

COVID-19 Federal Laws and Financial Options for Optometry

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Disclosure

- The information presented is:
 - Up to date as of today
 - Interpreted by AOA DC office and myself
 - AOA DC Office
 - Kara Webb, Matt Willette & Rodney Peele
- Decisions about running your business?
 - Furlough, lay off, get a loan...
 - Consult a lawyer, accountant, business consultant, others as needed



Have Questions?

- Wait until I finish the section before typing questions (please)
 - 2 weeks sick pay
 - 10 weeks extended leave
 - Unemployment info
 - CARES 7(a) loans
 - Other SBA loans
- Loans/layoffs
- Employees/1099
- Over 5000 attendees tonight





Survival

Major COVID-19 Laws

- > 100 COVID laws being evaluated
- Phase 1
 - Appropriations Bill, March 5
 - Funding for HHS: develop vaccines, test kits, etc
- Phase 2
 - Families First Coronavirus Response Act, March 18
 - Sick pay and extended leave
- Phase 3
 - Coronavirus Aid, Relief, and Economic Security Act (CARES), March 27
 - Business and personal 'bail out'
- Phase 4?

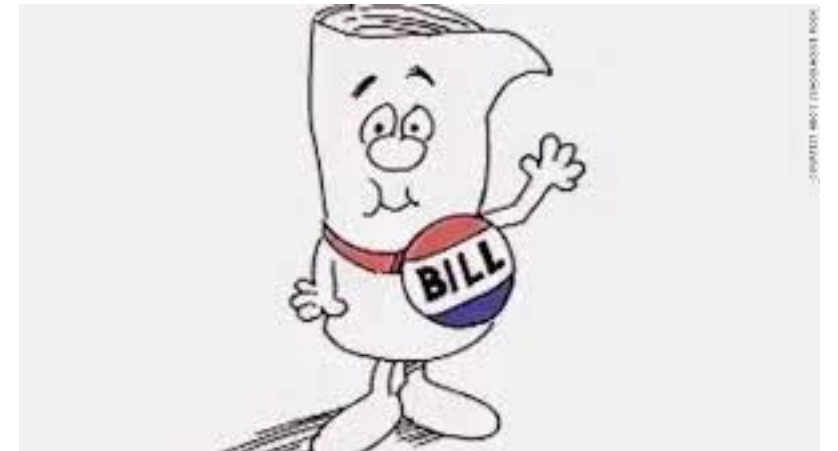


Phase 2: Families First Coronavirus Response Act

- School meals
- Veterans Affairs
- Taxpayer Services
- Indian Health Services
- Unemployment Insurance
- Emergency Paid Sick Leave Act
 - Up to 80 hours pay
- Emergency Family & Medical Leave Expansion Act (eFMLA)
 - 10 additional weeks of pay

What are the final rules for the Families First Act?

- Bill
- Signed by President into law
- Regulations (rules) created from the law
 - Department of Labor
 - Department of Treasury
 - Small Business Association



Families First Act: Business <500 employees

- Emergency Paid Sick Leave Act
 - Paid Sick Leave
 - Up to 80 hours pay
 - First day off can start Apr 1
- Emergency Family Medical Leave Act
 - Expanded Family & Medical Leave
 - Up to *10 additional* weeks pay
 - First day off can start Apr 11



Big Picture View of Families First Act

- Employer is being reimbursed dollar for dollar in 2020 for any payments made to employees by Families First Act
 - Via payroll taxes not being withheld and paid as normal
 - Payroll tax credits or advanced tax credit



I heard small OD practices are excluded or exempt...

- Some health care providers are excluded
- Some small business are exempt
 - Address specifics in this presentation
 - Federal laws do not say: Family practice optometry offices open reduced hours and seeing only emergency/urgent patient care are applied as follows under these guidelines...



[natureneedsmore .com](http://natureneedsmore.com)

Emergency Paid Sick Leave Act



Emergency Paid Sick Leave Act

- Big picture
 - Two weeks of paid leave if the employee elects to use it
 - Paid at 100% regular pay rate or
 - 2/3 regular rate (66%) depending on their circumstance
 - Full or part time employees
 - Regardless of whether employee has any other employee benefits
 - Employee not able to telework
 - Can only use this Emergency Paid Sick Leave one time*
 - Deadline to finish is December 31, 2020



Emergency Paid Sick Leave Act

- Details
 - Paid Sick Leave eligibility starts on Apr 1
 - Payments can start on Apr 1
 - Whatever your normal payroll is

Emergency Paid Sick Leave Act

- Full time employees get up to “80 hours”
 - Calculated based on number of hours normally scheduled to work
 - If you work 32 hours every week, then it’s 32 + 32
 - Run this with normal payroll
 - Includes overtime hours if “scheduled” regularly
 - Example: Hourly employee works 50 hours every week (you normally pay 10 hours OT)
 - Average is 100 hours in two weeks
 - Pay 50 hours in week 1 (not 1.5x for overtime)
 - Pay 30 hours in week 2
 - 80 hours max



Emergency Paid Sick Leave Act

- Part time employees get # hours they average in 2 weeks
 - Example: Typically work 16 hours per week?
 - Employee gets 32 hours of Emergency Paid Sick Leave
- Can't figure out their normal # hours in 2 weeks?
 - Use average # hours over past 6 months



Emergency Paid Sick Leave Act

- Which employees are eligible for Emergency Paid Sick Leave?
 - “Employees”
 - Owner, associate, staff
 - Salary or hourly
 - Full or part time
 - Any employee of yours on Apr 1 or after
 - Duration of employment does not matter
 - Includes rehires, new hires, etc
- Full amount of Emergency Paid Sick Leave pay is 2 work weeks
- Self-employed eligible for Emergency Paid Sick Leave
 - 1099, sole proprietor, other
 - Credit against self-employed tax



Emergency Paid Sick Leave Act

100% Pay if Employee is...

- Subject to federal, state, local quarantine by COVID-19
- Advised by health care provider to self-quarantine by COVID-19
- Experiencing symptoms of COVID-19 and seeking medical diagnosis

2/3 (66%) Pay if Employee is...

