



FREQUENTLY ASKED QUESTIONS

Centers for Independent Living: COVID-19 Aid, Relief, and Economic Security Act of 2020 (CARES Act) Funding

April 16, 2020

These FAQs are provided in response to questions received by ACL on the supplemental funding provided by the COVID-19 Aid, Relief, and Economic Security Act (CARES Act) which the President signed into law on March 27, 2020. The CARES Act provides \$85 million in supplemental funds to Centers for Independent Living (CILs) to respond directly to the COVID-19 pandemic. The \$85 million will be fully distributed in April, 2020. CILs are directed to utilize the entirety of the funds to respond to the COVID-19 pandemic and the surge of needs of individuals with disabilities to access or reconnect with the services and supports they need to remain safely in their communities.

CARES Act Funding

Q1: How were funding amounts to each CIL determined?

A1: ACL applied the same formula that is used to determine annual CIL funding. This formula includes the following factors: (1) Total Population from latest Census; (2) 1992's Distribution; (3) State/Territory minimums; (4) State's (Prior Year's amount + CPI adjustment).

Q2: Over what period of time can CILs use CARES Act funds to cover allowable expenses?

A2: Allowable expenses obligated from January 20, 2020 through September 30, 2021 can be paid for with CARES Act funding.

Q3: Will there be any carry over authority associated with CARES Act funding?

A3: The project period for CARES Act funds will expire September 30, 2021. This means a request for carryover from FY20 to FY21 is not necessary. CARES Act funding must be obligated by September 30, 2021 and liquidated within 90 days (December 31, 2021).

Q4: Will the amount of CARES Act funds our CIL receives be influenced at all by formulas for allocating new funding received that are included in our state's existing SPIL?

A4: No. The need to respond to the COVID-19 pandemic is immediate. Reviewing SPIL language, and processing SPIL amendments would create significant delays in making funds available to CILs.

Q5: Will these supplemental funds impact funding next year?

A5: No. The supplemental funds are part of a **one-time appropriation** from Congress to respond to the COVID-19 pandemic.

Q6: Will my CIL be receiving a CARES Act award number in PMS or will CARES Act funding be combined with current Part C awards?

A6: Once awarded, CARES Act funds will be appear in PMS with the same grant number as Part C funding, but with “ILC3” at the end. CILs should assure that funds drawn from “ILC3” are tracked separately from normal Part C funding. Do not comingle Part C and CARES Act funds.

CARES Act operational activities

Q7: What are allowable CARES Act operational activities and expenses?

A7: CIL CARES Act supplemental funding must be focused on responding to needs that are the result of the COVID-19 pandemic. There are no changes or expansions to the allowable expenses outlined in 45 CFR 75 or the Rehabilitation Act, as amended (Rehab Act). CILs are especially encouraged to review the section on reasonableness of costs (45 CFR § 75.404) for familiarity.

All allowable expenses prior to the passage of the CARES Act remain allowable. If you have a questions related to allowable costs or services please contact your OILP program officer for guidance.

The following are examples of allowable COVID-19 related costs:

1. **Technology:** CILs are encouraged to use technology to enable and support the provisions of services. Funds provided under the CARES Act can be used to expand and/or utilize technology for consumers and staff with the intent of reaching more consumers; this may include remote service delivery technology and equipment (e.g. web or cloud based case management systems, laptops, cellphones, assistive technology, and telecommunication). Funding may also support the training necessary for consumers and staff to effectively utilize technology and equipment.
2. **COVID-19 Related Supplies:** CILs may purchase goods and services that advance the safety and health of both staff and consumers before, during, and after the delivery of direct services and activities intended to address COVID-19 related needs. Supplies such as masks and gloves are allowable. CILs may purchase personal care necessities (e.g. toilet paper, soap, and hand sanitizer) as well as life sustaining food for consumers who are unable to self-procure these supplies while following social distancing guidelines. CILs are strongly encouraged to partner locally to coordinate on supplies and provisions.
3. **Salaries, Wages, and Leave:** ACL has released guidance based on temporary COVID-19 specific flexibilities granted by OMB. These flexibilities are in effect for 90 days or June 17th, at which point the flexibilities may be extended. This guidance may be accessed at: https://acl.gov/sites/default/files/COVID19/C19FAQ-Grants_2020-03-30.pdf.

Per this guidance, grantees may obligate salaries and benefits to currently active Federal awards consistent with the recipients' policy of paying salaries under unexpected or extraordinary circumstances (such as the COVID-19 pandemic) from all funding sources.

Please note that this flexibility is only allowable if consistent with your CIL's current and approved policies. Failure to have and follow established leave policies addressing these issues would render these expenses unallowable.

Due to the unprecedented nature of the COVID-19 pandemic, ACL understands that CILs may not have had all the policies and procedures in place that would address current and unusual circumstances. CILs should actively develop and/or update their policies and procedures as necessary and have them in place no later than May 15, 2020. The following are recommended steps you and your leadership team can take:

- Review the policy manual and identify the portion most applicable to the situation. Applicable leave may be a different category of leave.
- The range of allowable activities that staff of a CIL can perform are extremely broad. A CIL should exercise caution when determining no work-related activities can be performed.

