

ASA / NCCAOM Town Hall Q&A

April 1, 2020, 5pm PDT/8pm EDT

[Video Recording](#)

[PowerPoint Slides](#)

Table of Contents

Profession Related Questions	2
State Medical Corps	2
In-Person Treatment	2
Personal Protection Equipment (PPE)	3
Specific Treatments and Service Locations	4
Herbal Treatments.....	6
Return to Work Guidelines	6
Telehealth and Billing	6
NCCAOM Certification and Recertification	9
Advocacy / CARES Act	10
Links to Business Benefits	10
Paycheck Protection Program (PPP)	11
Unemployment	12
Federal Tax Benefit	13
Student Loan Information	13
Economic Injury Disaster Loan Program (EIDL)	14

Profession Related Questions

State Medical Corps

Question: We are hearing some things in the media that all medical professionals are being called to help. If this is the case, how do we go about finding who to contact and where to report for service?

Answered on 4/3/20: Volunteers are being asked to serve on Reserve Medical Corps in many states and counties. Please contact your state acupuncture association for more information.

- California: <https://covid19.ca.gov/healthcorps/>
- Illinois: <https://illinoishelps.net/>
- New York City: <https://www1.nyc.gov/site/doh/providers/emergency-prep/nyc-medical-reserve-corps.page>
- Oregon: <https://serv-or.org/>
- Virginia: <http://www.vdh.virginia.gov/mrc/about/>
- Vermont: <http://oncallforvt.org/medical-reserve-corps/>
- Washington State:
<https://www.doh.wa.gov/Emergencies/NovelCoronavirusOutbreak2020COVID19/HealthcareProviders/EmergencyVolunteerHealthPractitioners>

Question: California just added acupuncturists as COVID-19 providers. How should we prepare?

Answered on 4/3/20: California's paid health corp link can be accessed here <https://covid19.ca.gov/healthcorps/>

For in-person treatments in your office, [ASA's guidelines can be found here](#).

ASA advises practitioners to treat patients with cold/flu symptoms through telemedicine.

Practitioners can perform differential diagnoses and send herbal remedies or other supplements to the patients. Other modalities such as acupressure, guasha, qigong, dietary and lifestyle recommendations can be offered on telemedicine services.

Question: Are MD's asking TCM practitioners about how we can help out as well?

Answered on 4/3/20: ASA is not aware of such requests. However, volunteer and in some instances paid, State Medical Corps are being assembled, and in several states, acupuncturists are being welcomed. Please consult your state association for more information.

In-Person Treatment

Question: The question is, given that we are essential to treating COVID-19; when are we as a field going to voice our essentiality and ask for the resources to rise up our own makeshift TCM hospital?

Answered on 4/3/20: Acupuncturists are essential. Our medicine exceeds the physical limitations of the needle. Telemedicine is a great way to use our essential skills to be able to provide a differential diagnosis and provide herbs, guasha, dietary therapy and lifestyle

recommendations to our patients with cold/flu related symptoms. We hope you will join us for our ASA NCCAOM Town Hall on April 7th when the American Herbal Products Association will address our herbal supply.

Question: Are any of the professional organizations exploring opportunities to enhance the way trained herbalists/acupuncturists can support those suffering with Covid-19 symptoms? If the proper PPE could be available, we could be so helpful.

Answered on 4/3/20: ASA does not advise in-person treatments for patients with cold or flu symptoms. We do recommend telemedicine in such situations. Practitioners can perform differential diagnoses and send herbal remedies or other supplements to the patients. Other modalities such as acupressure, guasha, qigong, dietary and lifestyle recommendations can be offered on telemedicine services.

Question: The question is, is it ethical to sit on the sideline when we know we can provide the safest and better healthcare options to patients and our communities?

Answered on 4/3/20: ASA recommends telemedicine services to provide the safest and best treatments for patients with cold/flu symptoms. In situations where patients are in acute (non-respiratory, non-febrile) distress, that would otherwise send them to the hospital, ASA recommends that practitioners do in-person treatments as long as there is appropriate PPE and following universal precaution guidelines. Please see the ASA [COVID-19 Essentials letter](#) for more information.

