

ASA / NCCAOM Town Hall #2 Q&A

April 7, 2020, 5pm PDT/8pm EDT

[Video Recording](#)

[PowerPoint Slides](#)

Table of Contents

Profession Related Questions	2
ASA Direct, Ethics & Treatments	2
Advocacy for Acupuncture as a Covered Service	2
Herbal Treatments.....	2
Telehealth and Billing	12
Potential Codes for Telehealth Services	12
NCCAOM Certification and Recertification	12
Advocacy / CARES Act	14
Links to Business Benefits	14
Paycheck Protection Program (PPP)	15
Unemployment	18
Federal Tax Benefit	22
Student Loan Information	23
Economic Injury Disaster Loan Program (EIDL)	23

Profession Related Questions

ASA Direct, Ethics & Treatments

Question: Are Acupuncturists essential workers?

Answered on 4/08/20: Acupuncturists are essential healthcare providers in many states. ASA asks practitioners to differentiate essential healthcare providers from essential healthcare services. Please see [our letter for more information](#).

Question: Are there any known breaks in the needle, moxa supply chain coming from China, South Korea, Taiwan and Japan that may make it very difficult to obtain supplies in the summer and fall?

Answered on 4/08/20: Especially as fewer in-person acupuncture treatments are being performed, the supply chain is strong for acupuncture needles, please view our [CSOMA/NCCAOM/ASA Town Hall](#) for more information. Mugwort/moxa has been a popular item and is limited in supply currently.

Question: Why am I not allowed to say that I am treating COVID-19? Am I allowed to say I am treating flue patients?

Answered on 4/08/20: Acupuncture laws vary from state to state. Diagnosis by acupuncturists in these statutes state that it is limited to “acupuncture and Oriental/East Asian medicine diagnoses.” As COVID-19 is not a traditional acupuncture diagnosis, acupuncturists are not allowed to “treat the diagnosis of COVID-19.” In a similar fashion, acupuncturists do not diagnose “the flu.” Acupuncturists are allowed to treat symptoms, and the collection of symptoms, as we construct our differential diagnosis based on the theories of acupuncture & East Asian medicine.

Advocacy for Acupuncture as a Covered Service

Question: After 9/11 there were many programs sponsored by the government and non-profits to address the health concerns of first responders. I am assuming similar program will be created in response to the pandemic. What is the ASA and NCCAOM doing to make sure that acupuncture will be a covered service for these programs?

Answered on 4/08/20: ASA and NCCAOM will be watching for such opportunities. Meanwhile, state health corps have been created, most are volunteer based, but some such as that in [California](#) offer paid positions. Acupuncturists are on the list of healthcare providers requested by the California health corp.

Herbal Treatments

Question: Are there no more YPFS/other relevant formulas, and the earliest they will be available is May?

Answered on 4/10/20: There are supplies of wei qi and EPF formulas & herbs available currently. Please see the list below for herbal vendors with herbs in stock.

Question: Herbal Product Availability. Where can practitioners get Yu Ping Feng San (YPFS), Gan Mao Ling (GML), Yin Qiao San (YQS), or other external pathogenic factors (EPF) formulas?

Answered on 4/10/20: Yes, EPF herbal formulas are available. ASA surveyed a small sample of herbal vendors. Availability noted is based on 4/10/20. Please note that this list represents a limited (and incomplete) list of herbal vendors. If you have questions for your specific vendor, please contact them directly.

- [Lhasa OMS](#) - New shipment arrived: in stock: Mayway herbs, Blue Poppy and Treasure of the East.
- [Treasure of the East](#): In Stock: All wei qi and EPF formulas and single herbs, no limit
 - Qiang Li Yu Ping Feng (aka Jade Screen Double Strength)
 - Yu Ping Feng San
 - Bai He Gu Jin Tang
 - Chai Ge Jie Ji Tang
 - Chai Hu Gui Zhi Tang
 - Ding Chuan Tang
 - Ge Xia Zhu Yu Tang
 - Gui Zhi Tang
 - Mai Men Dong Tang
 - Mian Yi Tang
 - Sang Ju Yin
 - Sheng Bai Wan
 - Xiao Chai Hu Tang
 - Yin Qiao San
 - Yin Qiao Jie Du Wan

They also have the following formula kits, which are bundles of single herbs that directly can be mixed into the following formulas:

- Yu Fang Kit
- Qing Fei Pai Du Kit

They are well stocked for almost all single herbs, in bottles and/or in bulk, including Jin Yin Hua, Ban Lan Gen, Lian Qiao, Fang Feng, Zhi Gan Cao, and more.

- [Mayway Corporation](#)
 - In Stock: numerous Plum Flower Brand and Bamboo Pharmacy formulas available in tea pills, raw whole herbs, extract powders, whole powders
 - [Custom formulas available including Qing Fei Pai Du Tang, and other novel formulas for releasing the exterior, used by the government of China.](#)
 - In stock list:

Release Exterior Wind-Cold

Plum Flower® Gui Zhi San Teapills Teapills

Plum Flower®	Gui Zhi San Extract Powder	Extract Powder	ETA
Plum Flower®	Ge Gen Wan	Teapills	ETA: end of April
Plum Flower®	Jing Fang Bai Du Wan	Teapills	
Plum Flower®	Chuan Xiong Wan	Teapills	
Plum Flower®	Xin Yi Wan	Teapills	
Release Exterior Wind-Heat			
Plum Flower®	Gan Mao Ling Tablets	Tablets	
Plum Flower®	Gan Mao Ling Tablets-sugar coated	Tablets	
Plum Flower®	Gan Mao Ling Tablets-Economy Size	Tablets	
Bamboo Pharmacy	Winter Defense/Gan Mao Ling Tablets	Tablets	
Plum Flower®	Yin Chiao Chieh Tu Tablets (blister pack)	Tablets-uncoated	
Plum Flower®	Yin Chiao Chieh Tu Tablets	Tablets-sugar coated	ETA: end of May
Plum Flower®	Yin Chiao Chieh Tu Tablets	Tablets	ETA: end of May
Plum Flower®	Yin Chiao Chieh Tu San	Extract Powder	ETA
Plum Flower®	Sang Ju Yin Teapills	Teapills	ETA: end of April
Plum Flower®	Bi Yan Pian Tablets	Tablets	
Plum Flower®	Bi Yan Pian Tablets	Tablets	
Plum Flower®	Bi Yan Pian Tablets-Economy Size	Tablets	
Bamboo Pharmacy	Sinus Function/Bi Yan Pian Tablets	Tablets	
Plum Flower®	Cang Er Zi Tang Teapills	Teapills	
Plum Flower®	Cang Er Zi San Extract Powder	Extract Powder	ETA
Plum Flower®	Pe Min Kan Teapills	Teapills	
Plum Flower®	Pe Min Kan Teapills-Economy Size	Teapills	

