

LEGAL UPDATES

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Service

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Provider Relief Fund Update: HHS Changes Reporting and Use of Funds Deadlines

On June 11, 2021, the U.S. Department of Health and Human Services (HHS) issued new guidance on Provider Relief Fund (PRF) reporting and the deadline for providers to use their funds. Provider recipients can now begin submitting information in the PRF Reporting Portal on July 1, 2021. Recipients are required to report for each "payment received period" in which they received one or more payments exceeding, in the aggregate, \$10,000. Additionally, HHS removed the deadline that all funds be used by June 30, 2021. The deadline to use funds is now based on the date payments were deposited. See the charts below for specific guidance on reporting requirements and use of funds deadlines.

Summary of use and reporting timeline

	Payment Received Period (Payments exceeding \$10,000 in aggregate received)	Deadline to use funds
Period 1	From April 10 to June 30, 2020	June 30, 2021
Period 2	From July 1 to December 31, 2020	December 31, 2021
Period 3	From January 1 to June 30, 2021	June 30, 2022
Period 4	From July 1 to December 31, 2021	December 31, 2022

Estimated time period providers received PRFs

	Time period providers received PRFs
Phase 1 – General distribution	From April to June 2020
Phase 2 – General distribution	From June to November 2020
Phase 3 – General distribution	From December 2020 to current (payments for Phase 3 are still being sent to providers)
Target distribution (see below for more detail)	From April 2020 to current (Targeted distributions could have been received during any Payment Received Period)

Targeted distribution	Time period providers started to receive targeted distribution *Note: Targeted distributions could have been received any time after the dates below.
Allocation for COVID-19 high-impact distributions	First round: May 7, 2020 Second round: July 17, 2020
Allocation for rural distributions	First round: May 6, 2020 Second round: July 10, 2020
Allocation for skilled nursing facilities	May 22, 2020
Allocation for nursing home infection control	August 27, 2020
Allocation for nursing home quality incentive payment program	October 28, 2020
Allocation for tribal hospitals, clinics and urban health centers	May 29, 2020
Allocation for safety net hospitals	First round: June 9, 2020 Second round: July 10, 2020
Allocation for children's hospitals	August 14, 2020

What this means to you

The charts should be useful in guiding providers to determine their deadline to report and use their PRFs. Providers should verify the date PRF payments were deposited in their accounts as the last two charts are estimates provided by HHS. Additionally, providers may have received targeted distributions during any “Payment Received Period” as HHS indicated that targeted distributions are still being sent to providers. Once a provider determines the exact date it received PRFs, the provider can use the first chart to determine the deadline to report and use the funds.

Contact us

For further guidance on due dates or requirements surrounding PRF, please contact Ellee Cochran, Joe Geraci, Alison Hollender, Eric Weatherford, John Gramlich or your Husch Blackwell attorney.

Your comprehensive COVID-19 legal resource

Since the pandemic's onset, Husch Blackwell has continually monitored state-by-state orders regarding capacity, masking, vaccines, and more. We regularly address your FAQs and provide you with easy-to-use COVID-19 tools about returning to work and navigating federal programs. Contact our industry-specific legal teams or your Husch Blackwell attorney to plan through and beyond the pandemic.