

# RIDER 1

## RIDER 1 PAYMENT PROVISIONS

The Department of Human Services (“Department” or “DHS”) will pay the Grantee for the services rendered pursuant to this Grant Agreement as follows:

- A. Subject to the availability of State and Federal funds and the other terms and conditions of this grant, the Department will reimburse the Grantee in accordance with Rider 3 for providing the services described in Rider 2 up to the maximum amount of \$\_\_\_\_\_ for Administrative Costs and Per Unit Expenses and the maximum amount of \$\_\_\_\_\_ for incentive payments. The total grant amount funding available is \$\_\_\_\_\_, as it may be adjusted pursuant to Paragraph 5 of the Grant Agreement. The Department will make no payments under this grant in excess of that amount.
- B. The Department will make payment to the Grantee in accordance with the budget set forth in Rider 3 as follows:
1. Initial Advanced Payments. The Department will make three initial advanced payments to Grantee. Grantee shall invoice for the first payment upon full approval of the Grant Agreement, for the second payment by September 15 and the last payment by October 15. The first and second payments will be in an amount up to one third of the total amount of General Program, Facility Support and Rapid Response costs (“Total Costs”). The third payment will be in an amount up to one third of the Total Costs plus the incentive payments that have not been paid. The Grantee must include on each submission the amount of funding requested with justification for the request, the Grant number, its SAP Vendor number, the period covered by the request, the name and title of the person preparing the request, and the date of submission. The Department may adjust any request that is not sufficiently justified. The Department will reconcile all Initial Advanced Payments for Total Costs to Grantee’s actual expenditures for General Program, Facility Support and Rapid Response services and the Initial Advanced Payment for incentive payments to incentive payments actually earned by Grantee up to the total amount of available funding.
  2. Monthly Expenditure Reports. The Grantee must submit a Monthly Expenditure Report for its prior month expenditures within 15 calendar days of the end of the prior month. The Monthly Expenditure Reports must be submitted using the format prescribed by the Department and must include Grantee’s actual expenditures by month by and cumulative state fiscal year-to-date. For each cost category (General Program, Facility Support and Rapid Response), Grantee must separately list expenditures for each line item and each budget category listed in Rider 3. The Grantee shall only include its actual allowable incurred by the Grantee and its sub-grantees in the Monthly

Expenditure Report and may not include projected expenses. Grantee's Chief Financial Officer or other authorized financial officer who reports directly to the Chief Financial Officer shall certify that to the best of his or her knowledge, information and belief the information provided in the reports is accurate, complete and truthful and that the certification is being made subject to the penalties of 18 Pa.C.S. § 4904 relating to unsworn falsification to authorities.

3. Incentive Payments. The Department has allocated 12% of the Total Funding Available for the region for incentive payments. On a monthly basis, Grantee may submit an invoice in a format prescribed by DHS for any incentive payments earned during the prior month. The Grantee must include on each invoice a description of the performance metric achieved including pertinent documentation, the amount of the incentive payment, the Grant number, its SAP Vendor number, the period covered by the request, the name and title of the person preparing the request, and the date of the invoice. As provided in section B.1, Grantee will request payment of the outstanding balance of the allotted incentive payments.
4. Performance Metrics. The Department will make incentive payments to Grantee based on its achievement of the following performance metrics:
  - a. Testing: The Department has allocated 3% of the Total Funding Available for the Testing performance metrics as follows:
    - 1) Baseline Testing:
      - Performance metric: Conducting baseline testing of all staff and residents for Facilities and electronically reporting results to Department of Health ("DOH").
      - Percentage allocated to performance metric: 1.5% of Total Funding Available.
      - Measurement: To be determined.
      - Frequency of Measurement: To be determined.
      - Performance metric target: To be determined.
      - Incentive payment amount: To be determined.
    - 2) Providing Testing to quickly detect COVID-19 cases:
      - Performance Metric: Detecting COVID-19 cases quickly through the provision of facility-wide testing to residents and staff upon detection of an initial outbreak of COVID -19 in a resident or staff.
      - Percentage allocated to performance metric: 0.5% of Total Funding Available.
      - Measurement: To be determined.
      - Frequency of Measurement: To be determined.
      - Performance metric target: To be determined.
      - Incentive payment amount: To be determined.

- 3) Stopping transmission of COVID-19 through testing:
  - Performance Metric: Stopping transmission of COVID-19 by continuing to perform weekly testing of all residents and staff of a facility for a minimum of 14 calendar days after an initial outbreak of COVID -19 in a resident or staff.
  - Percentage allocated to performance metric: 0.5% of Total Funding Available.
  - Measurement: To be determined.
  - Frequency of Measurement: To be determined.
  - Performance metric target: To be determined.
  - Incentive payment amount: To be determined.
  