Bamboo	Pharmacy	Seasonal Nasal/Pe Min Kan Teapills	Teapills	
Release Exterior w/ Interior Heat				
Plum Flower®		Zhong Gan Ling Tablets	Tablets	
Plum Flower®		Fang Feng Tong Sheng San Teapills	Teapills	
Release Exterior w/ Interior Deficiency				
Plum Flower®		Ren Shen Bai Du Tang Teapills	Teapills	ETA: end of April
Clear Heat Relieve Toxicity				
Plum Flower®		Chuan Xin Lian Tablets	Tablets	ETA: end of April
Plum Flower®		Huang Lian Jie Du Teapills	Teapills	
Plum Flower®		Huang Lian Su Teapills	Teapills	
Plum Flower®		Pu Ji Xiao Du Yin Teapills	Teapills	
Plum Flower®		Ban Lan Gen Tablets	Tablets	ETA: end of May
Star Ring		Ban Lan Gen Chong Ji	Infusion	
Clear Heat from the Organs				
Plum Flower®		Qing Wei San Teapills	Teapills	
Plum Flower®		Bai Xing Shi Gan Tang Teapills	Teapills	ETA
Plum Flower®		Long Dan Xie Gan Tang Teapills	Teapills	
Plum Flower®		Long Dan Xie Gan Tang Teapills	Teapills	
Plum Flower®		Long Dan Xie Gan San Extract Powder	Extract Powder	
Plum Flower®		Dao Chi San Teapills	Teapills	
Plum Flower®		Qing Zao Jiu Fei San	Extract Powder	
Tonifies Wei Qi				
Plum Flower®		Yu Ping Feng San Teapills	Teapills	
Plum Flower®		Yu Ping Feng San Teapills-Economy	Teapills	

Size

Plum Flower® Yu Ping Feng San Extract Powder Extract Powder ETA

Bamboo
Pharmacy Immune Support/Yu Ping Feng Teapills

Plum Flower® Shen Qi Wu Wei Zi Teapills Teapills

Whole, Powder, Extract Powder

Plum Flower® Bai Zhu, unsulfured whole Whole

Plum Flower® Bai Zhu, unsulfured powder Powder

Plum Flower® Bai Zhu, unsulfured whole (organic) Whole

Plum Flower® Bai Zhu Extract Powder Extract Powder

Plum Flower® Bai Zhu (Chao), unsulfured whole Whole

Plum Flower® Bai Zhu (Chao) Extract Powder Extract Powder

Plum Flower® Bai Zhu (Chao), unsulfured whole
(organic) Whole

Plum Flower® Huang Qi, large, unsulfured whole Whole

Plum Flower® Huang Qi, medium, unsulfured whole Whole

Plum Flower® Huang Qi, unsulfured powder Powder

Plum Flower® Huang Qi Extract Powder Extract Powder

Plum Flower® Huang Qi, small, unsulfured whole Whole

Plum Flower® Jin Yin Hua, unsulfured whole Whole

Plum Flower® Jin Yin Hua, unsulfured powder Powder

Plum Flower® Jin Yin Hua Extract powder Extract Powder

Plum Flower® Huo Xiang, unsulfured whole Whole

Plum Flower® Huo Xiang, unsulfured powder Powder

Plum Flower® Huo Xiang Extract Powder Extract Powder

Plum Flower® Fang Feng, unsulfured whole Whole ETA: end of
May

Plum Flower®	Fang Feng, unsulfured powder	Powder
Plum Flower®	Fang Feng Extract powder	Extract Powder
Plum Flower®	Ban Lan Gen, unsulfured whole	Whole
Plum Flower®	Ban Lan Gen, unsulfured powder	Powder
Plum Flower®	Ban Lan Gen Extract powder	Extract Powder
Plum Flower®	Ban Lan Gen, unsulfured whole (organic)	Whole
Plum Flower®	Ban Lan Gen, unsulfured powder (organic)	Powder

- [E-Fong](#) - In Stock - Powdered formula: [Lung Defender](#); Single herbs for making YPFS, GML, YQS; custom formulas available,
- [Far East Summit](#) - In Stock on YPFS, GML, YQS, Isatis Combo (Ban Lan Gen plus)
- [Qualiherb](#) - All items in stock, custom formulas available. [March 2020 Price list](#).
- [Crane Herb Company](#) - check website for availability
- [Golden Flower Chinese Herbs](#) -
 - GF YPFS will available in September
 - GF GML expected at end of April
 - GF Yin Qiao, limited quantities available
 - GF Minor Buplerum, Bupleurum & Cinnamon, Mulberry & Lycium in stock
 - KPC YPFS available after clears customs
- [KPC Herbs](#)
 - Large shipment going through customs. Should be available by end of April
- AcuMarket - Inventory changes rapidly, at the time of this list, these products are available.
 - Evergreen- Immune + granules
 - Pacific Herbs- Immune Boost Herb pack
 - Urban Herbs- Immuni-Qi bone broth
 - Blue Poppy- Cold Quell
 - Sun Ten- Ban Lan Gen extract power
 - YPFS, EPF formulas - shipments expected
- Pacific Herbs - In Stock: Immune Boost tea; powdered custom formulas available
- Spring Wind - In stock: most bulk herbs for the wei qi/EPF formulas. Powdered Sun Ten herbs, single herbs and formulas, limited stock available, but supply is being replenished.

Question: What is the name of the herbal organization that was mentioned during the presentation?