- Caring for an individual who is subject to quarantine (federal, state, local)
- Caring for son/daughter** of employee, if school or place of care has closed, or child care provider is unavailable by COVID-19
- Experiencing any other substantially similar condition specified by Secretary of HHS



Son or Daughter Definition

- Your own son or daughter <18 years old
 - Biological, foster, adopted, stepchild, legal ward
 - Or you are standing in locus parentis
 - Someone with day to day responsibilities to care for or financially support a child
- Adult son or daughter (>18)
 - Has a mental or physical disability *AND*
 - Is incapable of self-care because of the disability



School/Care Provider Unavailable

- Employees must have:
 - Son or daughter**
 - With a closed school due to COVID
 - Primary school (K-5)
 - Secondary school (6-12)
 - Includes private non-for-profit schools, charter schools
 - Child care provider is unavailable due to COVID
 - Child care provider defined as: receives compensation for providing child care on a regular basis



Emergency Paid Sick Leave Act

100% Pay Limits

- \$511 max per day per employee
- \$5110 max aggregate

2/3 (66%) Pay Limits

- \$200 max per day per employee
- \$2000 max aggregate



Emergency Paid Sick Leave Act

- When does it stop?
 - After employee uses full amount of eligible hours OR no qualifying reason to continue Emergency Paid Sick Leave



Emergency Paid Sick Leave Act Example

- You are open for business (even if shortened hours)
- Employee started local government mandated quarantine on Monday May 4
- On Monday May 11 the local gov't mandated quarantine ended
 - Employee has never had any COVID symptoms, no other qualified reason
 - Used 6 days of Emergency Sick Pay
 - First week: Monday May 4 – Friday May 8 (5 days)
 - Second week: Monday May 11 (1 day)
 - Returned to work on Tuesday May 12
- Employee still has 4 days of Emergency Sick Pay available to be used before Dec 31



Emergency Paid Sick Leave Act

- Another example
 - Started Emergency Paid Sick Leave on April 1 because child is out of school
 - By April 2 employee hates being at home teaching school to his child and wants to return back to work
 - Only used 1 day of Emergency Sick Pay and have 9 work days to use through Dec 31
- They can return back to office's current "normal" work hours
 - (Assuming there was no other Qualified Reason for using this Sick Leave)
 - Whatever your normal/regular hours are now (40 hours, reduced hours, whatever)



Emergency Paid Sick Leave Act

- Can I force employees to use other accrued PTO before this Emergency Paid Sick Leave?
 - NO!
 - US Gov't intent is to allow preservation of their regular paid time off (PTO), vacation time, sick time, etc



Emergency Paid Sick Leave Act

- Miscellaneous Notes
 - Unlawful to discharge, discipline or discriminate any employee that uses Emergency Paid Sick Leave
 - Eligible to use COVID Emergency Paid Sick Leave through 12-31-2020
 - Employer is required to post and keep posted a notice prepared by Secretary of Labor about this Act





covid poster employee rights

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Employee Rights - US Department of Labor

1. is subject to a Federal, State, or local quarantine or isolation order related to COVID-19; has been advised by a health care provider to self-quarantine ...

www.dol.gov › agencies › whd › pandemic › ffcra-poster-questions

Families First Coronavirus Response Act Notice – Frequently

EMPLOYEE RIGHTS

PAID SICK LEAVE AND EXPANDED FAMILY AND MEDICAL LEAVE UNDER THE FAMILIES FIRST CORONAVIRUS RESPONSE ACT

The **Families First Coronavirus Response Act (FFCRA or Act)** requires certain employers to provide their employees with paid sick leave and expanded family and medical leave for specific reasons related to COVID-19. These provisions will apply from April 1, 2020 through December 31, 2020.

PAID LEAVE ENTITLEMENTS

Generally, employers covered under the Act must provide employees:

Up to two weeks (80 hours, or a part-time employee's two-week equivalent) of paid sick leave based on the higher of their regular rate of pay, or the applicable state or Federal minimum wage, paid at:

- 100% for qualifying reasons #1-3 below, up to \$511 daily and \$5,110 total;
- 2/3 for qualifying reasons #4 and 6 below, up to \$200 daily and \$2,000 total; and
- Up to 12 weeks of paid sick leave and expanded family and medical leave paid at 2/3 for qualifying reason #5 below for up to \$200 daily and \$12,000 total.

A part-time employee is eligible for leave for the number of hours that the employee is normally scheduled to work over that period.

ELIGIBLE EMPLOYEES

In general, employees of private sector employers with fewer than 500 employees, and certain public sector employers, are eligible for up to two weeks of fully or partially paid sick leave for COVID-19 related reasons (see below). Employees who have been employed for at least 30 days prior to their leave request may be eligible for up to an additional 10 weeks of partially paid expanded family and medical leave for reason #5 below.

QUALIFYING REASONS FOR LEAVE RELATED TO COVID-19

An employee is entitled to take leave related to COVID-19 if the employee is unable to work, including unable to telework, because the employee:

- | | |
|---|---|
| <ol style="list-style-type: none">1. is subject to a Federal, State, or local quarantine or isolation order related to COVID-19;2. has been advised by a health care provider to self-quarantine related to COVID-19;3. is experiencing COVID-19 symptoms and is seeking a medical diagnosis;4. is caring for an individual subject to an order described in (1) or self-quarantine as described in (2); | <ol style="list-style-type: none">5. is caring for his or her child whose school or place of care is closed (or child care provider is unavailable) due to COVID-19 related reasons; or6. is experiencing any other substantially-similar condition specified by the U.S. Department of Health and Human Services. |
|---|---|

ENFORCEMENT

The U.S. Department of Labor's Wage and Hour Division (WHD) has the authority to investigate and enforce compliance with the FFCRA. Employers may not discharge, discipline, or otherwise discriminate against any employee who lawfully takes paid sick leave or expanded family and medical leave under the FFCRA, files a complaint, or institutes a proceeding under or related to this Act. Employers in violation of the provisions of the FFCRA will be subject to penalties and enforcement by WHD.



WAGE AND HOUR DIVISION
UNITED STATES DEPARTMENT OF LABOR

For additional information
or to file a complaint:
1-866-487-9243
TTY: 1-877-889-5627
dol.gov/agencies/whd



WH1422 REV 03/20



AMERICAN OPTOMETRIC ASSOCIATION

Optometry and Paid Sick Leave?

- Health care exclusion?
- Small business exemption?



Health Care Provider Exclusion for Paid Sick Leave?

- LAW: Secretary of Labor shall have the authority to issue regulations...to exclude certain health care providers and emergency responders from the definition of eligible employees
 - DOL Guidance:
 - A health care provider is anyone employed at any doctor's office, hospital, health care center, clinic, etc
 - To minimize the spread of COVID, DOL encourages employers to be judicious when using this definition to exempt health care workers
 - Spirit of the law
 - Prevent first responders, hospitals and in-the-line-of-fire providers from leaving the health system all at once
 - What to do?
 - Can you exclude: yes, by the guidance.
 - Should you exclude based on the intent of the law?
 - You and your consulting team decide
 - If you do exclude, DOCUMENT why you excluded you and your staff!



Small Business Exemption for Paid Sick Leave?

- Secretary of Labor shall have the authority to issue regulations...to exempt small businesses with fewer than 50 employees when the imposition of such requirements would “jeopardize the viability” of the business as a going concern
 - AOA communicated to DOL
 - Allow exempt to be flexible and not burdensome



Small Business Exemption for Paid Sick Leave?

