

ALERTS

CMS Announces Reevaluation of Accelerated Payment Program Payments; Suspends Advance Payments to Part B Suppliers

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On April 26, 2020, the Centers for Medicare and Medicaid Services (CMS) announced that it is reevaluating the amounts that will be paid under its Accelerated Payment Program and suspending its Advance Payment Program to Part B suppliers effective immediately. CMS had expanded these programs in late March of this year to provide short term loans to address cash flow issues for providers and suppliers during the COVID-19 pandemic. CMS stated that payments to hospitals and other providers providing front line care to COVID-19 patients will continue to be made available primarily from the Provider Relief Fund <https://www.hhs.gov/coronavirus/cares-act-provider-relief-fund/index.html>. Unlike the Accelerated and Advance Payment Programs, amounts received from the Provider Relief Fund do not need to be repaid. CMS noted in the April 26th press release that it was making this announcement “following the successful payment of over \$100 billion to healthcare providers and suppliers through these programs and in light of the \$175 billion recently appropriated for healthcare provider relief payments.”

The April 26th press release is linked here: <https://www.cms.gov/newsroom/press-releases/cms-reevaluates-accelerated-payment-program-and-suspends-advance-payment-program> and the updated fact sheet on the Accelerated and Advance Payment Programs can be found here: <https://www.cms.gov/files/document/Accelerated-and-Advanced-Payments-Fact-Sheet.pdf>.

CMS noted that additional funding will be available to eligible providers through the Coronavirus Aid, Relief, and Economic Security (CARES) Act (PL 116-136) and the Paycheck Protection Program and Health Care Enhancement Act (PL 116-139) for healthcare providers. This funding will be distributed through the Provider Relief Fund.

The foregoing is for your information only, is current as of April 27, 2020 and is not intended to constitute legal advice concerning any fact situation. Please contact either Carol Ewald Bowen at carolbowen@mvalaw.com or 704-331-2462, Kimberly Short Kirk at kimberlykirk@mvalaw.com or 704-331-3524 or any other member of the MVA Health Care Team with any questions you may have about health care issues presented by the COVID-19 pandemic or for assistance in determining the application of any particular waivers, rules or guidance to your operations.