

# COVID-19 Public Assistance Programmatic Deadlines Policy

Webinar | May 2022



# FEMA

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# Overview

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- As of May 4, 2022, FEMA's Public Assistance (PA) program has provided more than **\$44 billion** to state, local, tribal nation, and territorial (SLTT) governments and eligible private nonprofit (PNP) organizations.
- FEMA is seeking feedback on a policy establishing programmatic and implementation deadlines across all COVID-19 emergency and major disaster declarations and describes application of the 100% cost share through July 1, 2022, and 90% federal cost share effective July 2, 2022.
- **Public Comment Period:** Entities that have applied or are interested in applying for COVID-19 PA funding are encouraged to review and provide feedback on the Policy by 5:00 PM, May 24, 2022,
- Please provide comments on the policy via the comment matrix [on our website](#) and submit the comment matrix to: [fema-recovery-pa-policy@fema.dhs.gov](mailto:fema-recovery-pa-policy@fema.dhs.gov).



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# Request for Public Assistance Deadline

# Request for Public Assistance (RPA) Deadline

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- The regulatory deadline for RPA submittal to FEMA is 30 days after a federal disaster declaration.
  - RPA submittal is the first step in applying for PA funding.
- On March 21, 2020, FEMA extended the RPA submission period to remain open for the duration of the Public Health Emergency, unless an earlier deadline was deemed appropriate.
- FEMA has determined July 1, 2022, to be an appropriate RPA deadline for all COVID-19 declarations.
  - Applicants submit RPAs through [FEMA's Grants Portal system](#).
  - Approval of an RPA signifies that FEMA has determined the Applicant is eligible for PA funding.
  - Once approved, the Applicant must submit Project Applications for work and costs related to the COVID-19 response to receive funding.



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# **Streamlined Project Application Submittal Deadline**

# Streamlined Project Application (SPA) Deadline

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- On May 14, 2020, FEMA extended the deadline to identify and report damage for the duration of the Public Health Emergency unless an earlier deadline was deemed appropriate.
- FEMA typically considers the deadline for identifying and reporting damage to be met upon receipt of a Damage Inventory/Impact List.
- For COVID-19 declarations, FEMA created a SPA to identify and report COVID-19 activities in lieu of Damage Inventory/Impact List.
  - Applicants list the work they performed or will perform in the SPA.
  - The regulatory deadline for Applicants to identify and report damage is 60 days from the Recovery Scoping Meeting (RSM).
  - Applicants may either watch a RSM video in lieu of a meeting or FEMA will work with the Applicant to conduct a RSM prior to October 31, 2022.



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# Streamlined Project Application (SPA) Deadline

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- Applicants must submit SPAs to FEMA via the PA Grants Portal by December 31, 2022 for work completed through July 1, 2022.
- The SPA must include information and documentation sufficient for FEMA to determine whether the work is eligible, and either the actual or estimated cost of the work.
- Applicants must submit separate SPAs for work performed after July 1, 2022.
- The deadline for identifying and reporting COVID-19 emergency work activities for work to be completed after July 1, 2022, will remain open.
- FEMA will notify Applicants no less than 30 days prior to establishing the deadline for work performed after July 1, 2022.



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# Expedited Funding Projects

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- By December 31, 2022, Applicants must submit a SPA as an amendment to the expedited funding project to define all work activities through July 1, 2022, along with an updated cost estimate.
- If the expedited funding project covers a timeframe after July 1, 2022, and funding is still justifiably needed, FEMA will work with the Applicant to ensure continuance of expedited funding.
  - Recipients must limit advance payments, even under expedited funding projects, to the “minimum amounts needed” and timed based on the “actual, immediate cash requirements” to perform the eligible work.



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# Cost Share

# Federal Cost Share

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- The President authorized 100% federal funding for all eligible emergency work costs under the COVID-19 declarations through July 1, 2022.
- FEMA will apply 100% federal funding to all eligible COVID-19 costs for work performed from the beginning of the incident period through 11:59 p.m. on July 1, 2022.
- FEMA will apply the 90% federal cost share to funding for all eligible costs for work performed and items used on or after July 2, 2022.



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# Cost Share Application

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- **Employee Labor:** Costs for hours worked prior to July 2, 2022.
- **Purchased Supplies:** FEMA only provides funding for the purchase of PPE **and** other supplies projected to be used in the next 60 days. Any PPE or other supplies purchased for a 60-day timeframe prior to July 2, 2022 are eligible for 100% federal funding only if the items were also used prior to July 2, 2022.
- **Purchased Equipment:** Costs to purchase equipment that the Applicant used prior to July 2, 2022, and the cost for usage prior to July 2, 2022.
- **Leased Equipment and Facilities:** FEMA may calculate the cost based on a proration of time for lease costs prior to July 2, 2022. FEMA only provides funding for storage that is necessary to store 60 days of PPE and other necessary supplies
- **Contract Costs:** Costs for work performed prior to July 2, 2022. If costs cannot be distinguished by date performed, FEMA may prorate costs based on the percentage of work completed prior to the deadline versus the percentage of work remaining.