Personal Protection Equipment (PPE)

Question: Even if an acupuncturist has all PPE, would it not be better to donate that equipment to local hospitals? And I doubt they have negative air pressure.

Answered on 4/3/20: Yes, please donate your extra PPEs to your local hospital or emergency service teams.

Question: When do we see these ethical constraints and PPE requirements to acupuncturists easing up?

Answered on 4/3/20: As COVID-19 has spread to different locations in the U.S. at different times, we expect the peak to vary depending on location. As each state in the U.S. is similar in size to different countries in Europe, at this time, we are unable to make any recommendations.

Question: What is the appropriate PPE to use for treating an asymptomatic patient?

Answered on 4/3/20: ASA recommends that all practitioners and patients are treated as silent carriers. Following [OSHA's guidelines](#), acupuncturists can be considered "medium exposure risk." *When selecting PPE, consider factors such as function, fit, decontamination ability, disposal, and cost. Sometimes, when PPE will have to be used repeatedly for a long period of time, a more expensive and durable type of PPE may be less expensive overall than disposable PPE. Each employer should select the combination of PPE that protects workers specific to their workplace. Workers with medium exposure risk may need to wear some combination of gloves, a gown, a face mask, and/or a face shield or goggles.*

Question: Will/should this change our standards of care in terms of patient gowning as well? Many patients get treated in street clothes, what is the hygienic risk, and will this be considered best practice in the future?

Answered on 4/3/20: All patients and practitioners should be treated as if they are all silent carriers. Regardless of gowning, practitioners are advised to thoroughly clean any surface with which a patient may have had contact, in situations where in-person treatments are necessary, due to acute emergent cases that otherwise the patients would need to go to the hospital. These treatments must be provided with appropriate screening, PPEs and following the recommendations of the [ASA Essentials letter](#).

Question: Many are creating masks for hospitals, etc., would homemade masks be acceptable here?

Answered on 4/3/20: ASA does not recommend practitioners wear homemade masks, as these masks do not create a tight seal around the practitioner's face. Fabric masks may not be able to filter out viral particles. Homemade masks are important for general use, as they allow the general public to be protected in daily living while maintaining the limited supply of surgical masks and N95 respirators for healthcare providers. Homemade masks used in hospitals are often used for patients and/or to be placed on top of the N95 to keep those secure masks clean.

Question: Do we have a new safety protocol to treat patients after COVID 19 crisis in the future; for instance, to use kn 95 mask and so on?

Answered on 4/3/20: It is difficult to predict future safety protocols. At this time, we are advising practitioners to follow [OSHA protocols](#). The KN95 mask does not create secure seal around the face, so it would not be comparable to the N95. At this time, we are unaware of new guidelines. We will inform our practitioners if we learn of new procedures and protocols.

Specific Treatments and Service Locations

Question: What is the position on acupuncture for labor promotion or breech treatment essential or as something that keeps women out of hospitals for surgery?

Answered on 4/3/20: ASA recommends the use of telemedicine to teach patients acupressure and the use of moxa, depending on your state laws and malpractice insurance policy. Practitioners shall exercise their professional judgment for in-person treatment when patients are in acute (non-respiratory, non-febrile) distress, that would otherwise send patients to the hospital for surgery. In such acute situations, ASA recommends in-person treatments only if there is appropriate PPE and following universal precaution guidelines. Please see the ASA [COVID-19 Essentials letter](#) for more information.

Question: I have one patient who is very nervous as her back occasionally spasms bad enough she can barely walk or function, and she is working in an essential job. If her back goes into spasm, would I be eligible to treat her to relieve the spasm, with appropriate PPE?

Answered on 4/3/20: ASA recognizes that with appropriate PPE, following universal precaution treating patient and practitioner as silent carriers, and with prescreening, patients in acute non-respiratory, non-febrile emergency situations, may receive in-person treatments to prevent

hospitalization. We do recommend that telemedicine be used for such patients as prevention for such back spasms. Acupressure, guasha, herbal remedies, exercise and lifestyle recommendations can be offered through telemedicine.

Question: Is there a position on treating patients (e.g. as a house call) if the practitioner has confirmed COVID, and has fully recovered (therefore, presumably has antibodies)?

