

Hospice and Palliative Care Resources for the Coronavirus Disease (COVID-19)



NHPCO COVID-19 Update – 03/22/20

NHPCO has created this update for hospice and palliative care providers to share the most recent news and helpful links regarding this ongoing public health crisis.

Policy Updates

Senate Republicans Finalize Language for Coronavirus Aid, Relief, and Economic Security (CARES) Act, Including Hospice Provisions

Today, March 22, 2020, Senate leaders drafted language on a 3rd COVID-19 related package, the Coronavirus Aid, Relief, and Economic Security Act or the “CARES Act”. We are expecting the first Senate procedural vote to take place later this afternoon (Sunday). According to news reports, House Democrats are planning to introduce their own proposal. The Senate Republican draft legislation includes three hospice provisions:

1. Face-to-face hospice telehealth provision.

The legislation allows face-to-face encounters for recertification for hospice care to be completed using telehealth during the emergency period. NHPCO [advocated](#) for this provision as the highest priority.

2. Proposal to suspend sequestration cuts.

This provision applies to hospice and other Medicare providers. Draft text includes the temporary suspension of the 2 percent sequestration cut to hospice, beginning on May 1, 2020 and ending on December 31, 2020.

3. Reimbursement to healthcare providers.

\$75 billion was appropriated for a Public Health and Social Services Emergency Fund to reimburse, through grants or otherwise, Medicare enrolled providers that provide diagnoses, testing or care for individuals with possible or actual cases of COVID-19. These funds would be for health care related expenses or lost revenues directly attributable to coronavirus. None of these funds may be used for costs that have been reimbursed or are eligible for reimbursement from other sources.

We are including the bill language for the hospice face-to-face provision during the emergency period for your information:

**Proposed language in the Senate bill:
“Coronavirus Aid, Relief, and Economic Security Act” or the “CARES Act”**

5 **SEC. 3706. USE OF TELEHEALTH TO CONDUCT FACE-TO-**
6 **FACE ENCOUNTER PRIOR TO RECERTIFI-**
7 **CATION OF ELIGIBILITY FOR HOSPICE CARE**
8 **DURING EMERGENCY PERIOD.**

9 Section 1814(a)(7)(D)(i) of the Social Security Act
10 (42 U.S.C. 1395f(a)(7)(D)(i)) is amended—

11 (1) by striking “a hospice” and inserting “(I)
12 subject to subclause (II), a hospice”; and

13 (2) by inserting after subclause (I), as added by
14 paragraph (1), the following new subclause:

15 “(II) during the emergency period de-
16 scribed in section 1135(g)(1)(B), a hospice
17 physician or nurse practitioner may con-
18 duct a face-to-face encounter required
19 under this clause via telehealth, as deter-
20 mined appropriate by the Secretary; and”.

What does this mean for a hospice provider?

During this national emergency, hospices would be allowed to use telehealth for the face to face encounter for recertification. This is a step in the right direction and supports the important role of hospice providers in adopting the use of telehealth to improve access and the delivery of care for all Americans. Upon passage by the Senate, the House and President, NHPCO will work with CMS to issue guidance as soon as possible.

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