

ASPR TRACIE Technical Assistance

Request Receipt Date (by ASPR TRACIE): 1 November 2016

Response Date: 10 November 2016; updated 8 December 2017; updated 28 March 2018; updated 10 June 2019

Type of TA Request: Standard

Request:

The requestor asked for technical assistance in researching Memorandum of Understanding (MOU) templates for various CMS requirements (e.g., alternate treatment sites, child care, elder care, pet care, food supply delivery, alternate sheltering of employees).

Response:

The ASPR TRACIE Team researched several resources for MOUs on various emergency preparedness topics. These materials are provided in Sections I-VI below. Please contact ASPR TRACIE if you would like to request additional MOU samples.

CMS-specific Information (updated):

In February 2019, CMS updated the [State Operations Manual: Appendix Z-Emergency Preparedness for All Provider and Certified Supplier Types Interpretive Guidance](#), which addresses specific regulatory expectations. The updated document includes emerging infectious diseases to the definition of all-hazards approach; provides new Home Health Agency citations; and lists clarifications under alternate source power and emergency standby systems. It is also posted on the CMS website (under the Downloads section):

<https://www.cms.gov/Medicare/Provider-Enrollment-and-Certification/SurveyCertEmergPrep/Emergency-Prep-Rule.html>.

ASPR TRACIE has developed and collected a number of resources that we encourage you to use and believe will help facilitate compliance, including the resources provided in this response. However, this does not substitute review of the final rule text and interpretive guidelines. If you have specific questions about your facility's compliance please review the interpretive guidelines, or contact your state's survey agency or the CMS Quality, Safety & Oversight Group (QSOG) at the following email address: SCGEmergencyPrep@cms.hhs.gov.

CMS and ASPR TRACIE are partnering to provide technical assistance, and share resources and promising practices to help affected providers and suppliers start or update the documents mandated by the new Emergency Preparedness rule. Additional key resources include:

- The ASPR TRACIE dedicated CMS Rule page: <https://asprtracie.hhs.gov/cmsrule>
- The entire CMS Emergency Preparedness Rule: <https://federalregister.gov/a/2016-21404>
- The CMS Emergency Preparedness Survey and Certification Page: <https://www.cms.gov/Medicare/Provider-Enrollment-and-Certification/SurveyCertEmergPrep/Emergency-Prep-Rule.html>

- CMS has developed a [Quick Glance Table of the rule requirements by provider type](#), to highlight key points of the new Emergency Preparedness rule. **NOTE:** This table is not meant to be an exhaustive list of requirements nor should it serve as a substitute for the regulatory text.
- ASPR TRACIE developed a [CMS Emergency Preparedness \(EP\) Rule Resources at Your Fingertips Document](#). Within this document are links to key resources:
 - CMS' developed [frequently asked questions \(FAQ\) documents](#) that synthesizes answers to commonly asked inquiries about the CMS EP Rule.
 - The FAQs, in combination with the CMS [at-a-glance chart](#) and [Provider and Supplier Type Definitions Fact Sheet](#), can help planners identify and address planning gaps and facilitate compliance with the regulations.
 - Interested in learning more about your local healthcare coalition? [This chart](#) can help you identify the preparedness office of your state public health agency. Remember: the release of the CMS EP Rule provides healthcare coalitions a tremendous opportunity to strengthen relationships and leverage a broader group of personnel and resources to provide for the medical needs of the whole community during a disaster.
 - To review the Medicare Learning Network National Call on the EP Rule, you can access the PowerPoint [slides](#), [transcript](#), and [audio recording here](#).

I. Access and Functional Needs MOU Templates

Centers for Disease Control and Prevention. (n.d.). [Memorandum of Understanding & Mutual Aid Agreements](#). (Accessed 6/10/2019.)

This webpage includes information on mutual aid agreements and MOUs. Specifically, it provides suggested topics related to vulnerable older adults for discussion and inclusion when drafting MOUs between partners and in planning for this population.

II. Emergency Response/ First Responder MOU Templates

Virginia Department of Health. (n.d.). [Mutual Aid Agreement](#). (Accessed 6/10/2019.)

This webpage provides two MOU templates for Emergency Medical Services (EMS) Mutual Aid Agreement between agencies, and provides example services to be rendered.

Wyoming Attorney General. (n.d.). [Mutual Aid Agreement Documentation](#). (Accessed 6/10/2019.)

This webpage provides two MOU templates to include a general one for law enforcement, and one for emergency response agencies.

III. Emergency Services MOU Templates

City of Santa Monica Office of Emergency Management. (n.d.). [Memorandum of Understanding for Emergency Purchases](#). (Accessed 6/10/2019.)

This template is a MOU between the City of Santa Monica (CA) and a business authorizing emergency purchases during certain circumstances of a local emergency to include: providing necessary supplies, materials, equipment, services, food, care or shelter to the City of Santa Monica through the Office of Emergency Management.

IV. Healthcare Coalition (HCC) Resources

San Luis Obispo Disaster Healthcare Coalition (SLO-DHCC). (2018). [San Luis Obispo County Disaster Healthcare Coalition](#).

The SLO-DHCC developed this governance document, which other coalitions can use as an example when developing their own governance documents. It includes sections on meetings; leadership and coordination; goals; sustainability; membership roles and responsibilities; and the reimbursement process for loaned equipment, supplies, and personnel. It also includes template forms that can be used to track resource capabilities, and participation agreements. Other SLO-DHCC resources can be found here: <http://www.slocounty.ca.gov/DHCC>.

V. Hospital/ Healthcare MOU Templates

California Hospital Association. (n.d.). [Memorandum of Understanding \(MOU\)](#). (Accessed 6/10/2019.)

This resource provides two template from San Diego (CA). One is a hospital MOU, and the second template is County Disaster Medical System Statement of Participation.

California Hospital Association. (n.d.). [Model Hospital Mutual Aid MOU](#). (Accessed 6/10/2019.)

This resource provides three template MOUs on the following topics: Alternate Care Sites (ACS), Mass Fatality, and a sample hospital MOU provided by the American Hospital Association.

PACER (Preparedness and Catastrophic Event Response). (2009). [Model Memorandum of Understanding Between Hospitals during Declared Emergencies](#).

This document is a model MOU developed by PACER for hospitals and potentially other healthcare entities to consider within a specified healthcare system.

VI. Mass Care and Shelter MOU Templates

Commonwealth of Massachusetts. (n.d.). [Massachusetts Statewide Mass Care and Shelter Coordination Plan: Local Shelter Toolkit](#). (Accessed 6/10/2019.)

This document is intended to help local emergency managers plan and implement mass care and shelter operations. Specifically, Tool C provides a sample MOU.