- Exemption only applies to school/day care closed provision

Emergency Paid Sick Leave Act

100% Pay if Employee is...

- Subject to federal, state, local quarantine by COVID-19
- Advised by health care provider to self-quarantine by COVID-19
- Experiencing symptoms of COVID-19 and seeking medical diagnosis

2/3 (66%) Pay if Employee is...

- Caring for an individual who is subject to quarantine (federal, state, local)
- Caring for son/daughter** of employee, if school or place of care has closed, or child care provider is unavailable by COVID-19
- Experiencing any other substantially similar condition specified by Secretary of HHS



Small Business Exemption for Paid Sick Leave?

- If an authorized officer of the business has determined that (any of the 3):
 - Provision would result in expenses and financial obligation exceeding available business revenues
 - Absence of this employee would bring substantial risk to the financial health or operational capabilities of the business because of their specialized skills, knowledge or responsibilities
 - There are not sufficient workers who are able, qualified, and available at at the time during which the employee requested leave



Small Business Exemption for Paid Sick Leave?

- If you are claiming this exemption
 - DOCUMENT, DOCUMENT, DOCUMENT
- “The DOL encourages employers and employees to collaborate to reach the best solution for maintaining the business and ensuring employee safety.”



Emergency Family Medical & Leave Act (eFMLA)

Expanded family and medical leave

Expanded Family & Medical Leave (eFMLA)

- Big picture
 - After 10 days of 'unpaid' leave, employee starts 10 weeks of eFMLA pay
 - Paid at 2/3 normal rate
 - At least 2/3 regular rate...
 - Full or part time W2 employees



Expanded Family & Medical Leave (eFMLA)

- Details
 - eFMLA eligibility window starts on Apr 1
 - Requires first 10 days of 'unpaid' leave (example Apr 1-10)
 - See next slide for first 10 days
 - Earliest eFMLA employee leave day is Saturday April 11 (in this example)

Expanded Family & Medical Leave (eFMLA)

- First 10 days?
 - Employee can decide:
 - Unpaid leave
 - You cannot force them to use Paid Time Off (PTO), vacation time, sick time, etc
 - Use PTO
 - Previously accrued PTO, sick, vacation, personal or medical leave
 - New Families First Act “Paid Sick Leave” from COVID
 - Two weeks of pay at 2/3 rate for caring for child in closed school/child care provider
 - US Gov’t intent was to not force employees to have to use their normal PTO



Expanded Family & Medical Leave (eFMLA)

- Which employees are eligible for eFMLA?
 - “Employees”
 - OD owner, OD associate, staff
 - Salary or hourly
 - Full or part time
 - Worked for 30 calendar days leading into April 1
- Self-employed eligible for eFMLA
 - 1099, sole proprietor, other
 - Credit against self-employed tax



Expanded Family & Medical Leave (eFMLA)

- Employees must have:
 - Son or daughter**
 - With a closed school due to COVID
 - Primary school (K-5)
 - Secondary school (6-12)
 - Includes private non-for-profit schools, charter schools
 - Child care provider is unavailable due to COVID
 - Child care provider defined as: receives compensation for providing child care on a regular basis



Son or Daughter Definition (same as Sick Pay)

- Your own son or daughter <18 years old
 - Biological, foster, adopted, stepchild, legal ward
 - Or you are standing in locus parentis
 - Someone with day to day responsibilities to care for or financially support a child
- Adult son or daughter (>18)
 - Has a mental or physical disability *AND*
 - Is incapable of self-care because of the disability



Expanded Family & Medical Leave (eFMLA)

- Amount of pay?
 - 2/3 regular rate
 - Number of hours normally scheduled per week
 - \$200 max per day per employee
 - \$10,000 max over 10 weeks
 - $\$200 \times 5 \text{ days per week} \times 10 \text{ weeks} = \$10,000$
 - If you add Sick Pay (\$2000) and eFMLA (\$10,000): max is \$12,000
 - Assumes Sick Pay was used for the school/child care provision
- Can't figure out their normal hours?
 - Average of the past 6 months



eFMLA only

- Do I have to restore the employee after eFMLA?
 - 25+ employees
 - Reasonable efforts to restore the employee to equivalent position, pay, benefits
 - <25 employees
 - May not apply*
- *Must meet 4 hardship conditions:



eFMLA only

- *Must meet all 4 hardship conditions to not bring you back to the same position (only for <25 employees):
 1. Position doesn't exist due to economic / operating conditions during your leave
 2. Employer made reasonable efforts to restore to same or equivalent position
 3. Employer makes reasonable efforts to contact you if equivalent position becomes available
 4. Employer makes reasonable efforts to contact you
 1. For one year from the date your COVID leave ends
 2. For one year plus 12 weeks from when COVID leave started

Optometry and eFMLA?

- How do exemptions and exclusions apply to small optometry offices?



Health Care Provider Exclusion for eFMLA?

- Same as Paid Sick Leave
- LAW: Authority to issue regulations...to exclude certain health care providers and emergency responders from the definition of eligible employees
 - DOL Guidance
 - Spirit of the law
 - What to do?
 - You and your consulting team decide
 - If you do exclude, DOCUMENT why you excluded you and/or your staff!



Small Business Exemption for eFMLA?

- Same as Paid Sick Leave
- <50 employees
- “Jeopardize the viability”

Small Business Exemption for eFMLA?

- Exemption only applies to school/day care closed provision

Emergency Paid Sick Leave Act

100% Pay if Employee is...

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Small Business Exemption for eFMLA?

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 - There are not sufficient workers who are able, qualified, and available at at the time during which the employee requested leave



Small Business Exemption for eFMLA?

- If you are claiming this exemption
 - DOCUMENT, DOCUMENT, DOCUMENT
- “The DOL encourages employers and employees to collaborate to reach the best solution for maintaining the business and ensuring employee safety.”



Combined thoughts on Paid Sick Leave & eFMLA

Will employers get eFMLA/Paid Sick Leave payments back?

- Payroll tax credits
 - 100% pay back (dollar for dollar)
 - Coordinate with payroll company for Families First tax credits
 - Tax credits:
 - Employer Social Security, Employer Medicare, Federal, Employee Social Security & Medicare
- Not enough tax credits to cover?
 - File request for accelerated payment from IRS
- “Advanced tax credit” instead of waiting to be reimbursed quarterly
 - I did not stay at a Holiday Inn Express last night



My staff didn't start using Emergency Sick Pay or eFMLA yet, can I start putting payroll taxes aside just in case they do it later this year?

- Yes!
 - If you think of payroll taxes going into different buckets (Federal, Employee Social Security, Employer Social Security, etc)
 - This will go from the normal bucket to a Families First bucket
 - You can start now in anticipation
 - No penalty
 - If not used by Dec 31, then it can return to the 'normal' bucket
 - Use your payroll company or accountant to help organize buckets



When does enforcement start?

