

HHS Offers Certain Providers a Second Opportunity to Receive General Distribution Funding

On July 31, 2020, the U.S. Department of Health and Human Services (HHS) announced an opportunity for certain Medicare providers, who missed the chance to apply for additional Provider Relief Fund (PRF) payments from the \$20 billion portion of the \$50 billion Phase 1 General Distribution, to be considered for funding. HHS is also extending the Phase 2 General Distribution application deadline for Medicaid, Children's Health Insurance Program (CHIP), and dental providers.

- **Certain Medicare Providers:** Beginning on August 10, 2020, the PRF Payment portal will reopen to Medicare providers who did not apply for additional funding from the second \$20 billion tranche of the \$50 billion Phase 1 Medicare General Distribution. Such providers will have until August 28, 2020, to submit an application to be considered for additional funding. "From the start, HHS's administration of the Provider Relief Fund has been focused on distributing funding in a way that is fast, fair and transparent," said HHS Secretary Alex Azar. "[G]iving certain Medicare providers another shot at funding is another example of our work with providers to ensure as many as possible receive the support they need."
- **Providers With a Change in Ownership in 2020:** Beginning on August 10, 2020, the PRF Payment Portal will also reopen to Medicare providers who experienced a change in ownership during 2020 and did not receive funding from the Phase 1 General Distribution—given that payments were distributed to the previous owners. Such providers will have until August 28, 2020, to submit an application for consideration for PRF payment. If this applies to you, be aware that HHS is advising that you must also submit proof of change in ownership with your application, although the detailed requirements of this proof were not identified by HHS.
- **Medicaid, CHIP, and Dental Providers:** In June, HHS announced the opening of the Phase 2 General Distribution—a \$15 billion allocation—for eligible Medicaid, Medicaid managed care, CHIP, and dental providers. The initial application deadline of July 20, 2020, was previously extended to August 3, 2020. On July 31, 2020, that deadline was further extended to August 28, 2020. All Medicaid, Medicaid managed care, CHIP, and dental providers who have not yet applied for Phase 2 distributions now have until August 28, 2020, to apply. HHS plans to release a simplified application for such providers within the next few weeks.

HHS has not yet issued guidance on how providers established in 2020, or those who have yet to receive any PRF payments for a variety of other reasons, may obtain PRF funding, but HHS has stated that such guidance is forthcoming.

Our Chambliss team continues to monitor health care developments and other legal impacts of the COVID-19 pandemic. Please contact [Mark Cunningham](#), [Courtney Keehan](#), [Jed Roebuck](#), or your relationship attorney if you have questions or need additional information.

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