Answered on 4/3/20: At this time, ASA is not aware of the availability of reliable antibody tests in the U.S. As healing cycles differ from patient-to-patient, it is inadvisable for practitioners with confirmed COVID-19 to provide in-person treatments at this time. ASA does not have recommendations for when such a practitioner can resume treating patients after the healing process. We wish safety and health for all of our practitioners.

Question: How is our stance as acupuncturists so different than chiropractors who are considered essential and encouraged to continue seeing patients in the exact kinds of settings without PPE?

Answered on 4/3/20: ASA strives to protect our providers and our patients. ASA recommends that all practitioners and patients are treated as silent carriers. Following [OSHA's guidelines](#), acupuncturists and chiropractors can be considered "medium exposure risk: requiring PPEs. *When selecting PPE (for medium exposure risk), consider factors such as function, fit, decontamination ability, disposal, and cost. Sometimes, when PPE will have to be used repeatedly for a long period of time, a more expensive and durable type of PPE may be less expensive overall than disposable PPE. Each employer should select the combination of PPE that protects workers specific to their workplace. Workers with medium exposure risk may need to wear some combination of gloves, a gown, a face mask, and/or a face shield or goggles.*

Question: Are acupuncturists who work inside the hospital allowed to work with Covid-19 patients?

Answered on 4/3/20: To reduce physical contact, hospitals throughout the country have limited the number of healthcare staff allowed into patient rooms in hospitals. Integrative medicine teams (including acupuncturists) that work at hospitals have either been furloughed or been deployed to other departments. At this time, we are not aware of acupuncturists treating in an integrative setting for COVID-19 patients in the U.S.

Question: Would you say house calls are a good idea during this time?

Answered on 4/3/20: ASA does not advise house calls at this time. All patients and practitioners should be considered silent carriers. House calls can expose practitioners to pathogens that could be carried to the homes of the practitioner and/or other patients. We recommend that practitioners follow the advice listed in our ["Essentials" letter](#).

Question: Is there any planning going on for outdoor clinics as the weather warms up? Thinking of open-air and easy to hose down tents to help people who are recovering from COVID-19.

Answered on 4/3/20: All patients and practitioners should be considered silent carriers. Practitioners are asked to follow the advice listed in our ["Essentials" letter](#). Due to the shortage of PPEs, it is inadvisable for practitioners to perform in-person treatments.

Herbal Treatments

Question: Can we give/sell moxa (the stick on Japanese one) to patients? NYS

Answered on 4/3/20: Please consult your malpractice insurance carrier.

Question: Many, if not all herbal medicine products related to assisting patients preventing or dealing with COVID-19 are no longer available to buy. Any Advice?

Answered on 4/3/20: ASA advises that you call our various herbal vendors. There is limited availability on some products. Please attend our ASA NCCAOM Town Hall on April 7, 2020 for more information from the American Herbal Products Association.

Question: What is being done to bring the benefit of Chinese herbal medicine to the attention of the conventional healthcare field? This feels like this is a time when the use of Chinese medicinal herbs should be a huge topic of discussion given the widespread use in China and the struggles we are facing in the US.

Answered on 4/3/20: Please attend our ASA NCCAOM Town Hall on April 7, 2020 for more information from the American Herbal Products Association. Practitioners must be cautious in making health claims as the [FDA has been actively warning and prosecuting companies that make claims to treat or prevent COVID-19.](#)

Question: Does differentiation based on six stages fall within your best practices? Or are you talking about a TCM Zang Fu differentiation?

Answered on 4/3/20: The ASA recognizes there are many diagnostic methods within acupuncture and herbal medicine. We do not have a preferred diagnostic method for treatments. Differential diagnoses based on your acupuncture and herbology training would be sufficient for your best practices.

Return to Work Guidelines

Question: I am also interested in whether the ASA is going to be working on some "return-to-work" guidelines, even though these may be very far off.

Answered on 4/3/20: ASA has been advising our practitioners based on the guidelines of the CDC and OSHA, as well as local and state authorities. When we learn of the guidelines for return to work, we will advise our practitioners.

Telehealth and Billing

Question: It is possible that ASA or NCCAOM put together a document to show state by state if telehealth is allowed? That way we are not all doing it.

