

4-21-20

Long Term Care Stabilization Program  
Frequently Asked Questions

**1. Are there written materials I can review to understand how this new program works and perhaps some administration guidelines?**

To learn more about the Long Term Care Stabilization (LTCS) program, visit the NH Employment Security (NHES) web site at:

<https://www.nhes.nh.gov/services/employers/longtermcare.htm>

That webpage includes links to the Executive Order, Guidance for the program, the application form, the payment certification form, and the Frequently Asked Questions. This webpage will be updated with any additional relevant material, including additional FAQs similar to this one.

**2. How do we apply to participate in the program?**

Visit the NH Employment Security (NHES) website at:

<https://www.nhes.nh.gov/services/employers/longtermcare.htm>

Or, if you visit the main web site page at <https://www.nhes.nh.gov/>, click on the icon below, to access the Long Term Care Stabilization Program application and associated information to help you understand the process. We recommend that you read the Long Term Care Stabilization Guidance document first to inform yourself about who qualifies for the program, the process to apply and receive funds, the funding levels for full and part time employees, and the duration of the program.



**3. Who is considered a Frontline worker?**

Frontline means work provided by employees that work in direct care, food service, maintenance, etc. for a Medicaid enrolled provider that are not able to do their work remotely and their service is vital for patient care.

**4. Is there a minimum number of hours or percentage of hours a frontline employee must work with Medicaid beneficiaries in order to be eligible for the stipend?**

The Guidance stipulates that the LTCS program is for Medicaid enrolled providers. The State recognizes that there is extreme administrative burden to track percentage of time spent with Medicaid patients. There is no minimum number of hours or percentage of hours a frontline employee must work with Medicaid beneficiaries in order to be eligible for the stipend.

**5. If a caregiver employed by a Medicaid enrolled provider worked solely with non-Medicaid funded recipient, would they still be eligible because the business is a Medicaid provider?**

No. Most Medicaid enrolled providers do not serve solely Medicaid clients. If an employee in a normal course of work does not work with Medicaid members, that individual does not qualify for this program. If an employee that normally would not work with Medicaid members is now working with Medicaid members due to staffing shortages, that individual qualifies for this program (assuming all other requirements are met). The provider should document this information for audit purposes.

**6. Is there a minimum amount of Medicaid services that our entity must provide that would make us eligible for this program?**

Employers must have to have at least one current Medicaid recipient in their care during the week in which they submit for the stipend. If an employer has no Medicaid recipients in their care, they should not be requesting a stipend because they cannot certify that at least one of their staff members cared for a Medicaid recipient in that week.

**7. Does the stipend cover hours worked on telehealth?**

No, the calculation of part-time or full-time hours worked should be based on frontline work on site.

**8. I normally have to check licenses and screen staff providing services to Medicaid clients. If I am onboarding new staff, am I required to ensure they are licensed and screened prior to providing the stipend?**

Yes, CMS requires all individuals serving Medicaid recipients to be appropriately licensed and screened.

**9. Is there a maximum pay cap to receive the benefit?**

No, there is no maximum pay cap to receive the benefit.

**10. Is there a maximum dollar amount that one can receive?**

NHES will distribute a maximum of \$300 per week stipend to a full-time qualifying frontline worker and a maximum of \$150 per week stipend to a part time qualifying frontline worker. No employee, including those working two or more part time positions, may earn more than \$300 per week. Frontline workers, if eligible, may receive the stipend for as long as the program is in place.

**11. How will providers know if their employee is working part-time at another entity before requesting the stipend?**

Providers will not know who may be working part-time. To ensure individuals are not receiving a stipend of more than \$300 per week, providers will be required to submit a form with a list names for which the stipend is being requested. The form will require all names to be identified as part-time and full-time. NHES will verify the information to ensure compliance with the program.

**12. Are administrative personnel eligible (with or without a clinical designation)? Is the benefit limited to a specific type of caregiver or are paraprofessionals and professionals eligible?**

Employees providing solely managerial or administrative functions, whether onsite or remotely, are not eligible for the program. This includes executive staff, such as CEOs/Presidents, COOs, CFOs, Directors, and other operational staff such as accounting, human resources, training, and other back office functions.

**13. Is the employee pay/income taxable?**

Yes.

**14. Are the wages eligible earnings as part of a 401k plan?**

Employees should check with their employer's Human Resources Department to learn more.

**15. How long will the fund be in effect?**

The program shall end as soon as additional payments can be made through the state's Medicaid program or, if Medicaid funds are not available, the program shall end as of June 30, 2020. Frontline workers, if eligible, may receive the stipend for as long as the program is in place.