Answered on 4/10/20: [American Herbal Products Association \(AHPA\);](#)

[Michael McGuffin is the President of AHPA](#)

[Bill Egloff is the Chair of AHPA's Chinese Herbal Products Committee](#)

Question: What are the herbs that the FDA is cautious of, as mentioned by Michael McGuffin?

Answered on 4/10/20: The FDA considers any botanical with pyrrolizidine alkaloids to be adulterated.

Common Chinese herbs used are:

- Kuan Dong Hua, Coltsfoot Flower, *Tussilago farfara flos*
- Pei Lan, Eupatorium, *Eupatorium Fortunei Herba*

Herbs with aristolochic acid are also of concern. Aristolochic acid is a chemical constituent of Chinese herbs, such as Ma Dou Ling (*Aristolochia debilis*), Tian Xian Teng (*Aristolochia contorta*), Qing Mu Xiang (*Aristolochia cucurbitifolia*), Guang Fang Ji (*Aristolochia fangchi*), Guan Mu Tong (*Aristolochia manshuriensis*), and Xixin (*Radix et Rhizoma Asari*)

Please note that Chuan Mu Tong, *Caulis Clematidis Armandii*, and Han Fang Ji, *Radix Stephaniae Tetrandrae*, do not contain aristolochic acid.

Question: What are the herbal formulas used as treatments in China?

Answered on 4/10/20: Please review Lotus Institute's [How COVID-19 is Currently Treated in China with TCM.](#)

Question: Bill Egloff mentioned studies done on TCM herbs. How can we get access to this information?

Answered on 4/10/20: Here are the links requested:

- [Herbal Safety information from Cleveland Clinic](#)
- [Safety of Custom Traditional Chinese Herbal Medicine Practice at Cleveland Clinic](#)

Question: Is it illegal to grow ma huang and use it in your own preparations?

Answered on 04/10/20: Ma huang, *Ephedra sinica*, seeds are available commercially, and do not contain ephedrine. The North American species of ephedra, *Ephedra nevadensis*, commonly known as "Mormon Tea" does not contain ephedrine.

Question: Can we use ma huang in formula now? Can ma huang be used legally by practitioners?

Answered on 4/10/20: Ma huang can be used by qualified health practitioners. However, it is illegal to import ma huang. For more information, see [The US Food and Drug Administration's Final Rule Declaring Dietary Supplements Containing Ephedrine Alkaloids Adulterated Because They Present an Unreasonable Risk; Final Rule, February 11, 2004](#)

Several Ephedra species (including those known as ma huang) have a long history of use in traditional Asian medicine. These products are beyond the scope of this rule because they are not marketed as dietary supplements. The use of ephedrine alkaloids in traditional Asian

medicine is discussed in more detail in section V.B.5 of this document. As we describe there, this rule does not change how these products are regulated under the act.

V.B.5. Traditional Asian Medicine

(Comment 44) Many comments stated that the use of ephedrine alkaloids in dietary supplements is safe based on its traditional use in Asian medicine for thousands of years. Several comments asserted that few or no adverse effects have been recorded with the use of Ephedra in traditional Asian medicine. Numerous other comments, including those by traditional Asian medicine practitioners, disagreed with these comments about dietary supplements, highlighting the differences in the products themselves and how they are used from what is used in traditional medicine.

Several comments suggested that the raw Ephedra and Ephedra extracts used in traditional Asian medicine formulae differ in potency, toxicity, pharmacokinetics, and pharmacological and physiological effects from many dietary supplements containing ephedrine alkaloids and, therefore, that these formulations should be considered distinct in scientific, medical, and regulatory contexts. Comments stated that "Ephedra" properly refers to dried aerial parts of medicinal plants, or crude extracts thereof, not to isolated alkaloidal constituents. Several comments further distinguished the various products containing Ephedra as follows: Herb and extracts of raw herb of medicinal Ephedra plants containing naturally occurring alkaloids and other compounds without further manipulation, concentration, or adulteration; Ephedra extracts that are concentrated, manipulated, or adulterated such that naturally occurring proportions and/or quantities of ephedrine alkaloids are altered; products containing ephedrine alkaloids combined with other agents such as caffeine, caffeine-containing herbs, salicylate-containing herbs, synephrine, and other substances; and traditional Asian herbal medicinal formulae.

Several comments asserted that traditional Asian medicine Ephedra formulae often deliver lower amounts of ephedrine alkaloids compared to other types of ephedrine alkaloid-containing products and that traditional formulae rarely contain more than 15 percent Ephedra in the herb mixture. Comments also asserted that Ephedra in traditional formulae is usually combined with other botanicals that typically modify Ephedra's inherent stimulant effects. Another comment attributed the relative safety of Ephedra to the mixture of ephedrine alkaloid isomers not present in purified or synthetic alkaloids. One comment suggested that the established therapeutic dose range of Ephedra sinica in herbal medicine formulae is 60 to 90 mg total alkaloids per day (adults), which falls within the dosage range established for OTC ephedrine/pseudoephedrine-containing drugs (150 mg and 240 mg alkaloids daily, respectively), and the recommendations of the Germany Commission E (maximum daily Ephedra alkaloid dose of 300 mg daily). Other comments asserted that infusions or teas of Ephedra are effective in relieving respiratory symptoms but have fewer side effects and are safer than formulations containing isolated or synthetic ephedrine alkaloids or prescription drugs. Another comment stated that supplements in a liquid tea form greatly reduce the risk of excess acute consumption by the public.

In contrast, several other comments stated that the presence of varying amounts, proportions, and chemical configurations of ephedrine alkaloids in crude Ephedra and prepared Ephedra extracts, as well as the presence of unknown compounds, leads to uncertainty as to dose, purity, and composition and to a greater risk of adverse effects. Comments noted that this variability is not an issue for synthetic or pure isolated ephedrine alkaloids.

Numerous comments, including those by traditional Asian medicine practitioners, also noted differences in how the products are used. Several comments stated that most traditional Asian uses of Ephedra are the same as the indications for OTC ephedrine and pseudoephedrine drugs (e.g., short-term use to improve respiratory function) and that few if any adverse effects have been recorded. Several comments stated that use of Ephedra (ma huang) for weight control or for its stimulating effects, for more than a short period of time, in combination with caffeine and other botanical stimulants, and without the supervision of a health care provider, is irresponsible and dangerous. A number of traditional Asian medicine practitioners maintained that many consumers experienced adverse effects because of this improper use, over-dosage, or conflict with their illnesses.