Answered on 4/3/20: [The laws are changing rapidly to accommodate telemedicine.](#) ASA & NCCAOM will be posting more information on telehealth. Payment for telemedicine for acupuncturists is determined by the private insurers. ASA will have more information in future Town Halls.

Question: How do insurance companies that cover acupuncture bill for acupuncture treatments with telehealth when we aren't doing acupuncture? Just O/V codes each time? Some plans only cover O/V code the first time, and then perhaps only when combined with an acupuncture code. Please answer, thanks!

Answered on 4/06/20 – Mori West: As stated in the webinar, you must check EACH carrier's policies for providing telehealth services, some will allow E/M visits, others are requiring the use of specific telemedicine codes.

Question: Now presenter saying we can we bill for doing counseling, yes, but insurance?

Answered on 4/06/20 – Mori West: Counseling and the counseling codes would NOT be covered.

Question: Is the tele-health basically Skyping or Zooming?

Answered on 4/06/20 – Mori West: The specific technology requirement has been removed and for the time being, Skype or Zoom is being allowed.

Question: How is telemedicine charged? Per 15 minutes? Is there a base fee for this?

Answered on 4/06/20 – Mori West: Please review the presentation for appropriate codes. Some codes are based on time, E/M are based on complexity.

Question: What about if you just superbill? Are the codes different?

Answered on 4/06/20 – Mori West: No, the codes are the same.

Question: What about bringing in new patients through telehealth?

Answered on 4/06/20 – Mori West: Check your carrier and state requirements.

Question: Why does the patient have to be an existing patient to do telemedicine? Please elaborate on this requirement. Is it being waived in this crisis? Why is it a requirement? Is it only for insurance billing, or is it a general legal requirement? I keep getting conflicting information about whether or not it is okay to see NEW patients via telemedicine.

Answered on 4/06/20 – Mori West: To treat a new patient, you must first perform a History, (Chief Complaint, History of present illness, past family and social history, and review a review of systems ROS). Then, you would do an examination of the affected area. With existing patients, you are not required to do an exam.

Question: For telehealth, do patients still have to be returning patients even if they are not using insurance?

Answered on 4/06/20 – Mori West: I do not know.

Question: Commercial payers do not want the 02 and have limitations. What payers are you actually seeing paying?

Answered on 4/06/20 – Mori West: Aetna and Cigna at the moment.

Question: Are carriers paying for telehealth for LAc's?

Answered on 4/06/20 – Mori West: It is too early to tell; we must wait until claims start coming back.

Question: Do you know if it is possible to do telemedicine if you currently are not utilizing EHR considering security of Medical records?

Answered on 4/06/20 – Mori West: The specific technology requirement has been removed and for the time being Skype or Zoom is being allowed.

Question: Is it true a provider can only see a patient once every 7 days vis telehealth?

Answered on 4/06/20 – Mori West: No

Question: If a patient only receives a certain number of visits per year, will telehealth visits count as an acupuncture visit on a patient's benefits for insurance?

Answered on 4/06/20 – Mori West: It is too early to tell; it is assumed so.

Question: Why does a patient need to have acupuncture coverage if you are not providing acupuncture vis telehealth?

Answered on 4/06/20 – Mori West: If the patient does not have acupuncture coverage, they don't have coverage for services of an acupuncturist.

Question: What are the codes for group and private qigong classes and classes of nutrition and /or stress management?

Answered on 4/06/20 – Mori West: 97110 therapeutic exercises; 97150 group therapy; you cannot bill for classes.

Question: How to bill for telemedicine treatments if there is not an insurance code for it for acupuncturists?

Answered on 4/06/20 – Mori West: Most carriers are confirming they will pay for specialist services.

Question: Are we supposed to use these codes for telehealth even if we currently do not take insurance?

Answered on 4/06/20 – Mori West: No

Question: What about out-of-network benefits? Same sort of billing?

Answered on 4/06/20 – Mori West: See carrier policies for billing out-of-network (OON).

Question: Can you please elaborate on telehealth sessions being patient initiated? Does that mean we cannot recommend a follow-up?

Answered on 4/06/20 – Mori West: A patient must initiate the FIRST session. Then the patient must agree to follow-up.