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# Cost Share Application

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- **Separation of Costs:** Applicant must delineate costs for work performed prior to July 2, 2022, from costs for work performed on or after July 2, 2022.
- **Donated Resources:** FEMA does not provide PA funding for donated resources; however, the Applicant may use the value of donated resources to offset the non-federal cost share of its eligible Emergency Work projects and Direct Federal Assistance.
  - If the Applicant used donated resources prior to July 2, 2022, it may use the value of those donated resources to offset the 10% non-federal cost share for eligible work performed on or after July 2, 2022.
- **Project Thresholds:** The project thresholds for minimum project amounts, and small and large projects, apply to each individual SPA.



# Work, Project, and Management Cost Deadlines

# Work Completion Deadline

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- The regulatory deadline for completion of Emergency Work is 6 months from the declaration date.
- The unprecedented nature of COVID-19 necessitated emergency protective measures to continue beyond 6 months.
- On August 24, 2020, FEMA extended the emergency work completion deadline for COVID-19 until further notice. FEMA is continuing this extension.
- FEMA will provide notification no less than 30 days prior to establishing a deadline for completion of COVID-19 emergency protective measures.



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# Project Completion Certification and Closeout Deadline

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- **Small Projects:**
  - The Recipient must submit to FEMA certification of completion for all Subrecipient Small Projects within 180 days of the Subrecipient's latest Small Project work completion date.
  - The Recipient must submit to FEMA certification of completion for all of the Recipient's Small Projects within 90 days of the latest Small Project work completion date.



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# Project Completion Certification and Closeout Deadline

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- **Large Projects:**
  - Subrecipients must submit to the Recipient all actual cost documentation for each large project within 90 days of the work completion date or the date of obligation, whichever is later.
  - The Recipient must submit to FEMA all actual cost documentation for each of its own Large Projects with certification of completion within 90 days of the work completion date or the date of obligation, whichever is later.
  - The Recipient must submit to FEMA its certification of the Subrecipient's completion of each Large Project with the final claim for PA funding and all supporting documentation within 180 days of the work completion date or the date of obligation, whichever is later.



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# Management Cost Deadlines

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- Section 324 of the Stafford Act authorizes PA funding for management costs.
- The **Recipient** may claim management costs incurred until one of the following occurs:
  - 180 days after work is completed on the last non-management cost PA project for the declaration; or
  - 180 days after the latest performance period of a non-management cost PA project for the declaration; or
  - 2 years from the end date of the incident period for an Emergency Declaration; or
  - 8 years from the date of the Major Disaster Declaration.



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# Management Cost Deadlines

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- The **Subrecipient** may claim management costs incurred until one of the following occurs:
  - 180 days after the Subrecipient completes its last non-management cost PA project; or
  - 180 days after the latest performance period of the Subrecipient's non management cost PA project; or
  - 2 years from the end date of the incident period for an Emergency Declaration; or
  - 8 years from the date of the Major Disaster Declaration



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# Time Extensions

# Request for PA Time Extensions (TE)

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- If a Recipient or Subrecipient/Applicant determines it needs additional time to meet one a deadline, it must submit a written TE to FEMA with a detailed justification and any documentation to substantiate delays beyond its control. Subrecipients/Applicants must route requests through the Recipient to FEMA.
- FEMA Regional Administrators (RA) may extend the RPA deadline for a potential Applicant up to 90 days after July 1, 2022, when the request is justified based on extenuating circumstances beyond the Recipient's or Applicant's control.
- For time extensions beyond 90 days, RAs must coordinate with the Assistant Administrator, Recovery Directorate at FEMA HQ for concurrence.



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# Project Application Submittal Time Extensions

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- FEMA RAs may extend the Project Application Submittal deadline up to 90 days after December 31, 2022, when the request is justified based on extenuating circumstances beyond the Recipient's or Applicant's control.
- For TEs beyond 90 days, RAs must coordinate with the Assistant Administrator, Recovery Directorate at FEMA HQ for concurrence.



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# Project Completion Certification and Closeout Time Extensions

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- FEMA RAs may extend deadlines for submittal of project completion and certification when the request is justified based on extenuating circumstances beyond the Recipient's or Subrecipient's control.



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# Overlapping Sources of Funding

# Federal Funding

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- Section 312 of the Stafford Act prohibits FEMA from duplicating benefits from other sources. Per the PAPPG, if an Applicant receives funding from another source for the same work that FEMA funded, FEMA reduces the eligible cost or de-obligates funding to prevent a duplication of benefits.
- Under Section 312, multiple agencies having authority to expend funds for the same purpose is not, by itself, a duplication of benefits. Therefore, for COVID-19 declarations, FEMA's PA policy is that if an Applicant does not receive funding from another source for the same exact cost item that PA funding is provided, FEMA will not consider it to be a duplication of benefits.
- If an Applicant receives funding from another source for the same exact cost item that FEMA funded, FEMA will reduce the eligible amount to prevent a duplication of benefits.





