



Alerts

Health Care Deregulation and Financial Relief Measures Amidst the Pandemic

April 3, 2020

Health Care Alert

The COVID-19 global pandemic has created a truly exceptional set of challenges to businesses operating in the healthcare industry. In the wake of these unprecedented circumstances, hospital executives, physician group leaders, and front-line treaters have literally redefined the delivery of health care services in America. The legal landscape continues to evolve as well. Lawmakers have coupled deregulation with new financial relief measures to accelerate the fight against the Coronavirus outbreak. In addition to easing restrictions on patient information sharing, telemedicine, and self-referrals, this legal overhaul is creating financial relief in the form of loans and accelerated Medicare reimbursement, as well as allowing for the deployment of volunteer medical workers to meet staffing shortages.

Our national Health Law team has gathered key information relating to these and other historic developments in the law governing healthcare industry services. Click the links below to learn more.

- **Limited Suspension of HIPAA Sanctions and Penalties During National Emergency**
 - HHS has issued a limited waiver of sanctions and penalties against covered hospitals for certain HIPAA Privacy Rule requirements...
- **Exceptions Under the HIPAA Privacy Rule for Disclosure of PHI Without Patient Authorization**
 - OCR has issued a bulletin providing guidance on how covered entities and business associates may share protected health information (PHI) under the HIPAA Privacy Rule, without a patient's authorization, during a public health emergency...
- **HHS Limits Liability for Corporations and Health Care Providers Relating to COVID-19 Countermeasures**
 - HHS recently issued a declaration to limit liability for companies and providers engaged in medical countermeasures to fight the COVID-19 pandemic...
- **Financial Relief Assistance for Small Medical Practices under the CARES Act**
 - Small businesses such as medical practices can apply for the Paycheck Protection Program (PPP), which provides money for forgivable loans to keep workers employed during the COVID-19 crisis...

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- **Blanket Waiver on Stark Law Sanctions Provides Limited Relief in Light of Pandemic**
 - A blanket waiver from the Secretary of HHS has been issued to waive sanctions under the Stark Law relating to certain financial relationships and referrals...
- **CARES Act Temporarily Expands CMS' Accelerated and Advanced Payment Program**
 - CMS has expanded its current Accelerated and Advanced Payment Program for Medicare Part A providers and Part B suppliers...
- **CARES Act Limits Liability for Volunteer Health Care Providers While Illinois Limits Liability for Health Care Facilities, Providers, and Volunteers Responding to COVID-19**
 - Liability protections were included in the recently enacted CARES Act for volunteer health care providers...
- **Medicare Telehealth COVID-19 Waivers Expand Opportunities to Provide Telehealth Services to Medicare Beneficiaries**
 - Certain Medicare telehealth payment requirements are waived during the public health emergency declared by HHS, allowing all Medicare beneficiaries to receive telehealth services...
- **DEA Waives Telemedicine and Other Rules for Controlled Substances**
 - The DEA published guidance that allows controlled substances to be prescribed via telemedicine without a prior in-person exam; and makes other exceptions to DEA requirements...