Question: We are being told in Illinois that we cannot bill for telemedicine from our state association. Is this true?

Answered on 4/06/20 – Mori West: It is true at this time.

NCCAOM Certification and Recertification

Note: The NCCAOM application for certification and recertification must be submitted through your [NCCAOM online portal](#). All Diplomates are required to report their continuing education for recertification electronically in their NCCAOM online portal. Continuing education reporting instructions are available [here](#).

Question: What are the changes in the examination process for students related to the COVID-19 situation?

Answered on 4/07/20: The NCCAOM has made multiple temporary emergency changes to the examination process due to the closing of the Pearson VUE testing centers and the cancellation of the in-person Council of Colleges of Acupuncture and Oriental Medicine (CCAOM) Clean Needle Technique (CNT) program courses. If you are a student **due to graduate in 2020** the NCCAOM is working with your school to ensure you are able to begin the testing process. The student will need to:

1. Contact the school to confirm you are eligible for a 2020 graduation date.
2. Once the school submits your graduation class information to NCCAOM, you will be contacted by NCCAOM and guided through the application process.
3. Request your CNT course verification from CCAOM once your application for certification with NCCAOM has been completed.
 - a. Applicants who have not previously completed the in-person CCAOM CNT course must register for a future CCAOM CNT program course and submit the CCAOM confirmation registration letter to the NCCAOM at covid19alerts@thenccaom.org.

Final NCCAOM certification requires (1) successfully passing all required NCCAOM certification exams, (2) receipt of the CCAOM CNT certificate of completion directly from the CCAOM to NCCAOM, and (3) receipt of the official final graduation transcript from the school.

Due to the test center closings the NCCAOM canceled the linear exam administration to begin April 27, 2020. To accommodate candidates NCCAOM will be implementing the year-round adaptive exam administration on May 18, 2020; two months earlier than planned. Registration for the adaptive administration is open now. For additional information go to the [NCCAOM COVID-19 website page](#) and click on the icon for Schools and Students.

Question: Will NCCAOM postpone, push back, or extend the expiration date for those who are due to recertify in 2020 or have let their Diplomate status lapse?

Answered on 4/07/20: A Diplomate in active status whose certification is due between March 31 and September 30, 2020 may submit their recertification application and work with NCCAOM Customer Relations Team member over a 90-day grace period to earn the PDAs required for recertification. No additional PDA points or late fees will be applied.

A former Diplomate in lapsed status where their expiration due date was between March 31 and September 30 may submit their recertification application and work with NCCAOM Customer Relations Team member over a 90-day grace period to earn all PDAs required for recertification (varies depending on the number of years lapsed). No additional late fees will be applied.

All Diplomates are required to report their continuing education to their NCCAOM online portal. Continuing education reporting instructions are available [here](#).

Question: Will there be a fee reduction for recertification?

Answered on 4/07/20: All NCCAOM fees will remain unchanged; however, no additional late fees will apply as Diplomates work with the NCCAOM Customer Relations Team over a 90-day grace period.

Former Diplomates in lapsed status whose certification expired prior to March 31, 2020 will have a 90-day grace period with no additional late fees.

Question: If I am due to recertify in June 2020 can I have until December 31, 2020?

Answered on 4/07/20: We encourage you to apply on or before your June 2020 certification expiration date. A Diplomate in active status whose certification is due between March 31 and September 30, 2020 may submit their recertification application and work with NCCAOM Customer Relations Team member over a 90-day grace period to earn the PDAs required for recertification. No late fees will be applied.

Question: When will I receive my PDA points from attending the NCCAOM/ASA Town Hall?

Answered on 4/07/20: Certificates of completion for Town Hall meeting attendance will be emailed within two weeks of the meeting date.

Advocacy / CARES Act

Links to Business Benefits

Question: Would you provide the resource or direction where we can apply for the business benefit during this time?

Answered on 4/07/20 – M. Giammarco, MPP: Find more information about the Paycheck Protection Program here: <https://www.sba.gov/document/sba-form--paycheck-protection-program-borrower-application-form>. Find more information about the Economic Injury Disaster Loan program here: <https://covid19relief.sba.gov/#/>.