Because of these differences, many practitioners of traditional Asian medicine commented that they support our June 1997 proposal except to the extent that it would restrict their use of Ephedra in traditional Asian medicine. Several comments asserted that since most serious adverse effects involve use of ephedrine alkaloids and not whole herb or whole herb extracts of Ephedra, any rule must exempt whole herb Ephedra or whole herb Ephedra extracts that contain no added ephedrine alkaloids. Furthermore, ephedrine alkaloid-free species of Ephedra should also be exempted.

Numerous comments asserted that because traditional Asian herbal products are prescribed by appropriate practitioners (licensed, certified, and registered acupuncturists, herbalists, and naturopathic physicians) and because these products are not associated with serious adverse effects, the products do not appear to constitute a public health risk and their use should not be prohibited. Many traditional Asian medicine practitioners stated that Ephedra is an essential medicine and requested an exemption from the final rule for use of Ephedra by traditional Asian medicine practitioners and acupuncturists. A few comments asserted that Ephedra should not be used commercially, but be restricted to professional use, to be dispensed by licensed health care professionals trained in the appropriate use of traditional Asian medicine.

(Response) This final rule does not affect the use of Ephedra preparations in traditional Asian medicine, although we considered the comments' views and information on the use of Ephedra in traditional Asian medicine in the context of their possible relevance to the risks of dietary supplements containing ephedrine alkaloids. This rule applies only to products regulated as dietary supplements (See 62 FR 30678 at 30691). Traditional Asian medicine practitioners do not typically use products marketed as dietary supplements.

With respect to the absence of adverse effects recorded with the use of traditional Asian medicine, as we stated in the June 1997 proposal, we are not aware of any systematic collection of data related to adverse effects occurring in individuals treated with Ephedra in

traditional Asian medicine. The absence of recorded adverse events with the use of Ephedra, therefore, may be related to the lack of a mechanism for reporting. Under these circumstances, there are no data to evaluate. We note that the potential for adverse effects resulting from the traditional Asian use of Ephedra is implied in several reference texts that list precautions and contraindications for the use of the botanical Ephedra in traditional Asian medicine preparations (Refs. 3, 107, and 108). Moreover, even if we could say that the absence of recorded adverse events with the use of Ephedra in traditional Asian medicine was due to its safety for that use rather than due to a lack of mechanism for reporting, the history of use of Ephedra in traditional Asian medicine primarily for the treatment or mitigation of respiratory illness cannot provide assurance about the safety of dietary supplements containing ephedrine alkaloids for other uses.

Question: If a clerk at your local drug store can sell you a product containing ephedra, why can't a licensed acupuncturist/Chinese Herbalist or an NCCAOM Dipl. of Chinese medicine? That should be included in our argument to the FDA & DEA.

Answered on 04/10/20: OTC or prescription drugs containing ephedrine alkaloids are not included in the FDA Final Rule. For more information, see [The US Food and Drug Administration's Final Rule Declaring Dietary Supplements Containing Ephedrine Alkaloids Adulterated Because They Present an Unreasonable Risk; Final Rule, February 11, 2004](#)

This final rule also does not include OTC or prescription drugs that contain ephedrine alkaloids. The use of ephedrine or pseudoephedrine for the treatment of asthma, colds, allergies, or any other disease is beyond the scope of this final rule. Ephedrine is allowed as an active ingredient in oral OTC bronchodilator drugs for use in the treatment of medically diagnosed mild asthma (Sec. 341.16 (21 CFR 341.16)), when used within the established dosage limits and when the product is labeled in accordance with the required statements of identity, indications, warnings, and directions for use found in Sec. 341.76. In the near future, we intend to propose revisions to Sec. 341.76 to reflect current scientific information about the risks of ephedrine. Both ephedrine (topical) and pseudoephedrine (oral) are permitted as active ingredients for use as nasal decongestants (Sec. 341.20), when they are used within the dosage limits established by and labeled in accordance with Sec. 341.80. The topical use of ephedrine will not be further discussed in this rule because it is not relevant to oral consumption of ephedrine in dietary supplements. The use of ephedrine alkaloids in drug products is discussed in more detail in section V.B.3 of this document.

Question: Is there any information on available herbal alternatives?

Answered on 4/10/20: Wei qi and EPF herbs are available. Please see the list above. Practitioners are reminded to use differential diagnosis for the most appropriate formulas to treat the patient's presenting signs and symptoms.

Question: For Bill Egloff, Why does the herb product list sometimes say that some formulas, "aren't available in my area"? This was before COVID-19?

Answered on 4/10/20: Crane Herb Company lists products as "not available in your area" when products are not available or out of stock, specifically when manufacturers cannot provide ETAs for the products. Please call Crane Herb Company for more information.

Telehealth and Billing

Question: Can we get the new codes the insurance companies have put out for the treatment of the virus for virtual treatments?

Answered on 4/13/20 – Mori West: I want to be clear – NONE of the telehealth codes mentioned in my presentation were to be used for treatment of the virus.

If you are using the codes for payment, the treatment must still be for a medically necessary diagnosis, which is typically a pain related condition.

Question: At the April 1, 2020 Town Hall meeting Mr. West mentioned to use code 97802 for the Veterans Administration. Do you have confirmation the VA is accepting it for TriWest?

Answered on 4/13/20 – Mori West: I NEVER mentioned using 97802 for the VA, however I have seen others who recommend billing that code or saying they have been paid when providing that code.

I WOULD NEVER recommend billing 97802- Medical nutrition therapy, initial assessment and intervention, individual, face to face with patient, each 15 min. First off carriers only pay for this code for a limited number of providers (certified nutritionists) and for a limited number of conditions (end-stage renal disease, diabetes).

I have recommended using E/M codes when authorized for the VA and either providing a true E/M service or using the codes to indicate the majority of time spent was providing counseling and/or coordination of care services. In both cases – documentation must be stellar.

Potential Codes for Telehealth Services

Mori West has provided a list of potential codes for telehealth services. [Click here](#) to access.