Please note that it is not an allowable use of Rehab Act or CARES Act funds to pay wages or benefits for staff who have indicated (or agency leadership has determined) will not return to work. In this case the CIL would utilize polices related to separation of employees.

Q8: Our CIL cannot possibly be open or provide services in any way during the COVID-19 response. Is it allowable to continue drawing CARES Act funds?

A8: It is allowable to take a reasonable amount of time to respond to remote work arrangements, social distancing guidelines, and other constraints that have resulted from the C COVID-19 pandemic. It is not acceptable to suspend all services for the duration of the pandemic. If you have or anticipate a need to suspend CIL services you should contact your program officer immediately for guidance.

Q9: Our CIL has furloughed staff who worked on programs previously funded by fee for service activities. Can CARES Act funding pay for these staff?

A9: Any staff conducting allowable COVID-19 related activities may be supported by CIL CARES Act funding.

Q10: How long can CIL staff work from alternate locations or provide remote services?

A10: A CIL's service delivery model is determined by the CIL. Salaries and pay for staff providing services from remote or alternate locations are allowable costs. Paid wages for staff who are NOT engaged in CIL activities, and have no plans to do so, are not an allowable cost (see above guidance for covering salaries and wages during COVID-19). Please note this not the same as paying costs related to an employee exiting their employment (severance, leave cash out, etc.) or the normal use of established leave (sick, vacation, etc.).

Due to the unprecedented nature of the COVID-19 pandemic, CILs may revise and/or update their policies and procedures before May 10, 2020 and make those changes retroactive to January 20, 2020. Details of this change should follow the guidance of their state and local government agencies as well as the Centers for Disease Control and Prevention (CDC).

Q11: Can we use CARES Act funding to provide services outside our CIL approved service area?

A11: CILs should provide services and carry out activities in approved program service areas. If a CIL plans to provide services or conduct activities with CARES Act funding it must be done so in coordination with the

other CIL and activities must be compliant with the current SPIL.

Q12: Will the receipt of these funds affect any application we have made or might make for loans to nonprofits through the CARES Act?

A12: ACL is not in a position to provide guidance on requirements of non-ACL programs. CILs are responsible for addressing questions and concerns directly to the agency administering other funds for which a CIL applies.

Services Provided in Response to COVID-19

Q13: What are allowable CARES Act CIL program activities?

A13: CARES Act funding is to respond to the COVID-19 pandemic. Funding should support direct services and activities that help people with disabilities stay connected to or reconnect with the services and supports they need to stay safely in their homes. Appropriate areas of emphasis include:

- Service coordination during and after the COVID-19 pandemic;
- Services and activities that assist individuals with disabilities who are at risk of being institutionalized to remain in their communities;
- Services and activities that assist individuals with disabilities to move from an institutional setting to a home in a community-based setting;
- Services and activities that address the shortage of accessible housing;
- Partnerships with local agencies that address food insecurity; and
- Systems advocacy to ensure health equity in medical settings.

Q14: What if a CIL needs to build capacity or alter its operations in order to serve individuals with disabilities during this pandemic?

A14: Given the unprecedented nature of the pandemic, it is likely that demand for services from your CIL will exceed your current capacity. This may result in the need to grow capacity and alter previous methods of operation. ACL and the IL-NET National Training and Technical Assistance Center on Independent Living will continue to provide program-level and CIL-specific support. CILs should proactively seek assistance so that they can serve the unique needs of their communities while utilizing the supplemental funds to address capacity shortfalls.

Q15: Can we partner in our community with other nonprofits and/or local businesses to deliver services?

A15: Yes. We encourage CILs to build partnerships in their communities and states, especially now during this pandemic. Some types of organizations that you may not currently be working with but may consider reaching out to include food pantries, shelters, transportation providers, and housing units. If you have not had such partnerships in the past, ILRU may be able to connect you with peer CILs that can provide insight and promising practices.

Reporting

Q16: Are there extra reporting requirements specific to CARES Act supplemental funding?

A16: Yes. CARES Act funds have been issued under a separate grant award number; therefore, funds must be accounted for separately from the regular issuance of Independent Living Program funding. A separate supplemental form will be required for financial report submissions. CILs are required to continue

maintaining appropriate records and documentation to support the charges against the Federal awards. Additional information will be coming out very shortly on programmatic reporting requirements. At a minimum and where possible, CILs should be recording the number of consumers to whom service is provided, the name or category of services provided, the number of units of service provided, and the expenditures related to providing such services.

Additional Resources

- 45 CFR 75
- COVID-19 Aid, Relief, and Economic Security Act, Pub.L. 116–136
- HHS Grant Policy Statement Section II-7

For More Information: Please contact your Office of Independent Living Program Officer.