Information can also be found on the NCCAOM website COVID-19 website page under [Helpful Resources: Coronavirus \(COVID-19\): Small Business Guidance & Loan Resources](#) and [NCCAOM CARES ACT Summary \(Economic Stimulus Package Becomes Law\)](#)

Question: This will go on for months: can we reasonably expect unemployment benefits for self-employed/small businesses commensurate to our income if we were still in practice?

Answered on 4/07/20 – M. Giammarco, MPP: It is likely that Congress will provide additional relief for small businesses in future relief packages. Congress is beginning work on phase four of the COVID-19 emergency stimulus, which will either extend current resources or create additional resources for businesses. States are also created resources and extended current resources as the emergency continues. We will continue to monitor federal relief efforts; it's best to keep track of your state resources as well.

Paycheck Protection Program (PPP)

Question: It looks like those applying for the Paychex Protection Program (PPP) will have to bring the app to a 'lender'. My federal credit union is not going to be involved so will I have access to a lending institution despite not having my business accounts with them. Will the SBA require all SB 7A lenders to loan to businesses who do not have accounts already set up with them?

Answered on 4/07/20 – M. Giammarco, MPP: If your current bank or credit union is not participating in the Paycheck Protection Program (PPP), it is possible to use another lender source. The Small Business Administration provides a list of lenders participating in the PPP on its website: <https://www.sba.gov/local-assistance/find/>. Keep in mind that this list will increase as more lenders complete the SBA's participation requirements.

Question: Will the payroll benefit be in addition to unemployment or in place of?

Answered on 4/07/20 – M. Giammarco, MPP: An individual can apply for the Paycheck Protection Program or unemployment insurance, but not both. It is best to assess the benefits of each program to determine which is best for your unique situation. Your accountant and/or bank can be helpful resources.

Question: Under the CARES act - how can we maintain payroll for ourselves and employees who are unable to work? Are we supposed to just keep paying employees when not able to work due to closure?

Answered on 4/07/20 – M. Giammarco, MPP: The Paycheck Protection Program is designed to help small business owners maintain payrolls and salaries even if COVID-19 forces the business to close or reduce its hours. Small business owners may borrow up to \$10 million or 2.5x the average monthly payroll costs. These loans are forgivable if used for payroll maintenance.

Question: Does the Paycheck Protection Program apply for staff who are independent contractors?

Answered on 4/07/20 – M. Giammarco, MPP: The Paycheck Protection Program does apply to independent contractors who collect 1099-MISC forms. Read more about PPP eligibility: <https://www.sba.gov/funding-programs/loans/coronavirus-relief-options/paycheck-protection-program-ppp#section-header-3>.

Unemployment

Question: I am a sole proprietor in WA state. Am I eligible to apply to cover my own "Salary?" If I apply for a forgivable loan (EIDL or PPP) to cover my own salary, does this mean that I am not able to file for unemployment later on? If I do file for unemployment, will the loan not be forgiven? What documentation do I need to provide for the loan to be forgiven? Can independent contractors be included in "payroll expenses?"

Answered on 4/07/20 – M. Giammarco, MPP: Self-employed individuals can apply for, and use, Paycheck Protection Program (PPP) loans to pay themselves (beginning April 10). Self-employed individuals are also eligible for the federal government's expanded unemployment insurance but cannot apply for both programs. It's best to review both programs to see what works best for your business. Your accountant and/or bank may be able to help you assess each option.

Question: Can sole proprietor L.Acs apply for unemployment benefits at this time? (I'm in California)?

Answered on 4/07/20 – M. Giammarco, MPP: The CARES Act expands unemployment insurance eligibility to individuals laid off or furloughed as a direct result of COVID-19, self-employed individuals, gig workers, independent contractors, among others. It is best to consult your state unemployment insurance policies to ensure eligibility for unemployment assistance.

Question: I am a newly licensed acupuncturist and my clinic closed the day before I was set to treat my first patient. Am I still eligible for unemployment when I have no employment history in my field?

Answered on 4/07/20 – M. Giammarco, MPP: Yes; the CARES Act expands unemployment insurance options to individuals who do not have work history. It's also good to check with your state unemployment insurance policies around work history in light of COVID-19.

