

CMS Temporarily Expands Advanced Payment Program Eligibility

"With our nation's health care providers on the front lines in the fight against COVID-19, dollars and cents shouldn't be adding to their worries."

- CMS Administrator Seema Verma.

During this Public Health Emergency, the Centers for Medicare & Medicaid Services ("CMS") has expanded its accelerated and advanced payment program ("Program") to all Medicare-enrolled providers and suppliers ("Providers"). These payment advancements are normally available only to impacted Providers experiencing claims payment disruptions because of natural disasters. Under this temporary Program expansion, CMS intends to help increase cash flow and decrease the current financial burdens resulting from mandated delays of medical services, such as non-essential surgeries, and childcare demands leaving health care professionals unable to work, among other burdens, amid the 2019 Novel Coronavirus ("COVID-19") pandemic.

Under the Program, Providers would be eligible to receive emergency funding based on their historical Medicare reimbursements. Eligible amounts are as follows:

- Inpatient acute care hospitals, children's hospitals, and certain cancer hospitals: Up to 100% of their historical Medicare payment amount for a six-month period
- Critical access hospitals: Up to 125% of their historical Medicare payment amount for a six-month period
- Others: Up to 100% of their historical Medicare payment amount for a three-month period

In order to qualify for the Program, the Provider must meet all of the following conditions:

- Have billed Medicare for claims within 180 days immediately prior to the date of signature on the Provider's request form;
- Not be in bankruptcy;
- Not be under active medical review or program integrity investigation; and
- Not have any outstanding delinquent Medicare overpayments.

CMS is now accepting applications and anticipates that payment will be made within seven days of receiving the Provider's request. Repayment or recoupment of advanced payments made under the Program has been extended to 120 days after the date of issuance of the payment for most Providers and is extended even further for hospitals.

This may be an option for Providers in need of a quick influx of cash because of COVID-19-related burdens. For additional information and general instructions on how to apply, see [CMS's Fact Sheet](#), and we can assist as well. For Providers located in California, it is a short two page application, and is available on Noridian's website, [here](#). Non-California Providers should contact their Medicare Administrative Contractor ("MAC") or visit their MAC's website to obtain the appropriate application.

In addition to this program, Providers may still be eligible for loan programs and/or loan forgiveness under the CARES Act. For more information about these options, see: [The CARES Act and Its Small Business Loan Program](#).

If we can be of assistance and to discuss various options and specific situations, please feel free to contact any Buchalter health care attorney.



Andrew Selesnick

Shareholder

(213) 891-5223

aselesnick@buchalter.com



Anne M. Brendel

Attorney

(213) 891-5049

abrendel@buchalter.com

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