- “The Department of Labor will observe a temporary period of non-enforcement for the first 30 days [April 1- 30] so long as the employer has acted reasonably and in good faith to comply with the Act.”
 - “Good faith exists when violations are remedied and the employee is made whole as soon as practicable by the employer”



Self-employed?

- Equivalent sick leave and child care leave credit amounts are available under similar conditions
 - Credits claimed on income tax return



Can eFMLA go into the summer or beyond?

- eFMLA is 10 weeks. It can be used any time and expires December 31, 2020 even after school's traditional closing



Our office closed, do these benefits apply?

- No!
 - If you are not open for business then employees do not get Emergency Paid Sick Leave or Emergency Family Medical Leave
 - Not open for business: Not enough work to open doors, COVID restrictions, etc
 - Once you reopen, employees are eligible for both benefits
 - If you are seeing emergencies—you are open for business!
 - Unemployment benefits would apply for workers of closed office



What if I laid off employees, can they get the Families First benefits?

- Employees rehired are eligible for Families First
- Sick Pay
 - Any employee on the payroll thru Dec 31
- eFMLA
 - If you laid off March 1st or later, and rehired before Dec 31
 - Employee had to work 30 of the past 60 days prior to the lay off
 - Example: If you laid off on March 20 and then rehired before Dec 31, they had to work at least 30 days of the time frame Jan 20–March 20 (lay off date)
 - 30 days is a time frame, not actual work days (e.g., I worked last January)



General Do/Don't

- Can I ask my staff to stay home if they are symptomatic?
 - Yes!
 - Can now trigger Emergency Sick Leave Pay



General Do/Don't

- Can I ask my staff for a doctor's note to prove a diagnosis?
 - First, employer doesn't need proof of diagnosis for employee to exercise Sick Leave
 - Employee can exercise right for Emergency Sick Leave if they are symptomatic and seeking a medical diagnosis
 - ADA pandemic health crisis provision (15+ employees)
 - Employer can require a doctor's note, medical exam or a time period during which the employee has been symptom free before allowing employee back to work (e.g., 14 days)
 - If it is believed the employee's medical condition poses a "direct threat" to safety in the work place



My employee is high risk...can they stay home and get paid by Families First Act?

- No payments for staying home due to risk/concern of getting COVID
- Emergency Sick Pay
 - Does not include employees that are staying home due to high risk (elderly, immunosuppressed, etc)
- eFMLA
 - Only accounts for employee caring for son/daughter due to their school/child care provider being closed



My employee has a child but is scared to send them to their day care facility that is still open, can they get these Families First benefits?

- No
 - There is no provision for being scared. If it's open, then these benefits do not apply



I am not sick but I have a “stay at home” order in my state, can I claim Families First Sick Pay or eFMLA?

- No!
 - A generalized stay-at-home order is different than a federal, state, local quarantine or a medical quarantine.
 - However, if you have a son/daughter with a closed school/place of child care...



Do employees keep medical insurance with Families First?

- Employees are still employed
- Typically, both employer and employee pay their portion of medical insurance
 - Applies to both Emergency Paid Sick Leave and eFMLA



Can employee use Emergency Paid Sick Leave or eFMLA intermittently?

- The only provision for this is caring for your child due to school closing/place of care is closed (day care)
 - Not quarantines, symptoms, diagnosed COVID, etc
- Only if employer agrees



Emergency Paid Sick Example

- Your employee can work in office Monday, Wednesday, Friday and use Tuesday and Thursday for Emergency Paid Sick Leave
 - DOES NOT require them to prove they are doing school work
 - This example is using 2 days of Emergency Paid Sick Leave
 - Using 2 days per week would extend the Emergency Paid Sick Leave to 5 weeks
 - Assuming Mon-Fri regular schedule
 - Eligible for 10 days total Emergency Paid Sick Leave
 - 2 days per week used for Emergency Paid Sick Leave
 - Takes 5 weeks to use all 10 days
 - Design is flexibility for the employer



eFMLA Example

- Same intermittent example
- Monday, Wednesday, Friday at office
 - Tuesday, Thursday eFMLA
 - Yes, they can use eFMLA intermittently if employer agrees
 - Each day would count against eFMLA
 - Remember, eFMLA required 10 "unpaid" days first
 - Keep track of Emergency Sick days vs eFMLA days



I'm an employee getting 2/3 pay for Families First, can I use my other PTO to supplement my income?

- Families First allows the employee to supplement lost 1/3 of pay with other accrued Paid Time Off (PTO) if they have it (e.g., vacation, personal, sick, medical, other)
 - Can't force that to happen
 - Cannot exceed their normal full weekly pay amount in total
 - Example
 - 40 hours normally
 - Families First 2/3 pay covers 26.67 hours
 - Can use 13.33 hours of PTO (if they have it) to supplement
- No Families First tax credit on the PTO portion



How do we document Families First ?

- Employee has to request it (can't just stop coming to work)
- As of today, there is no official form
 - Only old-FMLA forms
- Employee should document in writing their request to exercise their right for Emergency Paid Sick or eFMLA
 - Date of first leave
 - Reason for using Families First (1 of the 6)
 - If any intermittent use agreements
 - Date of anticipated return
- Can ask for document that justifies one of the 6 qualified reasons
 - Notice from day care, doctor's note of quarantine, etc



Coronavirus Aid, Relief, and Economic Security Act (CARES)

Phase 3: Personal and Business Economic Aid

CARES Act

- Small Business Administration (SBA) loans
- Unemployment payment increase (additional \$600/week)
- Retirement account withdraw (\$100k)
- Student loan deferral thru Sept 30 (no interest)
- Medicare sequestration stop (2% thru Dec 31)
- Medicare and Medicaid funding (\$200 mil)
- House of Rep salary and expenses (\$25 mil)
- Senate employee child care (\$84,000)
- Kennedy Center Arts/Howard Univ/Gallaudet Univ (\$45 mil)



Unemployment

CARES Unemployment

- Individuals get their normal state calculated amount
- PLUS \$600
 - Emergency Pandemic Unemployment Compensation (EPUC)
 - May come in different checks/deposit (state and fed)
- State unemployment laws vary
 - Max cap at regular weekly pay?
- Consult your lawyer about unemployment benefit options/consequences



CARES: Unemployed, partially unemployed or unavailable because

- Normal reasons: laid off, reduced hours, (seek your state definition)
- Diagnosed with COVID 19
- Symptoms of COVID and seeking medical diagnosis
- Member of household diagnosed with COVID
- Providing care for family member or member of household who was diagnosed with COVID
- Employee is primary caregiver for child or other person in household that is unable to attend school or other facility closed by COVID
- Unable to get to work due to quarantine due to COVID



CARES: Unemployed, partially unemployed or unavailable because

- Unable to get to work due to advised self-quarantine by health provider due to COVID
- Was scheduled to commence work but unable to get to job due to COVID
- Became breadwinner because head of household died by COVID
- Had to quit job due to COVID
- Place of work is closed due to COVID



CARES: Unemployed, partially unemployed or unavailable because

- Individual meets any additional criteria established by Secretary of Labor
- Self-employed is seeking part-time employment, does not have sufficient work history, or otherwise would not qualify for regular unemployment



CARES: Unemployment Does Not Include Individual that...

