

THOUGHT LEADERSHIP

LEGAL UPDATES

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COVID-19 Hospice How-To Series: A Pleasant Surprise for Hospices As HHS Lifts Relief Fund July 10th Quarterly Compliance Report Deadline

Under new guidance from the U.S. Department of Health and Human Services (HHS), hospices and other providers who received CARES Act Provider Relief Fund payments can hold off on filing their first quarterly compliance report, slated to be due on July 10, 2020.^[1] Instead, HHS states that it will develop its own report and this report itself will contain “all information necessary for recipients of Provider Relief Fund payments to comply with” the quarterly reporting requirements under the Relief Fund Terms and Conditions.

While a welcome relief, the reprieve is only temporary. HHS takes the opportunity to remind hospices of their obligation to adhere to the Terms and Conditions, which “require recipients to submit any reports requested by [HHS] that are necessary to allow HHS to ensure compliance with [the] payment Terms and Conditions.” HHS explains that hospices still will be required to submit these reports in the future, and HHS will notify hospices “of the content and due date(s) of such reports in the coming weeks.”

As we await additional guidance, hospices should continue to carry out the Terms and Conditions and maintain detailed documentation on their proper use of their Relief Fund payments. Such documentation undoubtedly will be critical to demonstrating compliance and completing the future reports required by HHS. Your Husch Blackwell attorneys will continue to monitor this issue.

Contact us

If you have any further questions or require more information regarding this update, please contact Meg Pekarske, Andrew Brenton or your Husch Blackwell attorney.

[1] See HHS, Relief Fund FAQs, at 9-10 (last accessed June 23, 2020). HHS has updated its Relief Fund FAQs repeatedly, sometimes on a near-daily basis. This article is based on the version of the FAQs that appeared on HHS's website as of June 23, 2020. It is likely that HHS will continue to update its FAQs subsequent to the publication of this article.