**16. Are per diem or on-call staff eligible?**

The part time and full time status is based on frontline hours worked each week, not the classification of the employee. The week is considered Sunday through Saturday. An individual has to work a minimum of 8 hours to be considered eligible for this program. Otherwise, please follow the required number of hours stipulated in the guidance to determine each week whether the employee is full time or part time.

**17. When does the program begin?**

The program begins this Sunday, April 19, 2020 with first payment certifications submissions to NHES being submitted on April 26, 2020 by approved Qualifying Employers.

**18. What is the first day we should start tracking hours?**

Beginning April 19, 2020, qualifying providers need to submit an application and if approved will then be notified and provided a Memorandum of Understanding (MOU) to be executed and returned to NHES. Upon receipt by NHES of the fully executed MOU, NHES will then notify the qualified provider as to being able to start then submitting weekly payment certification forms. These weekly certification forms can start to be submitted on Sunday, April 26, 2020 but only for those employers having completed the MOU and having been notified by NHES. For those qualifying employers not yet having executed an MOU and receiving confirmation from NHES, they will be able to include the time period going back to the week starting April 19, 2020 for purposes of the weekly payment certification. Therefore, for these employers that will need to be submitting for multiple weeks, they will need to submit multiple weekly certification forms with the first submission, one form for each week. Going forward, they would then only need to be submitting one weekly payment certification form, each time certifying as to the most recently completed week. Qualifying employers will initially receive payment directly from NHES which the provider will then provide to the employee. The form of payment- EFT or paper check- will be consistent with the preference indicated by the provider when completing their online vendor registration with the State Treasurer. The weekly payment certification forms are available on the NHES website and should be submitted via the provided email address. Weekly certification forms are required to include all frontline service employees both full and part time for which the employer is seeking the LTCS payment. The employer is able to submit each certification starting on each Sunday and is always certifying as to employees/contractors having worked qualifying frontline hours for the prior weekly period Sunday through Saturday. Refer to Guidance for additional details.

**19. How do I continue to submit my employees' information to ensure I receive weekly checks?**

Employers will be required to file a weekly payment certification form with NHES by downloading the form from the NHES website and submitting via the provided email address. Weekly certification forms are required to include all frontline service employees both full and part time for which the employer is seeking the LTCS payment. The employer is able to submit each certification starting on each Sunday and is always certifying as to employment for the prior weekly period Sunday through Saturday. Refer to Guidance for additional details.

**20. Who will receive the funds, does it go to the facility or directly to the employee?**

Qualifying Employers will receive checks directly from NHES which the provider will then provide to the employee as included with the next available payment of regular compensation.

**21. When calculating hours, is it based on normal schedules (full or part time) or is it actual hours worked in a given week?**

Ex 1: I have a part time employee who usually works less than 30 hours a week but on a particular week, picked up extra shifts and works over 30 hrs. For that particular week, is he paid \$150 or \$300?

Ex 2: I have several employees who are currently out on quarantine and their pay is protected for 2 weeks under the Families First Coronavirus Relief Act (FFCRA). For those out under the protected leave, are they still considered front-line and should be paid accordingly to their normal schedule would they have worked or would they not receive a stipend payment while they are out and not working for that particular week(s)?

Ex 3: I have two full-time employees who are out due to schools being closed (again, protected by FFCRA and expanded FMLA) and they are working intermittently as they can (coming in on weekends). They both normally are full-time employees but only working weekends, they only are at part-time hours worked. Again, trying to figure out how hours should be calculated so I know if they qualify for \$150 or \$300 payment.

Payments will be made based on actual frontline hours worked by qualifying employees as certified by the employer on the weekly payment certification. Payments are not based on the employee's part time of full time "normal schedule" and they do not apply to those who are on leave or vacation. The employer shall be required to submit as part of the weekly payment certification a list of employees/contractors on the form provided by NHES and available on the website being certified by the employer as having qualified for payment. As the weekly payment certification will always be for prior week(s) then the amount of qualifying frontline full hours worked by each qualifying employee/contractor will be known by the employer and able to be certified.

**22. Some employees work from home a day or two per week and work at the facility for the remainder of the week. Can those who telework still qualify for the stipend?**

Remote or telework hours do not qualify as "frontline hours." The frontline hours worked on site are counted towards the hours eligible for the program.

**23. If an employee works for more than one employer and provides frontline services for all employers, are they eligible to receive a stipend through each employer? Is there a maximum amount that can be received each week? If so, how will this be managed?**

The employee is eligible for up to two part time stipends through two employers. The maximum stipend allowable per employee is \$300 per week. NHES will ensure program integrity.

**24. At any given time individual caregivers may or may not be caring for a Medicaid patient as part of their caseload. However, the agency is a Medicaid provider and sees Medicaid patients. Is the agency allowed to pay the stipend to individual caregivers if they were not assigned a Medicaid or CFI patient that week?**

If an employee is not assigned to a Medicaid patient for the pay period week, then the employee would not be eligible for the stipend that week. The stipend is only available to employees that are providing a Medicaid funded service.

