FTCA COVERAGE & COVID-19

March 20, 2020

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DISCLAIMER

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Can our health center conduct screening in the health center parking lot or other locations outside of the health center site?
Can our providers provide telehealth services from home?
COMMON QUESTIONS RELATED TO COVID-19

Can we see a new patient for screening for COVID-19 for the first time from the patient’s home?

Can we see a new patient for health care services other than COVID-19 screening (e.g., behavioral health and chronic disease management)?
Can we collaborate with other community partners to conduct screening outside of the health center?
 COMMON QUESTIONS RELATED TO COVID-19

We’ve been approached by our hospital to participate in ER Diversion (e.g., the hospital will send us patients that do not need care in the emergency room), will this be covered by the FTCA?
COMMON QUESTIONS RELATED TO COVID-19

Can health center engage in activities to “prevent, prepare for, and respond to coronavirus”? 
COMMON QUESTIONS RELATED TO COVID-19

How can I add staff quickly and meet the credentialing & privileging requirements?
COMMON QUESTIONS RELATED TO COVID-19

How can I use volunteer providers to respond to COVID-19?

Can PCAs sponsor volunteers?
Can someone who is employed by one health center volunteer at another health center?
Coronavirus Preparedness and Response Supplemental Appropriations Act of 2020
https://www.congress.gov/116/bills/hr6074/BILLS-116hr6074enr.pdf

Declaration Under the Public Readiness and Emergency Preparedness Act for Medical Countermeasures Against COVID-19
The Secretary is issuing this Declaration pursuant to section 319F-3 of the Public Health Service Act to provide liability immunity for activities related to medical countermeasures against COVID-19.

42 U.S. Code § 233 et.seq. Civil actions or proceedings against commissioned officers or employees

42 U.S. Code § 254b(k)(3)(B) Health center application requirements

42 CFR §6.6 Covered Acts and Omissions
https://www.law.cornell.edu/cfr/text/42/6.6
Novel Coronavirus (COVID-19) Frequently Asked Questions

PAL 2014-05: Updated Process for Requesting a Change in Scope to Add Temporary Sites in Response to Emergency Events

PAL 2020-01: Telehealth and Health Center Scope of Project

PAL 2017-07: Temporary Privileging of Clinical Providers by Federal Tort Claims Act (FTCA) Deemed Health Centers in Response to Certain Declared Emergency Situations
QUESTIONS?
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FTLF will be hosting a second webinar today at 3 pm ET on the *Coronavirus Appropriations Act of 2020*. To register for the webinar, navigate to the link below.

**Please note:** if you are unable to make the scheduled webinar time, you will be able to access the on-demand version within two (2) business days on the FTLF Learning Center.

https://learning.ftlf.com/content/coronavirus-appropriations-act-2020
### OTHER UPCOMING TRAINING EVENTS

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<td>Coronavirus Appropriations Act of 2020</td>
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<td>March 23rd</td>
<td>Post-Acute Care Series - Part III: Residents’ Privacy &amp; Access to Medical Records</td>
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<td>Starts March 25th</td>
<td>De-Mystifying the Compliance Manual (6-parts)</td>
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<td>Navigating Telehealth Legal Risks</td>
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All webinars start @ 1 pm ET unless otherwise noted.

For more information and to register:
Email [learning@ftlf.com](mailto:learning@ftlf.com) or go to [https://learning.ftlf.com](https://learning.ftlf.com)