



*The Chehardy Sherman Williams Healthcare Practice Group is constantly monitoring the way the COVID-19 Pandemic is affecting the industry.*



## ***CMS Releases COVID-19 Telehealth Toolkit to Accelerate State Use of Telehealth in Medicaid & CHIP***

Last week, on April 23, Centers for Medicare and Medicaid Services (CMS) released a new toolkit for states to help accelerate the adoption of broader telehealth coverage policies in the Medicaid and Children's Health Insurance Programs (CHIP) during the COVID 19 pandemic. This release builds on the agency's swift actions to provide states with a wide range of tools and guidance to support their ability to care for their Medicaid and CHIP beneficiaries during this public health emergency.

This toolkit provides states with issues to consider as they evaluate the need to expand their telehealth capabilities and coverage policies, including:

- Patient populations eligible for telehealth
- Coverage and reimbursement policies
- Providers and practitioners eligible to provide telehealth
- Technology requirements
- Pediatric considerations

The toolkit also includes a compilation of frequently asked questions (FAQs) and other resources available to states.

To access, the toolkit, please [click here](#).

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### ***Licensed Pharmacists Allowed to Order, Administer COVID-19 Tests, Receive Immunity under PREP Act***

On April 8, 2020, as an Authority Having Jurisdiction under the Secretary of Health and Human Services March 10, 2020 declaration and under the Public Readiness and Emergency Preparedness Act (PREP Act), the Office of Assistant Secretary of Health issued guidance authorizing licensed pharmacists to order and administer COVID-19 tests, including serology tests, that the Food and Drug Administration (FDA) has authorized. By doing so, pharmacists also qualify as “covered persons” under the PREP Act and may receive immunity under the PREP Act with respect to all claims for loss caused by, arising out of, relating to, or resulting from, the administration or use of FDA-authorized COVID-19 tests.

### ***LSBME Published Additional Guidance***

The Louisiana State Board of Medical Examiners (LSBME) has published a ["plain language" guidance document](#) that provides summaries of a number of regulations that have been suspended or relaxed by the LSBME to address the COVID-19 pandemic.

### ***OIG Issues Policy Statement Regarding Application of Certain Administrative Enforcement Authorities Due to COVID-19***

On April 3, 2020, the Office of Inspector General issued a Policy Statement notifying interested parties that their office will exercise its enforcement discretion not to impose administrative sanctions under the Federal anti-kickback statute for certain remuneration related to COVID-19 covered by the Blanket Waivers of Section 1877(g) of the Social Security Act. This Policy Statement only applies to conduct occurring on or after April 3, 2020 and shall terminate on the same date as the Blanket Waivers terminate and has no bearing on arrangements that implicate the Federal Anti Kickback Statute that are not covered by the Blanket Waivers.

To read the full Policy Statement, please [click here](#).



Should you have any specific questions or needs, please contact the  
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