



May 14, 2020

**ILLINOIS HEALTH AND HOSPITAL ASSOCIATION
MEMORANDUM**

TO: Chief Executive Officers, Member Hospitals and Health Systems
Chief Operating Officers
Chief Medical Officers
Chief Nursing Officers
Chief Quality Officers
Chief Financial Officers
Emergency Preparedness Contacts
Emergency Department Directors
Behavioral Constituency Section
Government Relations Personnel
In-House Counsel
Public Relations Directors

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SUBJECT: IHA COVID-19 Update – May 14, 2020

Following is a brief recap of today's top developments.

Situational Awareness

The Illinois Department of Public Health today [announced](#) 3,239 new COVID-19 cases and 138 deaths. The total number of cases in the state is 87,937 in 99 counties, with a total of 3,928 deaths. In the past 24 hours, 22,678 test specimens have been processed. Statewide COVID-19 patient hospitalizations in the past 24 hours declined from 4,563 to 4,473. Of that figure, 1,132 patients were in the ICU (a decrease of 76) with 689 patients on ventilators (a decrease of 25).

At his press briefing this afternoon, Governor J.B. Pritzker confirmed that all four regions of the state are currently on track to meet the state's metrics to move to the next phase (#3) of reopening as soon as May 29. The Governor cautioned that the regions "need to go through a time period and there needs to be an averaging of those metrics during that time period." In Phase 3 of the Governor's Restore Illinois plan, manufacturing, retail stores, offices, gyms, barbershops and hair salons can reopen with certain restrictions. See Restore Illinois metrics [here](#).

Services for Non-Veterans Available at VA Medical Centers

Three Veterans Administration Medical Centers (VAMCs) are offering long-term care for non-veterans who need such care after an acute care hospital stay related to COVID-19). They are:

- Hines VAMC (Maywood)
- Lovell Federal Health Care Center (North Chicago)
- VA Illiana (Danville)

In addition, three VAMCs are offering care for non-veterans needing medical/surgical ward-level care or Intensive Care Unit-level care:

- Hines VAMC (Maywood)
- Jesse Brown VAMC (Illinois Medical District)
- Marion VAMC (Marion County, Southern Illinois)

The availability of the services for non-veterans is on a first-come, first-served basis when an individual meets criteria for the services these centers can offer. Patient referrals are by email only to the VISN 12 Triage Team at VISN12TriageTeam@va.gov. See IHA's [resource document](#) for more information, including details on the referral process.

New Executive Order Extends COVID-19 Liability Protection for Hospitals

On Tuesday, Governor J.B. Pritzker issued a new Executive Order (No. 37/COVID-19 No. 35) that extends liability protection for hospitals and healthcare professionals concerning services they provide related to COVID-19, as hospitals resume elective surgeries and procedures. The protection does not apply to elective surgeries and procedures.

The order “directs that hospitals conducting elective surgeries or procedures on or after May 11, 2020 or health care professionals providing services in such a hospital shall be immune from civil liability for any injury or death relating to the diagnosis, transmission, or treatment of COVID-19 alleged to have been caused by any act or omission by the hospital or health care professional, which injury or death occurred at a time when a hospital or health care professional was rendering assistance to the State in response to the COVID-19 outbreak by providing health care services consistent with current guidance issued by the Department of Public Health, subject to specified exceptions.”

With the General Assembly returning to Springfield next week, IHA is asking state lawmakers to codify the Governor’s executive orders related to liability protection to ensure that they can withstand potential legal challenges.

Elective Surgeries and Medical Procedures in Chicago

On May 12, Chicago Department of Public Health Commissioner Dr. Allison Arwady amended and re-issued Public Health Order No. 2020-2 permitting elective surgeries and medical procedures – consistent with IDPH’s guidance. The remainder of the requirements in the original order are retained, until the Commissioner determines the threat to public health posed by COVID-19 has diminished to the point that they can be repealed. The required protocols for acute care facilities and hospitals include policies for reducing personal protective equipment waste, safety restrictions on hospital visitors, monitoring employees for symptoms of COVID-19, and COVID-19 reporting requirements. Read the [full order](#).

IWCC Medical Fee Schedule COVID-19 Updates

Due to the public health emergency, the Illinois Workers' Compensation Commission (IWCC) has temporarily adopted CPT codes for telemedicine service rendered via real-time audio and video and suspended "distance" and "rural" requirements for telemedicine. IWCC has released an [update](#) to the medical fee schedule that indicates which CPT codes are eligible to be rendered via telemedicine. The update also includes new COVID-19-related testing CPT and HCPCS codes.

New FEMA Guidance on Eligible Medical Care Costs and Alternate Care Sites

On May 9, the Federal Emergency Management Agency (FEMA) issued a policy ([FP 104-010-04](#)) on eligible medical care costs. FEMA followed this policy with a [Fact Sheet](#), issued on May 12, providing more information on FEMA's reimbursement for temporary and expanded medical facilities (alternative care sites). The new policy clarifies that inpatient clinical care is eligible for payment and that eligible costs also include those related to both confirmed and suspected COVID-19 cases, but that the costs for medical care related to treatment of a non-COVID-19 illness or injury are not eligible. The policy confirms that costs related to temporary and expanded medical facilities may be eligible; however, it states that contracts related to such alternative care facilities must include a termination for convenience clause and requirements for documentation of the review process for decision making related to such sites. Permanent renovations to facilities are generally not eligible unless an applicant can demonstrate that the work can be completed in time to address COVID-19 capacity needs and is the most cost-effective option. The Fact Sheet also addresses "war sites" – i.e., sites that have been established but now may be lesser or no longer used, but which may be needed again at a later date due to a subsequent surge.

Warning on Cyber Threats

The [FBI](#) and [Cybersecurity and Infrastructure Security Agency](#) have issued warnings that China and its proxies have been observed attempting to identify and illicitly obtain valuable intellectual property and public health data related to vaccines, treatments and testing from networks and personnel affiliated with COVID-19-related research, which could jeopardize the delivery of secure, effective and efficient treatment options.

The warnings provide specific technical details on the tools and infrastructure used by cyber actors of the North Korean government to conduct cyberattacks under a campaign collectively referred to as "[Hidden Cobra](#)," as well as the [top 10](#) most exploited vulnerabilities by state and other cyber actors from 2016 to 2019. According to the analysis, malicious cyber actors most often exploited vulnerabilities in Microsoft's Object Linking and Embedding technology and the ubiquitous Web framework known as Apache Struts.

Resources

- [IDPH webpage on COVID-19](#)
- [Illinois COVID-19 website for the public - coronavirus.illinois.gov](#)
- [CDC Homepage for Coronavirus Disease 2019 \(COVID-19\)](#)
- [Chicago Department of Public Health COVID-19 webpage](#)
- [IHA webpage on COVID-19](#)

If you have questions or comments, please contact Tim Nuding, Senior Vice President, Member Services and Corporate Finance at 217-541-1164 or tnuding@team-iha.org