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: I live in Maryland and am not required to be a Diplomate. Can I receive CEUs to apply to my state requirement?

Answered on 4/13/20: Per Maryland (F) Continuing Education COMAR 10.26.02.05:

*(1) A licensee applying for renewal shall complete **30 hours of relevant continuing education during the 2-year period** preceding the expiration of the license which include the following:*

(a) **At least 20 hours in formally organized programs which are relevant to the practice of acupuncture and Oriental medicine** and are approved by the Board or sponsored by, but not limited to, the following organizations and their member organizations:

(i) – (iv).....

(v) *National Commission for the Certification of Acupuncture and Oriental Medicine (NCCAOM);*

(vi) – (vii).....

Question: What is the current position that NCCAOM has with ACAOM and individual students and their respective schools? There is currently a major issue with students who would have graduated in April or August and the amount of internship hours that are required to graduate. Is NCCAOM aware of this issue and if so, what is being done about it?

Answered on 4/07/20: The NCCAOM is not involved in any way with the school curriculum or their teaching methods and must maintain a distance from the education required for certification based on the National Commission of Certifying Agencies (NCCA) standards, NCCAOM's credentialing agency. This is why the NCCAOM certification relies on a third-party education standard; degrees in the U.S. earned at a school accredited by the Accreditation Commission for Acupuncture & Oriental Medicine (ACAOM). During this uncertain time the schools are working to make sure that any changes to their curriculum are approved by ACAOM so that you can be assured you are graduating from a program that has maintained its ACAOM accreditation. ACAOM has posted updates for the schools on their website "Regarding COVID-19 and Clinical Training (2 April 2020)". The website for ACAOM if you would like further information is www.acaom.org.

ACAOM will be one of the presenters at the NCCAOM / ASA Town Hall Meeting this Tuesday, April 14, 2020. [Click here](#) to register.

The NCCAOM has made multiple temporary emergency changes to the examination process due to the closing of the Pearson VUE testing centers and the cancelation 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 prior to graduation. 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: When will I receive my PDA points from attending the NCCAOM/ASA Town Hall?

Answered on 4/13/20: 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.

Question: Next townhall, would be nice to have advice how to fill out these forms for financial support. It gets confusing when you are a sole proprietor - the employee and the employer.

Answered on 4/13/20 – M. Giammarco, MPP: We understand that these applications can be confusing. Part of the complexity is that each acupuncturist is in a slightly different financial scenario and not all loan programs apply to everyone. The Paycheck Protection Program (PPP) is run through approved banks and lenders, so we recommend that you contact banks where you have existing relationships to inquire about PPP eligibility and the application process. The Small

Business Administration (SBA) runs the Economic Injury Disaster Loan (EIDL) program. This enables you to apply for EIDL funds directly through the SBA website. This portion of the process may be quick, but keep in mind that both programs are in high demand, so there may be delays in hearing back about loan decisions.

Paycheck Protection Program (PPP)

Question: Do you know if you are eligible if besides having your own clinic, which is what you want the unemployment for, but are doing contract work at home even prior to the COVID?

Answered on 4/13/20 – M. Giammarco, MPP: It depends on the program to which you're seeking to apply, the scope of your contract work (is it distinct from your clinic work), and whether you're still able to provide the contract work. If you are seeking to apply to the Paycheck Protection Program, check with your bank to confirm eligibility. If you are applying to the Economic Injury Disaster Loan program, you may need to provide additional information about the contract work.

Question: If someone gets a PPP loan should they put it in a separate bank account, not join with their other business funds?

Answered on 4/13/20 – M. Giammarco, MPP: It is best to carefully document how you use your PPP or EIDL funds. One way to do that is to use a separate account for these funds, but it is not required. Just be sure you have a plan in place to track these funds and how you use them. You will need to verify that you used 75 percent of your PPP loan for payroll if you are seeking loan forgiveness.

Question: Are PPP and EIDL loans taxable?

Answered on 4/13/20 – M. Giammarco, MPP: If your PPP loan is forgiven, you are not required to pay taxes on the forgiven amount.

Question: Does the payroll protection program require businesses to show payments through payroll or can sole proprietors just show income from draws?

Answered on 4/13/20 – M. Giammarco, MPP: Check with the bank or credit source that you currently use for your business for more information on these application requirements. The Small Business Administration requires borrowers to work through an approved lender to apply for the Paycheck Protection Program. These approved lenders will have more information on these specifics.

Question: Does the PPP cover employees on 1099 & in order to be eligible for this loan? Do we have to have a business account with the bank, or will a personal account do?

Answered on 4/13/20 – M. Giammarco, MPP: The Small Business Administration requires borrowers to apply for PPP funds through an approved bank/lender. Check with the bank/lender where you currently have your account to see if that bank is an approved lender. If that bank is approved, it will be able to provide guidance on whether you may use a personal account to apply for and receive PPP funds.

Question: How will the Paycheck Protection Program effect the other SBA loans that were originally offered before the CARES Act was initiated?

Answered on 4/13/20 – M. Giammarco, MPP: Borrowers will just need to use these funds for different purposes and document utilization. The CARES Act created the PPP to help employers maintain their payrolls to prevent layoffs. The existing SBA loan programs still exist and apply during the COVID-19 emergency. For example, if an employer used EIDL funds for payroll, the amount he/she used would be deducted from the amount he/she would receive from the PPP.

Question: If we are self-employed with no employees, is our income counted in PPP payroll forgiveness? Also, how about if we have a part time contractor - does that count for forgiveness?

Answered on 4/13/20 – M. Giammarco, MPP: If you are a sole proprietor or independent contractor, you may use PPP funds for wages, commissions, income, net earnings for self-employment of up to \$100k. This does not apply to S-Corp and corporation owners. It also doesn't apply to paying independent contractors. These contractors may apply for small business relief funds on their own.

Question: Is an S-Corp eligible for the PPP loans?

Answered on 4/13/20 – M. Giammarco, MPP: Yes - S-corps are eligible for PPP and most expanded unemployment relief options. The CARES Act expands unemployment eligibility to include various types of self-employed individuals. Check your state for guidance on state-based unemployment eligibility. Most have expanded their eligibility criteria to include self-employed types, but each may differ.

