ABN needs to be implemented no later than 8/31/20 and will expire 6/30/2023. Click [here](#) to access the new form and instructions.



Idaho Medical Association

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