

Office of Developmental Disabilities Services

COVID-19 Frequently Asked Questions (FAQ) related to Contingency Funds for ODDS Employment and Day Support Activities

This guidance is developed by the Office of Developmental Disabilities Services' related to Contingency funds for Employment and Day Support Activity (DSA) providers. Please also see the [Worker Guide for Employment and DSA](#). Questions can be direct to: employment.first@dhsosha.state.or.us

Question: If I received Payroll Protection Loans (PPP), can I still access Contingency or Retainer funding as outlined in [AR 20-069](#)?

Answer: Yes, so long as the PPP Loan and Contingency funding together do not cause any quarterly revenue to exceed pre-COVID quarterly revenue. ODDS wants to ensure there is no duplicative funding. When requesting contingency funding, please outline how much your agency received in PPP loans, what time period the funding was utilized, and what the funding was used for.

Question: If I received CARES Act funding, how do I report it?

Answer: As described above, please share how much was received, what time period it was or will be utilized, and what the funding was used for.

Question: What loans or grants should I declare, when requesting contingency funding?

Answer: ODDS wants to ensure there is no duplicate usage of federal funds. It makes sense to share any loans or grants received, and ODDS can consider the payer (i.e., is it from federal funds?) when calculating retainer funds.

Question: Why is the PPP included, since the loan may not be forgiven?

Answer: This is one of the programs the Centers for Medicare and Medicaid Services (CMS) is specifically requesting information about. Although it may not be forgiven, the intent is that the loan will be forgiven, so long as all of the requirements are met.

Question: What time period is this funding for? Can it be for a different time period?

Answer: ODDS has to stay within the current biennium to ensure budget availability. Additionally, a specific time period is required to ensure that providers understand there cannot be duplicate funding during that time period and that they must retain staff at their current wages/hours during that time period. The time period is July 15 –

August 15, 2020 (the second 30-day period) and August 16- September 15, 2020 (the third 30-day period).

Question: What time period must I retain staff for?

Answer: Staff must be retained during the time periods that the contingency funds are received: July 15 – August 15, 2020 and August 16-September 15, 2020. If a provider does not want the third 30-day period of funding, ODDS must be notified on or before August 15, 2020.

Question: What if I have to reduce hours or wages, or layoff staff during the time period?

Answer: Notify ODDS to return the funding.

Question: What if I receive CARES Act funding and plan to use it during the same period as contingency or retainer payments?

Answer: Notify ODDS.

Question: Do I have to bring all of my staff back?

Answer: No, but you must retain all staff working in Employment or DSA settings at their current wages and hours beginning July 15, 2020 through the end of the contingency period.

Question: Do I continue to bill services delivered?

Answer: Yes, continue to bill all services rendered as outlined in the Employment and Day Support Activities Worker's Guide. Please ensure billings are complete by July 15, 2020 for June 1 – June 30, and by August 15, 2020 for July 1 – July 31, to ensure accurate calculations of retainer funding.

Question: Do I have to fill out a new Grant Agreement?

Answer: Yes. The new Grant Agreement can be found on Page 10 of [AR 20-069](#). Contingency payments will not be processed until the new grant agreement is received, as well as information about any other loans or grants.

Question: Do we need to report on what work activities staff are doing?

Answer: It is required that your agency submit the "staffing support" update each week, even if there are not staff available to work in a different setting. However, the specifics of what staff are doing is not required at this time.

Question: Do we have to use the contingency funding for specific activities?

Answer: The contingency funding is designed to help allow providers to be able to reopen and deliver services as possible. So, the funding is designed to help retain staff, make it possible to deliver service even if those services are remote, etc. There



are no specific requirements, so long as everything agreed to in the grant agreement is followed.

Question: Is there a liability if we receive this contingency funding?

Answer: No, there is no liability associated with this contingency or retainer funding.

Question: Will we get a breakdown of how the contingency funding was calculated for our agency?

Answer: This is available upon request.

Question: How will calculations be made for people that started service after the October-December period for the average monthly billing?

Answer: Currently this is not possible because of the current approval from CMS. ODDS has updated the request to CMS for those who are new to services as of January 2020. If this changes, ODDS will allow exceptions for those who have a significant number of new individuals as of January 1, 2020 or started a new service line as of January 1, 2020.