Question: Will the various loans show up on a credit report?

Answered on 4/13/20 – M. Giammarco, MPP: Check with your bank/lender for more information on how these loans and/or benefits affect your credit reports.

Question: Can you discuss the tax provisions for PPP?

Answered on 4/13/20 – M. Giammarco, MPP: The tax provisions associated with the PPP appears to be changing. We're monitoring and will post guidance once the U.S. Treasury posts additional clarifications. In the meantime, check with your accountant or lender on your specific tax-related questions. The CARES Act provides tax relief to small businesses; the extent to which one can receive these tax credits and small business loans needs to be clarified.

Question: What if you are partially self-employed but also employed by large employer. can the self-employed/ private practice be eligible for some assistance from paycheck protection if you are collecting unemployment via your employer?

Answered on 4/13/20 – M. Giammarco, MPP: You may still be able to apply for small business assistance if your self-employed work is disrupted by COVID-19. Because you are also employed, I would recommend that you speak with the bank/lender with whom you have an established relationship to determine your eligibility for the PPP.

Question: When would the repayment of the loan begin?

Answered on 4/13/20 – M. Giammarco, MPP: The repayment period for PPP loans (if required) is two years and includes a six-month deferral. Repayment for EIDL loans is 10 years and includes a one-year deferral.

Question: Local banks are saying they are out of money and not taking any more PPP applications. What do you know about where else we can apply if our local bank can't get the money?

Answered on 4/13/20 – M. Giammarco, MPP: We expect Congress to pass legislation that would provide additional funds to the PPP. Congress is currently negotiating this provision. In the meantime, keep working with your approved lender to apply for the PPP. Ensure you have your paperwork in place if you're required to wait until the PPP has more funds.

Question: Do you have to have a formal payroll in place for your business to be eligible for the forgiveness in the payroll protection loans?

Answered on 4/13/20 – M. Giammarco, MPP: It depends on how you file as a small business. Sole proprietors may need to follow a slightly different protocol compared to S-corp or corp owners. Each requires different application forms. If you are a sole proprietor, you will need to submit schedules from tax returns showing income and expenses. If you are an independent contractor, you will need to submit Form 1099-MISC. If you are self-employed, you will need to submit payroll tax filings to the IRS. Check with your bank/lender for more information on your payroll requirements.

Question: Can you apply for both Economic Injury Loan & Paycheck Protect Program? Does it matter if your independent contractors have applied for unemployment to apply for Paycheck Protect Program?

Answered on 4/13/20 – M. Giammarco, MPP: You can apply to both programs, but you must use funds from the PPP and EIDL on separate expenses. The PPP is designed to maintain payroll, so if you use EIDL funds for payroll, that amount would be deducted from your PPP loan amount. The goal is to use PPP for payroll so the loan can be forgiven. You cannot use PPP funds to pay your independent contractor salaries, so it will not complicate your loan application if your independent contractors also apply to the PPP. Independent contractors should apply independently for PPP.

Question: Can you talk about the documentation needed to have your loan forgiven with the Paycheck Protection Program for self-employed people without a payroll?

Answered on 4/13/20 – M. Giammarco, MPP: The bank or credit union you use to apply for a PPP will provide you guidance on the required documentation. Work closely with that bank/credit union throughout the duration of your PPP to ensure that you're thoroughly and properly documenting everything.

Question: If I applied for both the EIDL and the PPP last week, when might I expect to hear back?

Answered on 4/13/20 – M. Giammarco, MPP: Both programs have received record amounts of applications, so it is likely that the responses for both will be delayed. For the PPP, check in with the bank you used to apply for the loan for updates. For the EIDL, you may just need to wait on confirmation from the Small Business Administration.

Question: If one has already applied for SBA, through the sba.gov website, do you apply again through the same website for others, or individual banks/credit unions?

Answered on 4/13/20 – M. Giammarco, MPP: Small Business Administration (SBA)-approved banks and credit unions administer the Paycheck Protection Program (PPP). To apply to the PPP, you would need to contact an approved bank or credit union with which you have a business relationship. The SBA administers the Economic Injury Disaster Loan, so you would apply directly through the SBA website for that loan (it sounds like you've done that). Bottom line: the application process for the PPP and the EIDL are different and you must apply for each separately.

Question: I recently applied (5 different loan paperwork iterations later) and was approved for the payroll protection loan. I understand this can be a grant if it is used in accordance with certain stipulations. I have very specific questions about this as I had to lay off 50% of my staff. I understand that I need to bring them all back by 6/30. I also understand that 75% of the funds must be used on payroll (minus taxes, healthcare, and retirement payments) and that the funds must be used in 8 weeks! My concern is that my payroll is basically cut in half right now, yet the loan is based on last year's 12-month average times 2.5%. So, if I only use 50k of a 100k and return the unused portion before the 8 weeks is up, will that still qualify for the grant process? Or do I need to use 75k for payroll or it won't qualify?

Answered on 4/13/20 – M. Giammarco, MPP: Check with the bank you used to apply for your PPP to verify. From everything we have read, PPP recipients need to prove that they spent 75 percent of the entire PPP amount received on payroll.

Unemployment

Question: I would like clarity about the additional 13 weeks of unemployment assistance. July 31st would be about 16 weeks from now. If the state covers 26 weeks, wouldn't this additional 13 weeks cover a total of 39 weeks?

Answered on 4/13/20 – M. Giammarco, MPP: Yes -- part of the federal government's expanded unemployment policy extends state programs an additional 13 weeks, so individuals will receive unemployment for 39 weeks.

Question: When filing for unemployment, if I received insurance reimbursements last week, do I count it as income for last week or the week I worked to earn it?"

Answered on 4/13/20 – M. Giammarco, MPP: We recommend checking with your state unemployment regulations and your accountant.

Question: If we are still working part-time and making more than the state normally pays for unemployment (I'm in Oregon and the state limit is \$538), are we still eligible for the additional \$600 weekly benefit?

Answered on 4/13/20 – M. Giammarco, MPP: It depends on Oregon's unemployment insurance policies. Many have expanded eligibility to part-time workers.

Question: Do we need to apply for this federal unemployment separately from the state unemployment application?

