



Missouri Alliance for HOME CARE

2420 Hyde Park, Suite A, Jefferson City, MO 65109-4731 ▪ (573) 634-7772 ▪ (573) 634-4374 Fax

December 7, 2020

Please find information related to the following:

- **Senate Passes Governor's COVID-19 Emergency Spending Plan**
- **COVID Liability Legislation – Update**
- **Federal & State Extensions to PHE - How Does it Affect Current Waivers?**
- **CDC Updates Quarantine Guidance**
- **Emergency Amendment Allows Pharmacy Technicians to Administer Vaccinations**
- **DSS Offers Additional Child Care Support**
- **HCBS Contact Center Operational Updates**

Senate Passes Governor's COVID-19 Emergency Spending Plan

The Senate gave final approval this past Wednesday to Governor Parson's request for emergency budget authority for the state's COVID-19 response. The bill provides spending authority for federal funding that was received after the current year's state budget was put into place. The bill also creates the opportunity for the state to reclaim and redirect federal relief funds distributed to counties for unmet needs statewide.

COVID Liability Legislation – Update

As reported in MAHC's November 30, 2020 newsletter, Governor Parson had recently announced an expanded call to the 2nd Special Session to include COVID liability protections. The proposed legislation provides liability protection relating to a declared state of emergency for health care providers, manufacturers, businesses, schools, churches and nonprofit organizations.

Testimony on the proposed legislation began Tuesday, December 1st with many language changes released in a Senate Committee Substitute the night prior. MAHC provided testimony thanking the committee for including Medicare and Medicaid home care agencies, however, the new language did not address the Private Duty/Private Pay sector. MAHC's testimony advocated for private home care services also be added to the definition of healthcare provider.

However, Governor Parson asked the legislature to wait until January to consider the bill, but that message literally got to some of the legislators during the hearing. The hearing did go on as scheduled. There are a number of reasons that Governor Parson chose to change directions on this narrative but the primary reason was the fact that several Senators and staff had to deal with COVID illness, which cost the Senate several critical weeks to gather to address the COVID liability legislation.

Federal & State Extensions to PHE - How Does it Affect Current Waivers?

As reported earlier, HHS Secretary Azar renewed his declaration of a public health emergency (PHE) effective October 23, when the previous 90-day renewal would have expired. This announcement extended the federal PHE through January 20, 2021 which also extends federal waivers.

On November 19th, Governor Parson signed an executive order extending the state of emergency in Missouri through March 31, 2021, thereby extending state waivers.

Related to how these extended PHE dates affect current waivers in place, we are hopeful that Secretary Azar will also extend the federal PHE which would then align better with Missouri's extended date of March 31.

Specifically for Home & Community Based Service providers, if the federal waiver is not extended past January 20, it will become very confusing to know which of the waivers/flexibilities will still be in effect since there is a mixture of authorities between state and federal. For example, all HCBS waiver services are connected to federal flexibility versus state plan services which are mainly connected to state flexibility. This would be difficult for a provider who has a client receiving both state plan and waiver services.

For now, the easiest thing to know is that all state and federal waivers/flexibilities are in effect until January 23, 2021 (except for EVV exceptions which will end on December 30). We have discussed this issue with the Division of Senior & Disability Service (DSDS). If it starts to look like HHS is not planning to extend the federal PHE, DSDS will then put out a cross reference so providers know which services this would affect. Hopefully, this will not be needed.

For Home Health providers, the good news related to the state waiver allowing Nurse Practitioners to certify and order home health, because this is already a permanent change on the federal level, they only need to follow the state waiver extended dates. Missouri's legislative session begins on January 6, 2021. MAHC has pre-filed a bill that would change our state home health statute to allow for this to also become permanent. Please watch your email regarding our advocacy efforts and our requests for assistance from the home health industry.

CDC Updates Quarantine Guidance

The Centers for Disease Control and Prevention updated its [quarantine guidance](#) to reflect local public health authority to establish and determine quarantine options for their jurisdictions. Based upon local circumstances and resources, two options to reduce the length of quarantine can be used as acceptable alternatives.

1. Quarantine can end after day 10 without testing and if no symptoms have been reported during daily monitoring.
2. Quarantine can end after day seven with a negative diagnostic test and no symptoms reported during daily monitoring.

Emergency Amendment Allows Pharmacy Technicians to Administer Vaccinations

The Missouri Board of Pharmacy promulgated an [emergency amendment](#) to allow pharmacy technicians to administer vaccinations during the COVID-19 emergency response. [20 CSR 2220-6.040-Administration by Medical Prescription Order](#) would allow a pharmacy technician who meets certain requirements to administer vaccinations for the duration of the pandemic.

DSS Offers Additional Child Care Support

Due to the COVID-19 pandemic, the Missouri Department of Social Services temporarily changed [eligibility requirements](#) to help families with the cost of child care. Employees without child care assistance now may be able to get [help](#) while they work.

HCBS Contact Center Operational Updates

The Bureau of HCBS Intake & Person-Centered Care Planning's (PCCP) issued a memorandum regarding operational updates to the HCBS Contact Center.

Please refer to INFO 11-20-04 at <https://health.mo.gov/seniors/hcbs/infomemos.php>

Any questions regarding this memorandum should be directed to Dawn.Craw@health.mo.gov.