

## *Nebraska State and Legislative Actions:*

### 1135 Waiver

Friday morning, Health and Human Services Committee Chairwoman Sara Howard provided information on the 1135 waivers that had been approved by the Center for Medicare and Medicaid Services. 1135 waivers are granted during public health emergencies and last the duration of the emergency. Here are the requests approved by CMS for Nebraska:

- Suspend Medicaid fee-for-service prior authorization requirements, when clinically appropriate
- Suspend pre-admission screening and annual resident review (PASRR) level I and level II assessments for 30 days
- Give enrollees more than 120 days (if a managed care appeal) or more than 90 days (if an eligibility for fee-for-service appeal) to request a state fair hearing by permitting extensions of the deadline for filing those appeals by a set number of days
- Waive site visits to temporarily enroll a provider
- Postpone deadlines for revalidation of providers who are in the state or otherwise directly impacted by the emergency
- Waive requirements that physicians and other health professionals be licensed in the state in which they are providing services, so long as they have equivalent licensing in another state.
- Waive conditions of participation or conditions for coverage for existing providers for facilities for providing services in alternative settings, including using an unlicensed facility, if the provider's licensed facility has been evacuated
- Waive public notice requirements for Medicaid SPAs related to COVID-19 and authority to modify tribal consultation timeframes to include the shortening of the number of days prior to submission or conducting consultation after submission of the SPA.
- Modification of the requirement to submit the SPA by March 31, 2020 to obtain a SPA effective date during the first calendar quarter of 2020.

### Governor Update

Gov. Pete Ricketts began his Friday press briefing by addressing the new guidelines President Trump announced yesterday regarding reopening the country. Gov. Ricketts said that there will be differences between states in how restrictions are lifted, and that he will seek input from local partners to determine if, and when, it's safe to relax restrictions. He said for the rest of April, Nebraska will continue with its social distancing guidelines.

### Mental Health

Sherry Dawson, director of Behavioral Health for the Nebraska Department of Health and Human Services, as well as Annette Dubas, executive director of Nebraska Association of Behavioral Health

Organizations, were present at the briefing to discuss the importance of mental health. Dawson said that between the isolation and financial stress many are facing, people will likely experience depression and anxiety. She encouraged Nebraskans to continue staying connected with one another through mediums such as Zoom, email, and phone calls. Dawson also announced a new \$2 million grant through DHHS, which will help develop a model to fully integrate mental health treatment alongside physical healthcare.

Dubas announced that there are numerous calls coming into the farm crisis hotline, the most since the farm recession in the 1980s. She said telehealth is being used to provide counseling, however not all people can access telehealth services. In Omaha, there are 6 telehealth rooms available at the Community Alliance to help people get in touch with a healthcare provider.

### Q&A

Q: What do you think of the White House guidelines?

A: Ricketts: The phasing approach is in line with what we want in Nebraska, however we still must plan how Nebraska will go about reopening. It may be done regionally.

Q: What help is available to nonprofits?

A: Ricketts: The Paycheck Protection Program was available for nonprofits; however, the funds have run out until Congress reaches an agreement to refund the program. Ricketts mentioned that Nebraska has the highest percentage of payroll covered by the program in the United States.

Q: Is Nebraska on track to lift restrictions in May?

A: Ricketts: We will continue to focus on the current restrictions in place.

### *Federal:*

#### Trump Guidelines

On Thursday afternoon, President Trump announced his guidelines for opening America again. The guidelines progress through three phases, and come with the recommendation that states and local governments confirm a two-week decline in documented COVID-19 cases before beginning to ease lockdowns. The plan also calls for robust testing and contact tracing. State and local officials will be responsible to enact the guidelines when they see fit. Included in the [guidelines](#):

**Phase One:** Restaurants, churches or places of worship, gyms, and movie theatres can reopen. Elective surgeries also can resume when suitable, especially surgeries that can be done on an outpatient basis. Schools shall remain closed, and senior living facilities and hospitals should continue barring visitors. High-risk or vulnerable populations should continue to stay home.

**Phase Two:** Schools and youth activities like camps or clubs can resume. Nonessential travel can begin again during this phase, and people can begin visiting parks and shopping centers again. People should avoid gatherings of over 50 people, unless social distancing can be maintained. Restaurants and movie theaters can operate with some social distancing. Vulnerable populations should continue to stay

home, and employers should continue telework if possible. Bars can begin to operate again with restricted occupancy.

**Phase Three:** Vulnerable individuals can begin interacting in the community again but should continue practicing good hygiene and social distancing. Large public venues can operate with some social distancing rules in place. Senior living facilities and hospitals can allow visitors again.