- 4) Third Party payment for testing:
  - Protecting the integrity of the RRHC program by appropriately billing for payments from third party payors, including the Medical Assistance and Medicare Programs.
  - Percentage allocated to performance metric: 0.5% of Total Funding Available.
  - Measurement: Percentage of the number of tests that were paid by third party payors as compared to the total number of all tests performed.
  - Frequency of Measurement: To be determined.
  - Incentive payment amount: To be determined.

b. Cohorting: For all facilities, Grantee must cohort facility residents into separate units into the three zones (red, yellow, green) based on test results in accordance with DOH Testing Guidance for COVID-19 in Long-term Care Facilities Residents and Healthcare Personnel (“DOH Guidance”), located at: <https://www.health.pa.gov/topics/Documents/HAN/2020-PAHAN-509-UPDATE-Testing%20LTCF.pdf>.

The Department has allocated 3.5% of the Total Funding Available for the Testing performance metrics as follows:

- 1) Internal Cohorting:
  - Performance Metric: Residents of a facility are internally cohorted into three zones as specified in the DOH Guidance within X hours of confirmed positive COVID-19 test result for the facility.
  - Percentage allocated to performance metric: 2% of Total Funding Available.
  - Measurement: To be determined.
  - Frequency of Measurement: To be determined.
  - Performance metric target: To be determined.
  - Incentive payment amount: To be determined.

and

- 2) External Cohorting

- Performance Metric: Facility is externally cohorted as specified in DOH Guidance within X hours of a confirmed positive COVID-19 test result for the facility.
- Percentage allocated to performance metric: 0.5% of Total Funding Available
- Measurement: To be determined.
- Frequency of Measurement: To be determined.
- Performance metric target: To be determined.
- Incentive payment amount: To be determined.

### 3) Alternate Care Settings

- Performance Metric: Facility residents with COVID-19 are placed in designated alternate care or swing bed settings after discharge from an acute care hospital setting.
- Percentage allocated to performance metric: 0.5% of Total Funding Available.
- Measurement: To be determined.
- Frequency of Measurement: To be determined.
- Performance metric target: To be determined.
- Incentive payment amount: To be determined.

### 4) Third party payment for alternative care settings and swing beds.

- Performance Metric: Protecting the integrity of the RRHC program by appropriately billing for payments from third party payors, including the Medical Assistance and Medicare Programs.
- Percentage allocated to performance metric: 0.5% of Total Funding Available.
- Measurement: To be determined.
- Frequency of Measurement: To be determined.
- Performance metric target: To be determined.
- Incentive payment amount: To be determined.

c. Rapid Response Team Responsibilities: The Department has allocated 4% of the Total Funding Available for the Rapid Response Team Responsibilities performance metrics as follows:

#### 1) Onsite facility consultations.

- Performance Metric: Providing long-term care nursing facilities, personal care homes and assisted living residences with two onsite comprehensive facility consultations and providing for any DHS-licensed facilities, Older Adult Daily Living Centers and State Veterans Homes if requested by DHS before December 1, 2020.
- Percentage allocated to performance metric: 1.5% of Total Funding Available.
- Measurement: Percentage of the number of long-term care nursing facilities, personal care homes and assisted living residences who

received two onsite comprehensive facility consultations plus the number of DHS-licensed facilities who received one onsite consultation before December 1, 2020 as compared to the total number of long-term care nursing facilities, personal care homes, assisted living residences and DHS licensed facilities.

- Frequency of Measurement: To be determined.
- Performance metric target: To be determined.
- Incentive payment amount: To be determined.

2) Successful completion of all aspects of rapid response event.

- Performance Metric: Rapid Response Team successfully completes all aspects of rapid response in a timely and appropriate manner.
- Percentage allocated to performance metric: 2.5% of Total Funding Available.
- Measurement: To be determined.
- Frequency of Measurement: To be determined.
- Performance metric target: To be determined.
- Incentive payment amount: To be determined.

d. Overall Outcome: The Department has allocated 1.5% of the Total Funding Available for the Overall Outcome performance metrics as follows:

1) COVID-19 Free Facilities:

- Performance Metric: Facilities are COVID-19 Free by December 1, 2020.
- Percentage allocated to performance metric: 0.75% of Total Funding Available.
- Measurement: Percentage of the number of facilities that are COVID-19 Free as of December 1, 2020 as compared to total number of facilities.
- Frequency of Measurement: To be determined.
- Performance metric target: To be determined.
- Incentive payment amount: To be determined.

2) COVID-19 Free Residents:

- Performance Metric: Facility residents are COVID-19 Free by December 1, 2020.
- Percentage allocated to performance metric: 0.75% of Total Funding Available.
- Measurement: Percentage of number of facility residents who have an active COVID-19 infection on December 1, 2020 as compared to the total number of facility residents on December 1, 2020.
- Frequency of Measurement: To be determined.
- Performance metric target: To be determined.
- Incentive payment amount: To be determined.

The Department will not make performance payments in excess of the maximum amount established for each performance metric. In its sole discretion and subject to the availability of both state and federal funds, the Department may increase the maximum amount available for the performance goals. The Grantee must reinvest all performance payments received from the Department into the RRHC Program or to achieve the objectives of the RRHC Program after its expiration.

