

May 17, 2020

**ILLINOIS HEALTH AND HOSPITAL ASSOCIATION
STATE ADVOCACY ALERT**

SUBJECT: Contact Your State Lawmakers Now to Pass Legislation Supporting Hospitals
Special Session Starts Wednesday, May 20

The Illinois General Assembly will return to Springfield on Wednesday, May 20 for an abbreviated Special Session with a limited agenda, including the state budget, the Hospital Assessment Program, and COVID-19 relief. Last week, IHA sent a letter ([click here](#)) to the four legislative leaders outlining key requests from the hospital community to provide critically needed support during the COVID-19 pandemic and to authorize Phase 2 of the assessment program.

ACTION REQUESTED: Please contact your state Senator and Representative before Wednesday, May 20, and urge them to pass legislation to support hospitals and health systems. Our key requests focus on Medicaid funding, the assessment program, liability protection and telehealth services.

To look up your state legislators and their contact information, [click here](#) and fill in your local information in the "Find Politicians" box. Call your state Senator and Representative in their district offices BEFORE Wednesday, May 20.

You can also email your state legislators by [clicking here](#).

If you have questions or need more information, [contact IHA](#).

Suggested Talking Points

- I greatly appreciate that you are returning to Springfield to take critically needed action during this challenging and unprecedented time.
- My hospital and hospitals across the state, and our courageous and dedicated healthcare staff, are on the frontlines battling COVID-19, making sure that patients continue to receive life-saving care.
- Hospitals are also critical to helping our local communities and the state re-open by having the capacity to handle any potential surge in COVID-19, and by resuming elective (postponed) surgeries and procedures.
- But Illinois hospitals and health systems are absorbing huge revenue losses – collectively \$1.4 billion a month – and major costs -- in dealing with the pandemic. We need your help.
- Please enact legislation during the special session to support my hospital and hospitals across Illinois in several key areas -- Medicaid funding, the Hospital Assessment Program, liability protection and telehealth.

Medicaid

- Protect and preserve the Medicaid program during the ongoing COVID-19 pandemic. Now more than ever, we must maintain the healthcare safety net and not impose any Medicaid cuts.
- During and beyond the pandemic, the next phase of the Hospital Assessment Program will provide \$3.8 billion in annual Medicaid funding that is vital to hospitals and other providers. Support and enact bi-partisan, agreed legislation authorizing the program that was developed

collaboratively by the Legislative Medicaid Work Group, the administration and the hospital community.

- Support other key Medicaid-related measures to support hospitals, including:
 - Use either the state's short-term borrowing authority or the \$2 billion in bill backlog bonding authority to maximize the temporary increase in the federal Medicaid matching rate and aggressively pay down the current Medicaid bill backlog.
 - This pay down should be linked to a requirement that Medicaid MCOs use those funds to expedite payments to hospitals currently owed millions of dollars by the MCOs.
 - MCOs should also be directed to suspend many prior approval and billing hurdles to facilitate the delivery of care to patients and more timely payment to providers.
 - Increase the Medicaid payment rate by 20% for COVID-19 testing, diagnosis and treatment, to help recognize added costs for treating COVID-19 patients; and
 - Offer Periodic Interim Payments (i.e., advance payments) to hospitals, under fee-for-service and Medicaid MCOs, for a six-month period.

Liability Protection

- We ask that the General Assembly extend and legislate provisions of the Governor's Executive Order 19 and 37 into statute retroactive to March 9 to coincide with the state's declared state of emergency as part of any COVID-19 legislative relief package.
- This Executive Order provides civil liability protections for healthcare facilities and providers. But the order was effective April 1, even though the Governor declared a state of emergency on March 9. Due to this time gap, facilities and providers are left completely exposed for nearly a month prior to this Executive Order
- Also, any Governor's executive powers only go so far. Some states have or will be taking the additional action of enacting legislation to bolster their Governor's Executive Orders should they be challenged in court as being beyond the scope of a Governor's executive powers.

Telehealth

- Hospitals have stepped up their response to the pandemic by providing telehealth services under coverage and payment parity that is temporarily required for Medicaid and private payers as a result of the COVID-19 emergency.
- Hospitals and health systems have made significant financial investments to provide virtual access to critical care, and these efforts should not be abandoned after the immediate threat passes.
- The General Assembly should extend coverage and reimbursement flexibilities granted in the Medicaid telehealth COVID-19 emergency rules for one year following the public health emergency. Private health plans should also be required to cover telehealth, with stronger financial protections for patients and providers.
- Thank you for your consideration of these critical issues and your continued support of hospitals and health systems.