HHS and Foreclosures Policy Overview, HR 748, The CARES ACT

Telehealth Provisions

New telehealth flexibilities can help providers in doing initial assessments of patients who may not need to come into a facility, and to provide non-essential but critical health care services away from medical facilities. The law removes a requirement from the previous measure (HR 6201/Public Law 116-123) that a doctor had to treat a patient within the last three years to use expanded telehealth authorities under Medicare.

Other provisions for providers using telehealth include:

- Allowing physician assistants and nurse practitioners to order home health services for Medicare beneficiaries.
- Allowing state Medicaid programs to cover home and community-based services that are provided in acute-care hospitals.

Prescription Drug Provisions

Requires manufacturers of prescription drugs that are crucial to a public health emergency to notify the Federal Drug Administration (FDA) of any supply chain interruptions for active ingredients and that medical device manufacturers would have to do the same. These makers will also have to maintain risk management plans for facilities.

The FDA will have to review and inspect for drugs and devices that could help with shortages, and also modifies the FDA’s regulation process for nonprescription drugs and establish user fees supporting the new process, with user fees being authorized from fiscal years 2021-2025.

Health Extenders

The additional health extender programs will also get an extension of funding through Nov. 30, 2020 at their fiscal 2019 levels including:

- National Health Services Corps.
- Teaching Health Center Graduate Medical Education (THCGME) Program.
- Special Diabetes Program.
- Special Diabetes Program for Indians.
- Sexual Risk Avoidance for Education Program.
- Personal Responsibility Education Program.
42 CFR Part Two

- Allows health care providers to share the Health Insurance Portability and Accountability Act compliant health information upon the first consent of the patient, rather than the normal method of requiring written consent each time the patient is getting treatment for Substance Use Disorder.
- Requires the Department of Health and Human Services (HHS) to release additional guidance on sharing private patient information during the Coronavirus pandemic.

Reauthorization of existing programs until November 2020

The following were all reauthorized until November 2020:

- The Temporary Assistance for Needy Families (TANF), a program that provides services and financial support to low-income individuals and families and two other programs under the umbrella of TANF.
- Certified Community Behavioral Health Clinics Demonstration Program.
- The Health Professional Opportunity Grants.

Foreclosures Provision

-Places a stop on foreclosures for federally backed mortgages for 60 days from March 18. Individuals with a federally backed mortgage who are not able to make their payments beyond the 60 days can request an additional 180-day postponement of payments.
- Allows multifamily homeowners with federally backed mortgages to postpone payments for up to 30 days with an additional 60 days upon request if they agree not to evict tenant or charge late fees for paying rent.
- Temporarily stops evictions for homes that have federal backed mortgages for 120 days.
- Temporarily stops evictions for most subsidized housing and puts a 120-day stop on filling for evictions for tenants in homes covered by federally backed mortgages.

April 1, 2020