- Can telework with pay
- Is getting paid sick leave or other paid leave (includes FFCRA)
 - You cannot get Unemployment benefits at the same time as Emergency Paid Sick Leave or eFMLA

Should I lay off or furlough my employees?

- Consult a business consultant, accountant, lawyer
- Every state varies in their unemployment laws
- Consult your Employee Manual
- Have documented reasons why you apply any reduced hours written down
 - To prevent discrimination lawsuit
- I am not an unemployment lawyer



Employer Unemployment Insurance

- If employees use Unemployment Benefits due to COVID, your unemployment insurance rate will not change!
 - Most states adopted



General Definitions

- Furlough
 - Reduced hours to zero
 - Similar to Laid Off but furlough typically has a defined end date
 - Eligible for unemployment
 - Still an employee
 - Stays on health benefits
 - If Employee has a portion they normally pay for health, still expected to pay their portion
 - Employer can decide to pay employee portion
 - Employee can write a check to the business
 - Your state unemployment website may not have “furlough”



Partial Work (if your state allows)

- Reduced hours from normal
 - example: now working 16 instead of 40 hours
- Going for unemployment pay
 - To supplement the missing 24 hours (in my example)
- Still an employee
- Stays on health benefits?
 - Depends on your health plan
 - Some plans have eligibility requirements: e.g., work 30 hours per week
 - Most relaxed this requirement by COVID
 - Employee pays their portion of health (payroll or write a check to company)



Partial Work (if your state allows) continued

- Requires weekly or biweekly form from employer to Unemployment Office indicating gross pay worked
 - State requirements vary
 - Most states only want to know how much employee made this week
 - Not how many hours
 - Complete form for duration of reduced workload
- Does not prevent full lay off later



Laid Off

- Not working for you at all
- Going for “full” unemployment pay
 - Typically ~50% of weekly pay to a state maximum (e.g., \$378)
 - Plus \$600 Emergency Pandemic Unemployment Compensation
 - Will your state cap it at normal weekly pay?
- Not an employee
- Health insurance
 - COBRA (20+ employees)
 - Stays on same health plan but employee pays full amount (up to 102%)
 - “Mini-Cobra” (<20 employees)
 - Very similar (varies by state)





Employee Benefits Security Administration

Topics ▾

Workers ▾

Employers And Advisers ▾

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About ▾

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EBSA > Laws & Regulations > Laws > COBRA Continuation Coverage

COBRA Continuation Coverage

[Expand All](#) | [Collapse All](#)

> Regulations

- [Final regulations on the COBRA notice provisions of Part 6 of Title I of ERISA](#)
- [COBRA Model General Notice](#) | [en español](#)
- [COBRA Model Election Notice](#) | [en español](#)
- [ACA Implementation FAQs Part 32](#)



My state unemployment website asks: how much did the employee make last week?

- Unemployment website are usually set up for non-COVID scenarios
 - Typically you had to wait one week to file unemployment
 - That one week period was waived in (most) states to allow filing now
 - But website registration is not updated
 - My office has reduced work hours starting this week
 - I advised my staff to use this week's reduced hours as the number to report
 - Other option was to report full earnings last week (thus not eligible for UI)
 - Or wait 1 week before filing
 - **This is not an official recommendation of the AOA**



What if my staff is getting unemployment pay that is more than their weekly pay with me and they don't want to come back to work?

- Unemployment benefits require employees to be 'willing' to work
 - Your written request for them to return to work and their refusal will result in them losing unemployment benefits
 - Request return to work (specific days, times) in writing
 - Get responses in writing
 - Consult a lawyer



If I lay off employees, how will that effect CARES 7(a) loan forgiveness?

- We are covering CARES 7(a) loans in details in the next section
- You can lay off now and hire back by June 30 without it effecting your loan forgiveness!
 - Or hire other people back in their place



CARES 7(a) Loans

Payment Protection Program



AMERICAN OPTOMETRIC ASSOCIATION

Big Picture View of CARES Act SBA Loans

- Paycheck Protection Program
 - Loans given to small businesses for specific expenses
 - Payroll, rent, utilities, etc
 - Loan is FORGIVEN if used as directed
 - Goal is keeping business open and employees on payroll
- The term “SBA 7(a) loan”
 - Section 7(a) of the Small Business Act
- SBA does not directly lend this money
 - SBA is guarantor of the loan (like a co-signer)
 - Loans administered by approved FDIC banks that process 7(a) loans



CARES 7(a) Loan

- Who can apply?
 - Any small business in existence on Feb 15, 2020
 - S corp, C corp, LLC, Sole proprietor, 1099, 501(c)3, etc
 - Not yet 501(c)6
- How much can I get?
 - Up to 2.5x monthly payroll expenses
 - Average over past 12 months (from the loan date)
 - Calculation excludes annual salaries > \$100,000
 - If annual salary is \$150,000, the loan request calculation will only include the first \$100,000
 - Distributions are not payroll



CARES 7(a) Loan Amount Calculation Example

- Average monthly payroll is \$100,000
 - $2.5 \times \$100,000 = \$250,000$
 - 2 months payroll expected to be paid (\$200,000)
 - Remaining \$50,000 for rent, utilities, employer health premiums, etc



What work expenses are payable with CARES 7(a) loan to allow it to be forgivable?

- Wages: salaries, vacation time, paid time off, sick leave, etc
 - Not Families First Emergency Sick Leave or eFMLA
 - Those are tax credits returned to employer
- Rent
- Mortgage interest (not principal, not advanced pre-pay)
- Utilities (specific ones)
 - Electricity, gas, water, telephone, internet access, transportation
- Health premiums (employer portion)
- Interest on any debt obligations incurred before Feb 15



CARES 7(a) Loan

- How much does it cost to get a loan?
 - No fees to you (no closing fee, no processing fee, etc)
 - Bank paid fees by SBA
- Do I have to pay the loan monthly like any other loan?
 - Yes!
 - There is principal and interest (0.5%)
 - 6-12 month deferral before first payment
 - Two year maturity (pay in full due (if any))
 - You can work to get it forgiven before 1st payment due



CARES 7(a) Loan

- What is the deadline to apply for this loan?
 - June 30, 2020 (at a FDIC approved bank)
- Do I need collateral or a personal guarantee to get this loan?
 - No!
- What time frame do I have to spend the loan money to get loan forgiveness?
 - 8 weeks from the date of loan activation
 - Any money spent after 8 weeks is not forgiven



CARES 7(a) Loan

- Doesn't SBA require you to get credit elsewhere first?
 - The requirement that a small business attempt to get credit elsewhere will not apply if you get the CARES 7(a) loan by June 30, 2020
- What recourse is there on the loan?
 - No recourse against an individual or business unless loan used for purposes not authorized by CARES
 - If you use it as directed, they can't come after you for being late on payments or delinquent
 - I'm not a lawyer!