**25. Community health centers have very diverse practices compared to non-CHC primary care providers. Do CHCs qualify for the program?**

Community Health Centers are not eligible for the Long Term Care Stabilization Program. The State is examining other options for providers that do not meet the qualifying criteria for the LTCS program.

**26. Could you define Medicaid: CFI, straight Medicaid, NH Health Families, AmeriHealth Caritas, and Ambetter? Which program is the program related to?**

This applies to any Medicaid enrolled provider, no matter if traditional Medicaid, CFI, or Medicaid Managed Care Organization. If they are enrolled in one of these programs, they are enrolled in Medicaid for this program's purposes.

**27. Can an employer put full time and part time workers on the same line on the application or do full time and part time need to be listed separately?**

No, they have to be listed separately. See form on NHES website:  
<https://www.nhes.nh.gov/services/employers/longtermcare.htm>

**28. Assuming these payments are run through payroll (where employers must pay the employer share of taxes at the 7.65% Federal Insurance Contributions Act tax rate), providers cannot change their payroll mechanisms just for this purpose (for example, most pay once every two weeks). Is that okay?**

Qualifying employers will initially receive checks directly from NHES soon following submission of each weekly payment certification. The provider is then required to provide payment to the employee as included with the next available payment of regular compensation.

**29. Home care agencies frequently have two Medicaid provider numbers: 1) Medicaid and 2) CFI. Does it matter which number they use on the application?**

Please submit under the Medicaid provider number that you do the most business with.

**30. Is it possible for the program to go directly to the employees?**

No, qualifying employers will initially receive checks directly from NHES soon following submission of each weekly payment certification. The provider is then required to provide payment to the employee as included with the next available payment of regular compensation. See guidance for more details on the qualifying providers. The link to NHES is:

**31. Do employers have to pay payroll, social security, FICA, Medicare, other taxes? Is there any intention to use LTC stabilization program funds to compensate employers for their employer FICA payments that will be attributed to stipend payments?**

Employers will withhold or deduct a portion of the LTCS payment in order to cover payroll taxes and income taxes. The amount of money an employee will receive after tax withholding and other deductions are taken out of the LTCS payment will be net income (take home pay). Employers, in collaboration with the state, to maintain the essential work of frontline employees, will carry these administrative costs for the LTCS payment.

**32. If we pay taxes/unemployment taxes based on the size of payroll, how are we to pass the funds along to workers without losing money?**

The program is a joint partnership between employers and the state of NH. It is expected that employers, in collaboration with the state, will honor the work of frontline employees by assuming the administrative cost for the implementation of the LTCS program. By retaining essential personnel there will be longitudinal savings to the employer and continuity of care for the individuals served by the employer. Moreover, employers may leverage the LTCS program to bridge part time employees to full time employees (30 hours) to expand workforce capacity during the COVID-19 Emergency which is a cost-effective way to meet additional crisis staffing demand.

**33. Does the program apply to out of state providers?**

No, employers must be a NH Medicaid enrolled provider rendering services in New Hampshire Medicaid recipients to be eligible for this program.

**34. The program ends June 30, 2020 on a Tuesday; it will be very difficult to end in the middle of a week? So what is the last week to get a payment from NHES?**

The final week eligible for a stipend payment will be the week including June 30, 2020 but only for those frontline hours worked through and including June 30, 2020 will be considered countable towards the calculation of the LTCS stipend payment.

**35. Is there a minimum amount of weekly hours worked required to be eligible for the stipend?**

Staff need to work a minimum of 8 hours per week of frontline service to receive the part time stipend.

**36. Should currently furloughed employees be included in agency application employee counts?**

No.

**37. Will NHES allow us to match up our biweekly pay period to the weekly pay period timeframes that were included in the initial guidance document and submit for two weeks at a time?**

Yes.

**38. Will payments be made by paper check or electronic fund transfer?**

After submitting your online vendor registration at <https://das.nh.gov/purchasing/vendorresources.aspx>, payments will be issued by whatever method the applicant has selected via the State Treasury website at: [https://www.nh.gov/treasury/state\\_vendors/index.htm](https://www.nh.gov/treasury/state_vendors/index.htm).

## **Developmental Services System**

### **39. Are all DSPs eligible?**

Only direct support professionals providing frontline care are eligible for the stipend. They must provide a minimum of 8 hours of frontline work in a week to be eligible for the part time stipend of \$150, and at least 30 hours of actual frontline work in a week to be eligible for the full time stipend of \$300.

