

Coronavirus Aid, Relief, and Economic Security Act (CARES Act, H.R. 748)

Summary of APA Priorities – April 3, 2020

Background:

On March 27th President Trump signed the \$2 trillion CARES Act passed by Congress into law. The largest in a series of three COVID-19 related bills, CARES included several APA priorities that support psychiatric practices are summarized below.

Funding Priorities:

SAMHSA Emergency Funding for the COVID-19 Pandemic

- Certified Community Behavioral Health Clinics - \$250 million
- Suicide prevention programs - \$50 million
- Mental health and substance abuse emergency grants - \$100 million

Public Health Service Act (PHSA) Programs

- Over \$4 billion through November 30, 2020 for PHSA programs including:
 - *Community Health Centers,*
 - *National Health Service Corps,*
 - *Teaching Health Centers* with Graduate Medical Education programs.
- *Pediatric Specialty Loan Repayment Program* – Extends through 2025 a program providing student loan repayment assistance to health care professionals specializing in pediatrics, including child and adolescent mental and behavioral health care specialists.
- *Geriatrics Workforce Enhancement Program* – Establishes a grant program to support training health professionals in geriatrics. Workforce shortage professionals are given special consideration.

Public Health and Social Services Emergency Fund

- \$100 billion to support physicians, hospitals and others caring for patients with COVID-19 to assist in paying for increased staffing or training, personal protective equipment, and lost revenue.

Strategic National Stockpile

- \$16 billion for personal protective equipment, medical supplies and life-saving machines

Policy Priorities:

Telehealth Provisions

- Repeals the three-year pre-existing patient physician relationship Medicare requirement set in place through previous CMS rules to address COVID-19 under the public health emergency declaration.
- *NOTE: Previous telehealth requirements pertaining to geographic and site of service were lifted during the public health emergency through Administrative actions as directed by the first COVID-19 package earlier in March.* For more information on COVID-19 related telehealth changes, please see APA's [COVID-19 and Telehealth resource site here](#).

42 CFR Part II

- Aligns 42 CFR Part II with HIPAA. This compromise language protects patient privacy while also allowing the sharing of substance use disorder records with health care professionals.

Certified Community Behavioral Health Clinic Demonstration

- Program reauthorized and number of eligible states expanded.

Medicare Programs & Payment

- Suspends the automatic 2% Medicare cuts through December 2020.

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- Work Geographic Index (GPCI) Floor - Increases payment for the work GPCI in areas where labor costs are determined to be lower than the national average through December 1, 2020.

Volunteer Liability

- Relieves health care professionals who volunteer their services in response to the COVID-19 public health emergency from liability under Federal or State law for harm of an act or omission when providing services. The relief from liability does not include willful or gross negligence. Such professionals must have acted within the scope of their practice.

Help for Small Practices:

Small Business Loans

- Small businesses are eligible for the Small Business Administration (SBA) 7(a) payroll protection program. Small businesses can apply for eight-week SBA loans of up to 250 percent of the business's average monthly payroll in order to cover payroll, rent, mortgage and utilities.