CARES 7(a) Loan

- Why shouldn't I get this loan????





Disney/Good Luck Charlie
and every meme imitator

Start preparing now!

- SBA has 30 days to issue guidance to banks (Apr 25)
 - Friday April 3 !!!!
 - Banks still have not received guidance from SBA (as of March 31)
- Bank does have authority to grant CARES 7(a) loan from your credit score alone
- More likely
 - Monthly payroll reports past 12 months
 - 941's
 - Tax returns past 3 years
 - Personal Financial Statement
 - Profit & Loss
 - Rent/mortgage, utilities



CARES 7(a) loan

- Very general overview
 - Apply for loan
 - Get money (same day often)
 - Pay salaries, rent, etc. as directed by the rules within 8 weeks
 - Report/prove to bank what you used loan for
 - Anticipated forgiveness amount
 - Bank reports to SBA your forgiveness amount
 - Once reviewed, SBA pays your Bank
 - Loan is forgiven



CARES 7(a) Loan

- Designed to cover costs for 8 weeks
 - Payroll for sure!
 - Excess for other expenses described
- What if I don't use the majority on payroll? For example, I use 90% on rent and utilities and only 10% on payroll?
 - Regulations now specify up to 25% on non-payroll
 - Lose loan forgiveness amount





Paycheck Protection Program Application Form

OMB Control No.: 3245-
Expiration Date: 06/30/2020

<input type="checkbox"/> Non-Profit <input type="checkbox"/> Vet Org <input type="checkbox"/> Tribal <input type="checkbox"/> Ind. Cont. <input type="checkbox"/> Self Employed <input type="checkbox"/>				DBA or Tradename If applicable	
Business Legal Name					
Business Primary Address					
Business TIN (EIN,SSN)				Business Phone	
				() -	
Primary Contact				Email Address	
Average Monthly Payroll:	\$		X 2.5 equals Loan Amount:	\$	
Purpose of the loan (select more than one):	<input type="checkbox"/> Payroll <input type="checkbox"/> Rent / Mortgage Interest <input type="checkbox"/> Utilities <input type="checkbox"/> Other (explain):				

Applicant Ownership

List all owners of Applicant with greater than 20% ownership stakes. Attach a separate sheet if necessary.

Owner Name	Title	Ownership %	TIN (EIN,SSN)	Address

If questions (1) or (2) below are answered "Yes," the loan will not be approved.

Question	Yes	No
1. Is the Business or any owner presently suspended, debarred, proposed for debarment, declared ineligible, voluntarily excluded from participation in this transaction by any Federal department or agency, or presently involved in any bankruptcy?	<input type="checkbox"/>	<input type="checkbox"/>
2. Has the Business, any of its owners, or any business owned or controlled by any of them, ever obtained a direct or guaranteed loan from SBA or any other Federal agency that is currently delinquent or has defaulted in the last 7 years and caused a loss to the government?	<input type="checkbox"/>	<input type="checkbox"/>
3. Is the Business or any owner an owner of any other business or have common management with any other business? If yes, attach a listing of all Affiliates and describe the relationship as addendum A.	<input type="checkbox"/>	<input type="checkbox"/>
4. Has the Business received an SBA Economic Injury Disaster Loan between January 31, 2020 and April 3, 2020? If yes, provide details on a separate sheet identified as addendum B.	<input type="checkbox"/>	<input type="checkbox"/>

Applicants who are individuals and all 20% or greater owners of the business must answer the following questions. If questions (5) or (6) are answered "Yes" or question (7) is answered "No", the loan will not be approved.

Question	Yes	No
5. Are you presently subject to an indictment, criminal information, arraignment, or other means by which formal criminal charges are brought in any jurisdiction, or presently incarcerated, on probation or parole?	<input type="checkbox"/>	<input type="checkbox"/>
Initial here to confirm your response to question 5 →		
6. Within the last 7 years, for any felony or misdemeanor for a crime against a minor, have you: 1) been convicted; 2) pleaded guilty; 3) pleaded nolo contendere; 4) been placed on pretrial diversion; or 5) been placed on any form of parole or probation (including probation before judgment)?	<input type="checkbox"/>	<input type="checkbox"/>
Initial here to confirm your response to question 6 →		
7. <input type="checkbox"/> I am a U.S. Citizen <u>OR</u> <input type="checkbox"/> I have Lawful Permanent Resident status <input type="checkbox"/> No		
Initial here to confirm your response to question 7 →		



Paycheck Protection Program Application Form

OMB Control No.: 3245-
Expiration Date: 06/30/2020

By Signing Below, You Make the Following Representations, Authorizations, and Certifications

REPRESENTATIONS AND AUTHORIZATIONS

I represent that:

- I have read the Statements Required by Law and Executive Order included in this form, and I understand them.
- I will comply, whenever applicable, with the civil rights and other limitations in this form.
- All SBA loan proceeds will be used only for business related purposes as specified in the loan application.
- To the extent feasible, I will purchase only American-made equipment and products.
- The Applicant is not engaged in any activity that is illegal under federal, state or local law.

For Applicants who are individuals and all Associates: I authorize the SBA to request criminal record information about me from criminal justice agencies for the purpose of determining my eligibility for programs authorized by the Small Business Act, as amended.