Question: I am also a contractor. If I get a temporary job until we reopen to resume practice can we still get unemployment \$?

Answered on 4/07/20 – M. Giammarco, MPP: Individuals who find new jobs or work are generally not eligible to receive unemployment insurance. It is best to check your state's unemployment insurance policy to confirm.

Question: Can I qualify for expanded unemployment if I do not pay into state unemployment as a self-employed business owner?

Answered on 4/07/20 – M. Giammarco, MPP: The CARES Act expands eligibility for unemployment insurance to include small business owners whose businesses are closed due to COVID-19. Check with your state's unemployment insurance policy for more information on your eligibility for state-based unemployment benefits.

Question: Who do I call about a \$1200 payment- my clinic is now closed - no income - to see if I qualify. I'm making 0; my husband makes over 99,000. Do I qualify?

Answered on 4/07/20 – M. Giammarco, MPP: It will depend on your individual adjusted gross income from either 2019 (if you've already filed your 2019 taxes) or from 2018. Even if your husband does not qualify, you may qualify if you make less than \$99k. The IRS will issue these checks.

Question: If I am selling some herbs to patients, through drop shipping, but my clinic is closed, can I apply for unemployment?

Answered on 4/07/20 – M. Giammarco, MPP: It depends. Check with your state unemployment insurance policy.

Question: When can we apply for unemployment? I tried Monday and was denied. No, have to have a no income week in order to apply to unemployment, and still I was denied.

Answered on 4/07/20 – M. Giammarco, MPP: Check with your state unemployment office for guidance

Federal Tax Benefit

Question: Does anyone know if they are using dependent's dates of birth to determine adult vs. child status? On 2019 taxes my 17-year old was a child but turned 18 in January. This is a \$700 difference, depending on whether they recognize him as an adult (based on DOB) vs. a child (based on last year's tax filing status).

Answered on 4/07/20 – M. Giammarco, MPP: The IRS will use your 2019 tax return to determine your direct-payment amount and the ages of your children. If you have not yet filed your 2019 taxes, the IRS will use your 2018 tax returns to determine direct-payment amount and ages of your children.

Question: What if you file as head of household (HOH) and make less than 115k?

Answered on 4/07/20 – M. Giammarco, MPP: A taxpayer who files as head of household will receive \$1,200 if his/her adjusted gross income is less than \$112,500.

Question: Will the \$1,200 be per person or per married couple/household?

Answered on 4/07/20 – M. Giammarco, MPP: The direct payments are per individual. It's \$1,200 per each adult who makes less than \$99k each year. If a married couple each makes less than \$99k per year, they will collectively receive \$2,400. That amount will decrease as an individual's salary increases until it zeros out at \$99k.

Student Loan Information

Question: What about if you refinanced your student loan and now it's considered a "Private loan", not federal.

Answered on 4/07/20 – M. Giammarco, MPP: The CARES Act and other student-loan modifications from the Department of Education only apply to federally backed loans, but many private lenders are providing adjustments. Contact your private lender to see repayment modifications or suspensions are in place.

Question: I called New Mexico Student Loans and they informed me that I could do a verbal forbearance, but interest would still be accruing. Is that right, or do they need to get caught up?

Answered on 4/07/20 – M. Giammarco, MPP: The CARES Act suspended federally backed student loan repayments and reduced the loan interest rate to 0% through September 30. This only applies to federally backed loans; state-based loans or private loans are not subject to the same terms but may also provide modification terms during the COVID-19 emergency. Check with your lender and your state education department for more information on any such modifications.

Question: Do these payment deferrals still count towards our 120 payments for public service loan forgiveness?

Answered on 4/07/20 – M. Giammarco, MPP: Yes

Question: Do I need to be pro-active and contact my own lender concerning Federal Student loan repayments?

Answered on 4/07/20 – M. Giammarco, MPP: Yes; contact your lenders to confirm any COVID-19 repayment modifications or suspensions. State- and private-back loans may have different policies than federal loans.

Question: Student Loans - Individuals on an Income-based repayment plan, my understanding is that if the loan is deferred it may affect the length of the repayment period, and when the maximum repayment time ends. Is that correct?

