



Office of  
Mental Health

# OMH Webinar FEMA Public Assistance

## Questions and Answers Forum for COVID-19 Disaster Recovery

May 21, 2020

# Overview

The Office of Mental Health (OMH) and the Division of Homeland Security and Emergency Services (DHSES) welcome you to a Question and Answers Forum specifically for community mental health not-for-profit providers interested in applying for FEMA Public Assistance reimbursement.

# Overview

**Category B:**  
**Emergency Protective Measures**

**Emergency Protective Measures  
deadline is September 19, 2020**

(NYS can grant a 6-month extension upon request)

**Disaster Recovery  
4480 (DR 4480)**

**FEMA Public Assistance is  
REIMBURSEMENT funding, and  
is the “payer of last resort”**

**The minimum monetary  
threshold for an eligible project  
is \$3,300 in eligible costs.**

# Eligible Expenses

- Directly related to protecting the public health and safety during the COVID-19 event.
- Are incurred as a result for which the organization has a legal responsibility to perform.
- Meet the requirements of the “pyramid of eligibility” (next slide).

# Eligible Expenses

## “Pyramid of Eligibility”

All components must be met for eligibility:

- Eligible applicant.
- Eligible facility.
- Eligible emergency work (legal responsibility of the applicant).
- Eligible cost (reasonable and necessary to protect public health and safety from the COVID-19 virus).

# Eligible Applicant

## **Private Non-Profits (PNP's) are eligible applicants**

- Must be able to provide an IRS letter under IRC 501(c), (d) or (e).
- Are able to document that they are organized or doing business under NYS law as a non-revenue producing, nonprofit entity.
- Operate an eligible facility i.e. Hospital, Clinic etc.

# Eligible Facility

- Owned or operated by a PNP that provides an eligible service.
- Legal responsibility of the applicant.
- In active use at the time of the Emergency.
- Not under authority of another federal agency (e.g., US Dept. of Health and Human Services).

# Eligible Work

## Must be

- Category B - Emergency Protective Measures (examples to follow).
- Directly related to and required as a direct result of COVID-19.
- Completed within the regulatory time limits.
- The legal responsibility of the eligible Applicant performing the work (more information on next slide).

# Eligible Work

## “The legal responsibility of the eligible Applicant performing the work”

- PNPs need to contract with a State, Local, Tribal or Territorial (government/legal) entity for activities protecting public health and safety for which the PNP does not have a direct legal responsibility.
- If a PNP does not have a legal responsibility to provide services or commodities, then any associated costs are not claimable for reimbursement.

# Eligible Work

## Examples of Emergency Protective Measures for COVID-19

- Emergency operations centers.
- Emergency medical care.
- Medical sheltering.
- Medical supplies and equipment.
- Security and law enforcement for temporary facilities.
- Communications of general health and safety information to the public.

# Eligible Costs

## Eligible Costs

- Force Account Labor
- Equipment/Materials
- Contracts
- Management Costs

## Costs Must Be

- Reasonable & necessary to accomplish the work.
- Compliant with Federal, State and Local procurement requirements.
- Reduced by any applicable credits such as insurance and other funding sources.

# First Steps

## Visit the DHSES webpage

<http://www.dhSES.ny.gov/recovery/public/active-declarations.cfm>

for extensive information regarding FEMA-4480-DR-NY (COVID-19 declared emergency), including:

- Copy of the Applicants' Briefing Presentation
- RPA
- Procurement Guidance
- Non-Congregate Sheltering
- Fact Sheets
- Grants Portal Training
- Non-Congregate Sheltering

# First Steps

- Applicants must complete a Request for Public Assistance (RPA) package (found on the DHSES webpage) as soon as possible. This will be submitted to FEMA via DHSES.
- Once FEMA approves the RPA, DHSES will provide your organization's FEMA coordinator with access to the FEMA Grants Portal.

# FAQs

- 1. Question:** Are any costs associated with remote working capabilities, distance learning, or essential face to-face services becoming remote (Zoom, WebEx, Telehealth, Chromebooks, etc.) eligible for reimbursement?

**Answer:** Under current FEMA policy, no.

- 2. Question:** Are legal fees covered?

**Answer:** No.

- 3. Question:** Is PPE reimbursable?

**Answer:** If there was a cost to the organization and the PPE was used, yes.

# FAQs

4. **Question:** Are lost revenues eligible for reimbursement?

**Answer:** No.

5. **Question:** Are hours worked from home reimbursable?

**Answer:** No.

6. **Question:** Is Hazard Pay Reimbursable?

**Answer:** Only if triggered by the applicant's pre-disaster personnel policy and only for overtime while performing eligible emergency protective measures.

# FAQs

**7. Question:** Is childcare for essential workers reimbursable?

**Answer:** Under current FEMA policy, no.

**8. Question:** Are increased regular rates reimbursable?

**Answer:** No.

**9. Question:** What is the maximum amount one can request?

**Answer:** There is no maximum.

# FAQs

## 10. Question: Are cleaning services reimbursable?

**Answer:** An eligible applicant may seek reimbursement for reasonable and necessary costs for disinfecting its common areas to prevent spread of the virus.

For example, a hospital may incur costs for more frequent disinfecting of areas where staff, patients and/or members of the public potentially exposed to the virus are meeting for purposes of diagnosis and treatment.

This would include not only testing and treatment rooms, but also laboratories, waiting rooms, lobbies, cafeterias, hallways, elevators, stairwells and rest rooms, etc.

# FAQs

**11. Question:** What is the timeline for receiving the funding?

**Answer:** Depends on the nature of your claim and the quality of your supporting documentation

**12. Question:** Are costs associated with reopening facilities eligible for reimbursement?

**Answer:** Still under FEMA review – no guidance at this time.