### **40. An Area Agency may have multiple Medicaid ID #'s, is there guidance as to which ID # should be used?**

The Medicaid ID number is being used to determine that the area agency is a Medicaid Provider. Area agencies should use the Medicaid ID number that is associated with their DD waiver services. This is to avoid any duplication in area agency reporting.

### **41. Is it possible for Area Agencies to use one MID for their own applications and a separate MID for vendor applications for tracking purposes?**

No, because it will appear as though an area agency is applying more than once.

### **42. Can Area Agencies submit their own applications now and their vendor applications separately?**

No.

### **43. Can vendor agencies who work under contract with multiple Area Agencies submit their applications and complete weekly certified payment requests for all employees to a single Area Agency for processing?**

No.

### **44. Can an Area Agency pay these stipends in advance to employees to get the money to the frontline staff sooner and be paid retroactive?**

Yes, an area agency may begin to pay frontline staff with an understanding that NHES can only provide payment to employers that are deemed qualified.

Weekly payment certification forms cannot be submitted in advance. However, upon submitting an application and being approved and having executed the requisite MOU with NHES, the qualifying approved employer may then submit weekly payment certification forms for each week of qualifying frontline service going back to the week beginning April 19, 2020. Each weekly payment certification will need to specify as to which week it is applicable and will need to include those employees/contractors as to which the employer is certifying as to having worked the requisite number of frontline work service hours in order to qualify for either the full time stipend or the part time stipend.

### **45. What recourse does an employee have if the Area Agency/employer of record omits adding their information to the weekly NHES portal?**

The employee should contact their employer who should work with the area agency to ensure that they are eligible and that the information is part of the submission to NHES.

**46. If an employee works for more than one employer and provides frontline services for all employers that are contracted with an area agency, are they eligible to receive a stipend through each employer? Is there a maximum amount that can be received each week? If so, how will this be managed?**

The employee is eligible for up to two part time stipends through two employers. The maximum stipend allowable per employee is \$300 per week. NHES will ensure program integrity. The area agencies are encouraged to work collaboratively to ensure that all employees with all contracted providers in the developmental services system that qualify for the program are offered the opportunity for the stipend, and at the same time, ensure the program integrity.

**47. What if a family has an option to choose whether or not to accept services and they choose not to accept but instead request to be paid to provide the service themselves. Are family members who are paid to provide service on behalf of their family member in their own home eligible for the stipend?**

No, families who elect to provide services themselves in the home are not eligible for the stipend. These families have elected to provide services themselves and not to engage the frontline worker in their home setting for the delivery of services.

**48. If I am a direct support staff/contractor and I do not want to receive the payment as it will impact other programs that I am eligible for, can I opt out? If I do opt out and change my mind, can I then start to receive the payments?**

Staff should work with their employer to determine the impact of the program and then the employee can make a decision to request to take advantage of the stipend program or not. If an employee changes their mind and would like to get a stipend, they may opt in provided they inform their employer of the change.

**49. Do non-family individuals in 525 or 521 receiving a personal care and habilitation contract become eligible for the stipend?**

If the individual delivering the services is not a family member within the home, the individual is eligible for the stipend.

**50. If family is the employer for staff employed through a 525 programs, will the Area Agency apply for the stipend and pass it through to the family as the employer?**

Yes, the area agency would follow the same process as they would for vendors.

**51. Are workers in the Veteran Directed Care program also eligible to receive the stipend?**

No, the Veteran Directed Care Program is not a Medicaid funded program. These services are provided through VA.

**52. Are Home Care providers eligible?**

Yes.

**53. Please confirm that if a home care provider contracts with more than one vendor to provide services in their home, the vendor that is responsible for the certification of the home is the vendor that will submit to the area agency.**

Yes.

**54. For the program as administered through NHES, what documentation is required by Department Of Labor for the Area Agency? If we have to add vendor's employees and EFC providers as our employees in order to pass thru the funding do we have to have all the normal employment verification paperwork, i.e. W-4, I-9 etc.?**

The area agency is only responsible for payment of the stipend to their employees and/or contractors. The vendor stipend checks will be paid out in total to the vendor directly by the area agency. Area agencies should work with the Department Of Labor requirements with DOL to answer questions related to documentation requirements.

**55. With CFI Providers being direct billers, how will this work for them?**

If you are a CFI provider that direct bills for services as an enrolled Medicaid provider in the state of New Hampshire and you have staff that are direct frontline workers providing Medicaid services in a residential setting a minimum of eight hours per week, your employees are likely eligible for the program and as the employer, you may apply directly through NHES. See Guidance for additional information at NHES at:

<https://www.nhes.nh.gov/services/employers/longtermcare.htm>

**Please note that further Guidance may be issued and additional FAQs may be published, so check for updated information frequently.**