Answered on 4/13/20 – M. Giammarco, MPP: No. You will automatically receive \$600 from the federal government if you are receiving unemployment insurance from your state.

Question: Do we apply for unemployment in the state we live in or the state we work in, or the state where we paid into unemployment?

Answered on 4/13/20 – M. Giammarco, MPP: You apply for unemployment insurance benefits in the state where you worked. Check the unemployment policies of the state where you live, work, and pay into to confirm each state's application process and parameters. Each state's program and eligibility is different.

Question: I started the process and answered an income question mistakenly. How do I correct this?

Answered on 4/13/20 – M. Giammarco, MPP: If you were applying for unemployment insurance, contact a representative within the state's unemployment insurance program. If you are applying for a Paycheck Protection Program, contact your lender. If you were applying for an Economic Injury Disaster Loan, contact the Small Business Administration.

Question: Can I claim benefit if I have to leave of absence due to chance of expose of elderly family members while office remains open?

Answered on 4/13/20 – M. Giammarco, MPP: You may be eligible for unemployment insurance benefits based on that criteria. The CARES Act expanded unemployment eligibility to include individuals who could now longer work because they had to care for a family member affected by COVID-19 disruptions. Check with your state's unemployment office to determine your eligibility for state-based unemployment. Each state has a different policy.

Question: Would I apply for "unemployment insurance" to expect \$600-1000 per week?

Answered on 4/13/20 – M. Giammarco, MPP: You will need to apply for your state's unemployment insurance program to receive the federal government's \$600 unemployment insurance supplemental.

Question: Do you know if someone who had their paycheck reduced is eligible for unemployment?

Answered on 4/13/20 – M. Giammarco, MPP: We recommend that you check with your state. Many states have expanded their unemployment insurance policies to include reduced salaries/wages and hours. There is not one set criteria for eligibility, so each state may have a different parameter.

Question: The unemployment website crashed!!! Tried calling and website over and over but just cannot get through. What should we do?

Answered on 4/13/20 – M. Giammarco, MPP: The state and federal unemployment assistance sites are overwhelmed right now due to the high demand. Keep trying -- it's happening to many individuals. You will eventually get through.

Question: What if you worked abroad and now in a state, can I apply for the federal unemployment? I was denied by my state. What site do I go to for the federal unemployment?

Answered on 4/13/20 – M. Giammarco, MPP: The federal unemployment insurance supplements your state unemployment insurance benefits. Most states have expanded their

eligibility criteria for unemployment insurance, but it may be the case that you need to prove the amount of time you worked in that state to receive benefits.

Question: Are we eligible for unemployment if closed voluntarily due to COVID-19? My last day with patients was March 17.

Answered on 4/13/20 – M. Giammarco, MPP: Most states have declared emergencies, which prohibit many professionals from providing in-person services. You will be eligible for various unemployment benefits due to COVID-19 disruptions. You may want to check on the date that your state declared its emergency and restricted in-person services to determine when you officially became eligible for unemployment.

Question: I have a home office which I could work from BUT I am not comfortable exposing my family COVID19. Is this situation eligible for unemployment?

Answered on 4/13/20 – M. Giammarco, MPP: All states have different eligibility criteria for unemployment, and many have issued guidance around COVID-19 work disruptions. We recommend checking with your state's unemployment insurance office to confirm. For CARES Act-related unemployment insurance programs, a worker is not eligible for benefits if he/she chooses not to work because of COVID-19.

Question: For those of us who are not working due to lockdown, but will continue to have some income trickling in from insurance claims for treatments provided before lockdown - will this income complicate receiving unemployment benefit?

Answered on 4/13/20 – M. Giammarco, MPP: It depends on the type of income you're still receiving. All states have different unemployment insurance policies, so check with your state office to confirm.

Question: I am technically the sole employee of my PLLC. Am I eligible for unemployment benefits? I have always had to pay the unemployment taxes for my business.

Answered on 4/13/20 – M. Giammarco, MPP: You would be eligible for the CARES Act small business loans to help support your business during the COVID emergency. If you're seeking state unemployment insurance benefits, check with your state's unemployment office -- each state has different eligibility policies, and many have expanded their eligibility criteria to include self-employed individuals.

Question: As the owner of a business (sole proprietor) am I eligible for unemployment insurance?

Answered on 4/13/20 – M. Giammarco, MPP: The CARES Act has expanded unemployment insurance criteria and many states have also modified to expand their eligibility for unemployment insurance. Check to see if your state has modified its policy to include sole proprietors.

Question: Will unemployment insurance benefits for self-employed people be retroactive?

Answered on 4/13/20 – M. Giammarco, MPP: Yes, in most cases. For federal benefits, you may receive retroactive payments for claims filed by March 29. Each state has different retroactive payment policies, so check with your state to confirm whether it issues retroactive payments and the duration of time for retroactive payments.

Question: How are self-employed eligible?

Answered on 4/13/20 – M. Giammarco, MPP: Self-employed individuals are eligible for unemployment benefits under the CARES Act and through their states. Each state has different unemployment policies, so it is best to check with your state. For federal relief, the CARES Act offers self-employed individuals support through the Paycheck Protection Program and the Economic Injury Disaster Loan program. Both programs help self-employed individuals cover business expenses, accounts payable, overhead, and payroll.

Question: Can we do both unemployment and PPP?

Answered on 4/13/20 – M. Giammarco, MPP: It depends on the type of unemployment benefits you are seeking. Each state has different eligibility criteria for state unemployment benefits. The CARES Act loans focus on employers who are seeking to continue running their businesses during COVID-19, even though they may be disrupted. For example, the Paycheck Protection Program helps employers pay their employees while work is disrupted so employers don't have to lay off employees. The Economic Injury Disaster Program helps employers with overhead expenses, accounts payable, etc. to help employers maintain their businesses during the COVID-19 emergency.

Question: Can you get a SBA, forgivable loan and apply for unemployment or do we need to pick just one of these options?

Answered on 4/13/20 – M. Giammarco, MPP: It depends on the unemployment benefits for which you are applying. Most states require unemployment insurance recipients to show proof of searching for work. If you are an employer and receiving funds from the Small Business Administration to keep your business running and to maintain your payroll, your state may not consider you unemployed and eligible for unemployment benefits.