5. Financial Status Reports. On a monthly basis, Grantee shall submit a Financial Status Report using a format prescribed by the Department. The Department will use the Financial Status Report to verify that Grantee is not using grant funding to replace other sources of funding. Grantee must include in the Financial Status Report all expenses incurred in providing services within the scope of the RRHC regardless of whether payment is made under the grant agreement, the all sources of revenue received, and the amount of revenue received for these services.
6. The Grantee shall submit monthly invoices, if any, Expenditure Report and Financial Status Report on or before the last business day of the subsequent month.
7. Reconciliation. By January 15, 2020, the Grantee shall provide the Department with its Final Expenditure Report and Final Financial Status Report for the term of the grant in the same format as that of the monthly reports. This Department will use this report to complete a financial settlement of this grant. In the event of earlier termination, the Grantee shall submit its Final Expenditure Report and Final Financial Status Report no later than 60 calendar days after notice to the Grantee of such termination. Grantee must have original supporting documentation for all expenditures and must provide the documentation to the Department upon request. The Grantee must pay to the Department all excess funds received by Grantee and any unused interest income earned on payments to the Grantee or its sub-grantees within 30 calendar days of DHS's written confirmation of excess funds paid. The Department will not make any payments in excess of the amount of the funding allocated for General Program, Facility Support, Rapid Response services and Incentive payments.
8. The Department will disapprove any expenditure made by the Grantee that is not in accordance with the terms of this Grant Agreement and adjust payment to the Grantee accordingly. Any duplication of payment requests for services rendered under this grant may result in termination of this Grant Agreement by the Department.
9. Payment for services will be made in accordance with Rider 3. Travel expenses may be reimbursed but reimbursement shall not exceed the rates as set forth in Commonwealth Travel Rates, as established by the Management

Directive 230.10 applicable at the time expenses are incurred unless Grantee has a pre-existing Travel Policy that provides for different rates as specified in Rider 5. Itemized receipts must be retained in the Grantee's files to support all claims.

10. The Grantee has the option to reallocate funds among or within budget categories and line items, subject to the following criteria:

- a. The Grantee must receive the Department's prior written approval for:
  - All reallocations between General Program, Facility Support and Rapid Response budgets.
  - Any reallocation among line items in General Program, Facility Support or Rapid Response budgets when the reallocation exceeds 15% of a line item.
- b. The Grantee may request approval for budget reallocations, as needed, throughout the grant term, with all final requests being received by the Department by November 15<sup>th</sup>. In its sole discretion, the Department may approve requests for reallocations received after this date.
- c. The Grantee may not request, and the Department will not approve reallocations among the incentive payments.

11. Grantee shall account for all interest earned on the payments made under this grant and use it for expenditures in accordance with the terms of this Grant Agreement. Interest income earned may only be used to increase program services provided under this Grant.

C. The Grantee must maintain all books, records and documents related to this grant, including documents for all fiscal and programmatic activity for a period of time that is the longer of ten years after the termination or expiration of this grant, until all questioned costs or activities have been resolved to the satisfaction of the Commonwealth, or as required by applicable federal laws and regulations. This record retention period in this Rider takes precedence over any other record retention period provided for in the grant. Grantee must make this documentation available for review by the Department and its representatives and federal and other state agencies and their representatives upon request.

Grantee shall comply with applicable federal requirements, including the Uniform Administrative Requirements, Cost Principles and Audit Requirements at 2 CFR Part 200 and 45 CFR Part 75. This grant is subject to audit in accordance with Audit Clause D, attached as part of Rider 5. Regardless of the level of audit conducted, the Grantee shall include a Supplementary Schedule which consists of a Budget to Actual presentation in the same format and level of detail as Rider 3, Budget, including all updates and revisions. The Grantee must include all allowable and reimbursable costs for the Grant for the state fiscal year.



- D. The Department will make payments to the Grantee through Automated Clearing House (“ACH”) Network. Within 10 days of the grant award, the Grantee must submit or must have already submitted its ACH and electronic addenda information (obtained at [www.vendorregistration.state.pa.us/cvmu/paper/Forms/ACH-EFTenrollmentform.pdf](http://www.vendorregistration.state.pa.us/cvmu/paper/Forms/ACH-EFTenrollmentform.pdf)) to the Commonwealth’s Payable Service Center, Vendor Data Management Unit at 717-214-0140 (FAX) or by mail to the Office of Comptroller Operations, Bureau of Payable Services, Payable Service Center, Vendor Data Management Unit, 555 Walnut Street – 9<sup>th</sup> Floor, Harrisburg, PA 17101.

The Grantee must submit a unique invoice number with each invoice/cash needs request submitted. The unique invoice number will be listed on the Commonwealth of Pennsylvania’s ACH remittance advice to enable the Grantee to properly apply the state agency’s payment to the respective invoice/cash needs request or program.

It is the responsibility of the Grantee to ensure that the ACH information contained in the Commonwealth’s central vendor master file is accurate and complete. Failure to maintain accurate and complete information may result in delays in payments.