Answered on 4/07/20 – M. Giammarco, MPP: This will vary by lender. Check with your lender to confirm.

Economic Injury Disaster Loan Program (EIDL)

Question: What is the best loan to apply for self-employed acupuncturist without employees to be able to pay rent?

Answered on 4/07/20 – M. Giammarco, MPP: The Economic Injury Disaster Loan program is designed to assist small businesses with rent and may be a good option to consider. Ultimately your decision depends on your individual business, cash flow, and expenses. It is best to consult with your accountant and your bank to identify the best loan option for you.

Question: Please speak to practices without any employees with regard to the CARES Act? i.e.: No employees, no paycheck to self.... very simple, basic practices.

Answered on 4/07/20 – M. Giammarco, MPP: The Economic Injury Disaster Loan program provides funds to help small businesses with no employees with mortgage/rent, accounts payable, and overhead costs. Also check your state resources. In assessing your loan options, it is best to consult with your accountant on the loan that is best for you.

Question: Do EIDL loans require payroll continuation to be forgiven? Can business get EIDL while its employee is on UI/furloughed?

Answered on 4/07/20 – M. Giammarco, MPP: You may be thinking about the CARES' Act Paycheck Protection Program (PPP), which will forgive loans if the borrower uses the loan to maintain payrolls and salaries. Small business owners who have laid off employees can still apply to the PPP -- the program requires employers to re-hire these employees by June 30, 2020. The Economic Injury Disaster Loan (EIDL) program does not consider payroll as a term for forgiveness. The EIDL does offer an advance to pay for business expenses that can be forgiven. Traditional EIDL loans are not eligible for forgiveness.

Question: What federal money is there for a private acupuncture small business that is a partnership with no employees?

Answered on 4/07/20 – M. Giammarco, MPP: The Small Business Administration's The Economic Injury Disaster Loan (EIDL) program provides assistance for mortgage/rent, accounts payable, and overhead. This may be a good option, but it's always best to consult your accountant to determine what loan option is best for your business.

Question: If I don't have any employees would I still be able to apply for unemployment or some of the loans as an LLC?

Answered on 4/07/20 – M. Giammarco, MPP: Yes; the CARES Act enables small business owners to apply for unemployment insurance (check your state unemployment insurance policies as well), as well as two loan programs: the Paycheck Protection Program (PPP) and the Economic Injury Loan Disaster (EIDL) program. The PPP focuses on payroll maintenance; the EIDL helps eligible businesses pay mortgage/rent, accounts payable, and overhead costs. A small business owner may apply to both the PPP and EIDL, but cannot apply to either loan program and unemployment insurance. It's best to consult with your accountant and lender/bank to identify the best strategy for your business.

Question: Will the EIDL apply to sole proprietors? Will the loans have forgivable criteria?

Answered on 4/07/20 – M. Giammarco, MPP: Yes; the EIDL includes sole proprietors and the application process will provide more information on your specific eligibility. The EIDL provides eligible recipients \$10k advances that are forgivable. The traditional EIDL provides up to \$2m in loans that are not forgivable.

Question: Will the cares act also pay subsidy to employers? Are individual acupuncturists entitled to any benefits as sole proprietor/1 woman show?

Answered on 4/07/20 – M. Giammarco, MPP: The CARES Act provides resources for self-employed individuals. The Paycheck Protection Program, the Economic Injury Disaster Loan program, and expanded unemployment insurance are all resources that are available to self-employed individuals through the CARES Act. It is best to consult with your accountant/bank/lender when navigating these resources, so you select the best option for your specific needs.

Question: If I don't have employees will I have to pay back the loans you mentioned?

Answered on 4/07/20 – M. Giammarco, MPP: It depends on the loan. You will need to pay back anything you receive from the Economic Injury Disaster Loan, except the EIDL \$10k advance, if you apply for that advance. The amount for forgiveness you will receive from a



Paycheck Protection Program loan will vary depending on what you dedicate to payroll and business overhead. Check with your accountant on the best loan option for you, given that you do not have employees.

Question: What are the odds of getting the 10k grant?

Answered on 4/07/20 – M. Giammarco, MPP: We do not have information on the odds at this time.