CERTIFICATIONS

The Business and each 20% or greater owner must certify in good faith to all of the below by **initialing** next to each one:

- ☐ Current economic uncertainty makes this loan request necessary to support the ongoing operations of the Applicant.
- ☐ The funds will be used to retain workers and maintain payroll or make mortgage payments, lease payments, and utility payments; I understand that if the funds are used for unauthorized purposes, the federal government may pursue criminal fraud charges.
- ☐ Documentation verifying the number of full-time equivalent employees on payroll as well as the dollar amounts of payroll costs, covered mortgage interest payments, covered rent payments, and covered utilities for the eight week period following this loan will be provided to the lender.
- ☐ Loan forgiveness will be provided for the sum of documented payroll costs, covered mortgage interest payments, covered rent payments, and covered utilities. Due to likely high subscription, it is anticipated that not more than twenty-five percent (25%) of the forgiven amount may be for non-payroll costs.
- ☐ During the period beginning on February 15, 2020 and ending on December 31, 2020, the Applicant has not and will not receive another loan under this program.
- ☐ I further certify that the information provided in this application and the information that I have provided in all supporting documents and forms is true and accurate. I realize that knowingly making a false statement to obtain a guaranteed loan from SBA is punishable under 18 USC 1001 and 3571 by imprisonment of not more than five years and/or a fine of up to \$250,000; under 15 USC 645 by imprisonment of not more than two years and/or a fine of not more than \$5,000; and, if submitted to a Federally insured institution, under 18 USC 1014 by imprisonment of not more than thirty years and/or a fine of not more than \$1,000,000.
- ☐ I acknowledge that the lender will calculate the eligible loan amount using tax documents I have submitted. I affirm that these tax documents are identical to those I submitted to the IRS. I also understand, acknowledge and agree that the Lender can share the tax information with SBA's authorized representatives, including authorized representatives of the SBA Office of Inspector General, for the purpose of compliance with SBA Loan Program Requirements and all SBA reviews.

Signature

Signature of Authorized Representative of Business

Print Name

Signature

Signature of Owner of Applicant Business

Date

Title

Date

What reduces my loan forgiveness?

- Using loan money beyond 8 weeks
- Using loan money for expenses not on the list
- Using >25% on non-payroll
- Losing employees
 - Compares # Full-Time Equivalent (FTE) for loan period vs 2019
 - Lay off, fire, let go, attrition, etc.
- Paying employees less
 - Compares specific employee pay from loan period vs 2019
 - Less hourly rate or less hours of work



FTE loss can reduce forgiveness?

- You lay off/fire/lose employees
 - SBA will look at how many Full Time Equivalent (FTE) employees you have 8 weeks after your funding date
 - Compared to # FTE Feb 15-Jun 30, 2019; or
 - Compared to # FTE Jan 1-Feb 29, 2020
 - (you pick the comparison time frame)
 - Proportionally reduce forgiveness based on # lost FTE
 - No extra benefit for gaining more FTE



Loan Forgiveness Reduction Example

- Funding date May 1: \$250,000
 - 8 weeks later is June 26
 - You have 20 employees on June 26
- Look back period is Feb 15-Jun30, 2019 or Jan1-Feb29, 2020
 - I select 2020
 - I averaged 22 FTE's
 - I lost 10% of my FTE
 - My loan forgiveness is reduced by 10%
 - If I borrowed \$250,000, then I will owe back \$25,000 of it (10%)
 - 10 year loan up to 4% interest



FTE Effecting Loan Forgiveness

- You have can hire back through June 30 without penalty
 - In my example, I would have re-hire by June 26 (8 week ending)
- You can hire back anybody
 - Doesn't have to be same staff
 - Doesn't have to be same salary
 - FTE is an FTE
 - Your goal is to have the same or more FTE at 8 weeks compared to your look back period



Pay Reduction Reduces Loan Forgiveness

- If salary/wages of any employee are reduced by >25%
 - Only applies to salaries <\$100,000 in 2019
 - Compares an employee's payroll wages
 - Loan date out to 8 weeks vs Q4 2019
 - Likely will use a 2 week average or monthly average
- Example
 - I kept them, but I paid them a lot less
 - Reduced hourly rate or reduced hours during 8 weeks following loan
- How will loan forgiveness change??
 - Like a loss of 1 FTE??



Are owner or associate doctor wages excluded from loan request amount or loan forgiveness?

- No distinction of owner, employee, associate, etc.
 - All payroll salaries are included up to \$100k annualized
- Law
 - Shall not include the compensation of an individual employee in excess of an annual salary of \$100,000

What about highly paid employees?

- Lender Guidance March 31
 - \$100,000 / 12 months = \$8,333 per month
 - Max forgiveness is \$8,333 per month for any employee



How do I calculate my potential CARES 7(a) loan amount?

- Total employer payroll costs (salary, employer taxes, PTO paid, vacation paid, bonuses on payroll, etc)
 - Anyone with salary over \$100,000, count only the first \$100,000
 - Use last 12 months (from your loan application submission date)
 - Average of those 12 months x 2.5 = potential loan amount
 - Waiting on guidance to see how 1099 payments are considered in the payroll costs
 - Included in your business payroll or does 1099 have to apply on their own?



What if I apply for CARES 7(a) Loan in May but I reduce my workforce from now til May?

- Loan Amount
- Your CARES 7(a) loan amount will be based on the last 12 months from the date of your loan application
 - If you lay off/reduce hours/reduce pay, it will reduce your total payroll average
 - This will reduce your loan amount, especially if you reduce for more months
 - Survival vs Loan Amount



What if I apply for CARES 7(a) Loan in May but I reduce my workforce from now til May?

- Loan Forgiveness

- Loan forgiveness is not influenced by # of employees or rate of pay today
- Loan forgiveness counts FTE at end of loan period (8 weeks after loan money comes)
- Loan forgiveness amount reduced if employees getting 25% or worse pay DURING THE LOAN PERIOD
 - Not including >\$100k employees



For CARES 7(a) forgiveness, do I have to keep employees for a certain amount of time?

- There is no promise to keep employees for any amount of time
- To maximize your CARES 7(a) loan forgiveness, they will compare your FTE
 - 8 weeks after the CARES 7(a) loan was enacted
 - Compared to # FTE Feb 15-Jun 30, 2019; or
 - Compared to # FTE Jan 1-Feb 29, 2020



If I get a CARES 7(a) Loan now but my patient flow is not back to normal, how should I pay my staff?

- Loan period is 8 weeks from the start of when you got the money
 - Pay staff their normal amount during the 8 week loan period
 - Regardless of how busy you are
 - A/B work schedule
 - Loan forgiveness partly depends on you paying them full for 8 weeks



What if my staff was on unemployment leading into the CARES 7(a) Loan?

- Your staff will come off unemployment during the 8 weeks of your CARES 7(a) loan.
 - You will pay them their 8 weeks normal pay
 - After 8 weeks, if your office is not back to normal, they can return to Unemployment (partial work or full lay off).



What if my staff doesn't want to come back for the 8 weeks of my CARES 7(a) loan period?

- If they were on unemployment, they have to be 'willing' to work
 - If they won't return, then they aren't willing to work
 - They will lose their unemployment benefits
 - Consult a lawyer as needed
- If you are trying to maximize your FTE count, hire someone!



When should I apply for CARES 7(a) Loan?

- Depends on your business specifics and your geography
- When will patient flow be improved in your area?
 - You won't be perfect: don't try to be!
 - Unemployment is likely either before or after the loan period
 - Would you prefer unemployment before or after?
 - No right or wrong!



When should I apply for CARES 7(a) Loan?