# Overlapping Sources of Funding - Federal Funding

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- FEMA may provide PA funding to Applicants for eligible costs that may also be eligible for funding under another federal agency's authorities.
- However, FEMA will not deny a PA eligible cost under a COVID-19 declaration solely because that cost may be eligible under another federal agency's authorities.
- Applicants must ensure they do not receive FEMA PA funding for the same item of cost funded by another federal agency. If this occurs, applicants must return the duplicated amount to FEMA.



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# Overlapping Sources of Funding - Patient Care Revenue

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- FEMA cannot provide PA funding for clinical care and other costs funded by another source, including private insurance, Medicare, Medicaid/CHIP, other public insurance, a pre-existing private payment agreement, the COVID-19 Uninsured Program for uninsured patients, or payments received directly from patients.
- Recipients and Subrecipients are responsible for ensuring that they do not accept payment for the same dollar twice. Applicants must certify in the Project Application that assistance has not and will not be duplicated.



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# Overlapping Sources of Funding - Patient Care Revenue

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- To address potential duplication of benefits:
  - Applicants must provide documentation to show actual medical care revenue received, including insurance proceeds and revenue from direct billing to patients, the types of work and costs covered, labor, supplies, equipment, and costs that are ineligible under the PA Program. The documentation may include the Applicant's audited financial statements or other accounting documentation.
  - FEMA reduces eligible costs by the amount of actual or anticipated amount of insurance proceeds or other patient care revenue.



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# Equity Requirements

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- As a condition of receiving PA funding, Recipients and Subrecipients must comply with all laws and authorities prohibiting discrimination, including but not limited to, 44 CFR Part 7 and Title VI of the Civil Rights Act, which prohibit discrimination based on race, color or national origin (including limited English proficiency); and the Stafford Act Section 308, which requires the impartial and equitable delivery of disaster services and activities without discrimination on the grounds of race, color, religion, nationality, sex, age, disability, English proficiency, or economic status.



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# COVID-19 Policy and Deadline Links

# COVID-19 Policy Links

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- **FEMA Seeks Public Feedback on Coronavirus (COVID-19) Pandemic: Public Assistance Programmatic Deadlines:**  
<https://www.fema.gov/event/fema-seeks-public-feedback-coronavirus-covid-19-pandemic-public-assistance-programmatic>
- **Draft version of Coronavirus (COVID-19) Pandemic: Public Assistance Programmatic Deadlines Policy:**  
[https://www.fema.gov/sites/default/files/documents/fema\\_covid-19-public-assistance-programmatic-deadlines-implementation-policy.pdf](https://www.fema.gov/sites/default/files/documents/fema_covid-19-public-assistance-programmatic-deadlines-implementation-policy.pdf)
- **Public Assistance Management Costs (Interim) Policy and SOP:**  
[https://www.fema.gov/sites/default/files/2020-07/pa\\_management\\_costs\\_interim\\_policy.pdf](https://www.fema.gov/sites/default/files/2020-07/pa_management_costs_interim_policy.pdf)  
[https://www.fema.gov/sites/default/files/2020-07/pa\\_mgmt\\_costs\\_sop\\_final.pdf](https://www.fema.gov/sites/default/files/2020-07/pa_mgmt_costs_sop_final.pdf)
- **COVID-19 Pandemic Safe Opening and Operation Work Eligible for Public Assistance Interim Policy (Version 2):**  
[https://www.fema.gov/sites/default/files/documents/fema\\_covid-19-pandemic-safe-opening-operation-work-eligible-public-assistance-interim-policy\\_2\\_09082021.pdf](https://www.fema.gov/sites/default/files/documents/fema_covid-19-pandemic-safe-opening-operation-work-eligible-public-assistance-interim-policy_2_09082021.pdf)
- **COVID-19 Medical Care Policy (Version 2):**  
[https://www.fema.gov/sites/default/files/documents/fema\\_public-assistance-covid-19-medical-care-v2-with-equity-job-aid\\_policy\\_3-15-2021.pdf](https://www.fema.gov/sites/default/files/documents/fema_public-assistance-covid-19-medical-care-v2-with-equity-job-aid_policy_3-15-2021.pdf)
- **COVID-19 Work Eligible for Public Assistance (Interim):**  
[https://www.fema.gov/sites/default/files/2020-09/fema\\_public-assistance-eligibility-for-covid\\_policy\\_9-1-2020.pdf](https://www.fema.gov/sites/default/files/2020-09/fema_public-assistance-eligibility-for-covid_policy_9-1-2020.pdf)
- **COVID-19 Factsheets:**  
<https://www.fema.gov/disaster/coronavirus/fact-sheets/public-assistance-disaster-specific-guidance-covid-19-declarations>



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# Questions?



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