- The deadline to apply is June 30, 2020
- Banks will start processing loans on Friday April 3
 - “Same day” approval expected



When should I apply for CARES 7(a) Loan?

April 3

- Get the loan now
- 8 weeks of payroll for staff through May 29
- If pandemic gone on May 29, you will see patients as normal
- If pandemic is not gone, consider unemployment until normalcy returns

May 1

- Staff on unemployment til May 1
- 8 weeks of payroll for staff through June 26
- If pandemic gone by June 26, you will see patients as normal
- If pandemic is not gone, unemployment again



Loan Timing

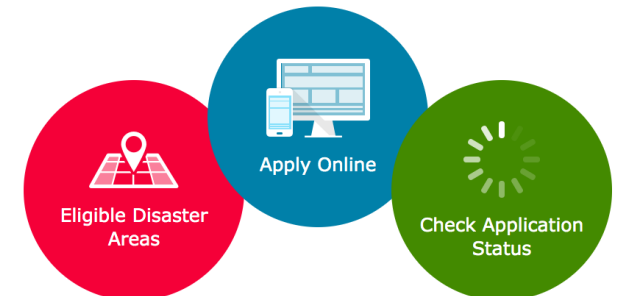
- There is no right or wrong
- Do what you feel is best
- Both options are likely to have unemployment unless pandemic is gone (then we are all happy)
- If you believe COVID will end by end of May—go now!
- If you believe your staff requirement demand now—go now!
- If you believe COVID will end by end of June—consider waiting
- Bottom Line: GET A CARES 7(A) LOAN !!!!!
- I am not your business consultant—do what you feel is the best for your practice
- Also consider: there is “only” \$349 billion



Other Loan Options

Economic Injury Disaster Loan (EIDL)

- “Disaster Loan” from SBA
- Not the CARES Act, not forgivable!!
- Early adopters January 31-present
- Required collateral pledge if >\$200,000
- Can refinance into forgivable CARES 7(a) “covered loan”



EIDL Benefits

- Loan up to \$2 million
 - 30 year term
 - 4% interest or less
 - 1st payment due after 12 months
- Apply on SBA website
 - Application process does not start with a loan amount
- Use of funds not restricted like CARES 7(a)
- EIDL is not forgivable—you've got to pay it back!
- Applying for EIDL does not influence ability to get CARES 7(a) loan



Have both an EIDL and CARES 7(a) Loan?

- You cannot pay the same expenses with both loans!
 - Be meticulous about recording where each loan money goes
 - No partial dipping
- Why should I get an EIDL?
 - It's an opportunity for a low interest rate, no payment for one year, influx of cash for whatever you need it for



I have employees making over \$100k. Can I use CARES 7(a) for the portion under \$100k and EIDL for the portion over \$100k?

- We don't know for sure. All indications are NO! You cannot spend both loans "for the same purposes"

Getting Ready for EIDL

- Practice info
 - TIN
 - Incorporation date
 - Owner info
 - SSN of owners
- Gross Sales
- COGS



Can't Wait for Cash?

- EIDL “Emergency Grant”
 - SBA refers to it as an “advance”
 - Using the EIDL loan application just mentioned
 - You applied for EIDL and this is an advance on that loan
 - Request an advance (end of application)
 - Pays up to \$10,000 within 3 days of application
 - Not required to repay
 - Even if denied EIDL loan
 - \$10,000 grant will be subtracted from CARES 7(a) loan forgiveness amount



\$10k subtracted from CARES

- If you get the \$10k EIDL advance (from asking for EIDL loan), then the \$10k is forgiven grant (right away)
- If I also got a CARES 7(a) loan, they aren't forgiving the full CARES 7(a) loan and the \$10k EIDL advance
 - Example
 - If I got \$250,000 CARES 7(a) loan and the \$10k advance on EIDL
 - \$240,000 of CARES can be forgiven
 - \$10k of my CARES loan has to be repaid: 2 year note at 0.5%
 - I still keep the forgiven EIDL \$10k advance!!!!



Should I do the EIDL \$10,000 advance?

- If you are in quick need of \$10k for the survival of your practice
- Consult your accountant if you don't know

General COVID-19 Health Provisions for ODs

During this COVID Emergency

- National Emergencies Act declared March 1, 2020
 - Relaxed HIPAA requirements
 - Telehealth via non-HIPAA compliant technology
 - FaceTime, text message, Zoom, etc
- Can still use HIPAA compliant technology
 - Zoom for Healthcare, Doxy.me, EHR portal
- Get verbal consent to bill insurance for telehealth



Testing for COVID-19

- COVID-19 Conjunctivitis?
- Health insurance shall not impose any cost sharing during any portion of the emergency period for COVID-19
 - Not apply to deductible
 - No copay
 - No coinsurance
- Applies to:
 - Office/outpatient services
 - Online digital E&M (99421-99423)



Can ODs issue medical self-quarantine?

- Yes!
- For Emergency Paid Sick Leave and eFMLA

Emergency Paid Sick Leave Act

100% Pay if Employee is...

- Subject to federal, state, local quarantine by COVID-19
- Advised by health care provider to self-quarantine by COVID-19
- Experiencing symptoms of COVID-19 and seeking medical diagnosis

2/3 (66%) Pay if Employee is...

- Caring for an individual who is subject to quarantine (federal, state, local)
- Caring for son/daughter** of employee, if school or place of care has closed, or child care provider is unavailable by COVID-19
- Experiencing any other substantially similar condition specified by Secretary of HHS



Medicare Accelerated & Advance Payment

- Includes Medicare Part B during National Emergency
- Request an advance on future payments
 - Application on your Medicare Contractor website
 - Medicare will evaluate prior payments to you
 - Medicare will determine how much of an advance to give you (100% of 3 months)
 - As you bill through the next several months, payments are taken from the advance (you already got the money)
 - If you didn't bill enough after 210 days, they'll recoup the difference
- If you bill a lot of Medicare, go to your Medicare Carrier website to learn more



Medicare Accelerated & Advance Payment

- "Reason for Request"
 - Check box 2 "Delay in provider/supplier billing process of an isolated temporary nature..."
 - And state that the request is to do COVID 19 pandemic



Open Enrollment for Health Insurance

- Due to the pandemic, this is now an “open enrollment” time for health care.
 - You or your employees that are not on health plans can enroll now



This forgivable loan should help but I can't make up all the lost exams. What's up with that?

- Starting planning now!
- Out of the box
 - Expanded hours
 - More evening hours
 - More weekend hours
 - Should I more seriously consider tele-optometry moving forward?



Securing CARES 7(a) Lender

- Lessons from the Field
 - Dr. David Cockrell
 - AOA Advocacy Chair & AOA Past President
 - Timothy Bonin
 - Rhode Island Optometric Association Executive Director
 - Bob Kehm
 - AOA Excel Managing Director



Questions?