Question: If the only assistance received is the EIDL \$10,000 grant, can employees still receive UI?

Answered on 4/13/20 – M. Giammarco, MPP: The EIDL program is for small-business employers. Small-business employees are not eligible to apply for this loan. Employees may apply for state unemployment insurance if they have been laid off or their hours are reduced due to COVID-19. Each state has a different unemployment insurance policy, so it is best to check with your state on the benefits available to you.

Question: Unemployment benefits for self-employed is under the Pandemic Unemployment Assistance program which does not seem to be up and running yet, at least in my state. Any idea when it will be, in general? We are told NOT to apply the "usual" way and to check back with the state website.

Answered on 4/13/20 – M. Giammarco, MPP: Keep checking -- states are working fast to adjust to the new programs and it may take some time to see everything up and running. In the meantime, ensure your paperwork is in order so you can quickly apply once the program is running.

Question: Do I get federal unemployment insurance, even if I never registered for that? I am sole proprietor and I needed to close my clinic, but I still need to pay rent for the office. My landlord will not give me a break for the office space.

Answered on 4/13/20 – M. Giammarco, MPP: If you applied to, and are receiving state unemployment insurance benefits, you will also receive \$600 in federal unemployment insurance, in addition to what you receive from your state. If you haven't applied for, or received state unemployment insurance, you will not receive federal unemployment insurance.

Federal Tax Benefit

Question: Are kids over 17 years old able to get the \$1,200 tax benefit?

Answered on 4/13/20 – M. Giammarco, MPP: Children over 17 will not receive the \$1,200 stimulus if they are filed as a dependent.

Question: Regarding the \$1,200 disbursement, do you have to have direct deposit registered with the federal government?

Answered on 4/13/20 – M. Giammarco, MPP: No, it just may take a little more time for you to receive your stimulus check. The IRS will use a mailing address that it has on file for you. If you don't have a 2018 or 2019 tax return on file, the IRS will work with the Social Security Administration.

Question: Please clarify the 50% wages tax modification. Is this a tax credit?

Answered on 4/13/20 – M. Giammarco, MPP: The CARES Act enables small-business owners to defer paying Social Security taxes on wages paid from March 27, 2020, through December 31, 2020. Those who defer would need to repay -percent of these deferments by December 31, 2021, and the remaining 50 percent by December 31, 2022. The CARES Act provides similar stipulations for self-employment partners and sole proprietors. It is currently uncertain how this tax deferral may preclude small-business owners from receiving support through the Paycheck Protection Program. We recommend that you consult your bank/lender and accountant to determine what options best work for your business.

Question: Is the bracket higher if married filing jointly, for the stimulus check?

Answered on 4/13/20 – M. Giammarco, MPP: Married couples who make no more than \$150,000 will receive a total of \$2,400. They will receive \$500 for each child under 17 in their household.

Question: Is the 75k annual income pre or post taxes?

Answered on 4/13/20 – M. Giammarco, MPP: It is based on your gross-adjusted income from either 2018 or 2019.

Question: Have the estimated income tax payments due been pushed back to July 15th as well?

Answered on 4/13/20 – M. Giammarco, MPP: Yes; the 2020 first quarter estimated tax payments are now due by July 15, 2020. We recommend that you consult your accountant for additional guidance on estimated tax payments deferrals on the quarterly schedule.

Question: I've heard that this money has strings attached that will become apparent at the end of the year when the government tries to get its money back. I've already heard that if you are entitled to a tax refund at the end of the year, they will take the \$1200 back out of that. Is that correct?

Answered on 4/13/20 – M. Giammarco, MPP: The \$1,200 stimulus payments are not taxable and are not meant to be penalties. There is a lot of misunderstandings and false information right now about these benefits. It's always good to consult your bank/lender/accountant to verify anything you have heard.

Question: I have not filed taxes the last 2 years due to being a full-time PhD student abroad with no income, am I still eligible for the \$1200? Should I quickly file for 2019 in order to get it?

Answered on 4/13/20 – M. Giammarco, MPP: The IRS created a web portal for those who did not file taxes in 2018 and 2019 and who make under \$12k/year to determine if they receive the stimulus checks. The IRS will be able to provide more information and additional steps for receiving a stimulus check. <https://www.irs.gov/coronavirus/non-filers-enter-payment-info-here>.

Student Loan Information

Question: As far as the student loans go, do we have to physically CALL and tell them to not have interest accrued or is this just across the board on every person with a federal loan?

Answered on 4/13/20 – M. Giammarco, MPP: If you have a federally backed loan, you will not need to take any action to stop interest from accruing. It is likely that you will receive a letter from the U.S. Department of Education stating that interest accrual has stopped until September 30, 2020. If you have a loan that is state-based or privately backed, we recommend that you call your lender to confirm determine if your repayment requirements are waived due to COVID-19.

Question: Is the \$5250 payable to student loans without being counted as income an annual number or just until Sept 2020?

Answered on 4/13/20 – M. Giammarco, MPP: The CARES Act stipulates that the \$5250 employer payment amount won't be counted as income through the 2020 year.

Question: They say automatic payments to loans are suspended? If I have automatic payments, I have to check to make sure it's continuing?

Answered on 4/13/20 – M. Giammarco, MPP: If you have a federally back loan, the U.S. Department of Education will stop automatic deductions from your account through September 30, 2020. If your loan is state based or back from a private lender, we recommend that you contact your lender to see if any loan repayment modifications are in place. If you want to continue to pay your federally back loan, you will need to contact your lender to opt back in to make automatic payments.

Economic Injury Disaster Loan Program (EIDL)

Question: Can you apply for Payroll Protection Program loan and also receive the \$10K EIDL advance?

Answered on 4/13/20 – M. Giammarco, MPP: You can apply for both programs, as long as you use the funds from the PPP and EIDL for different purposes. If you use EIDL funds for payroll, the amount you receive from the PPP would be reduced by the amount you used from the EIDL on payroll.

Question: What is the intended purpose for EIDL?

Answered on 4/13/20 – M. Giammarco, MPP: The EIDL seeks to help small businesses cover expenses during a declared emergency. EIDL funds could go toward payroll, overhead, accounts payable, etc.

Question: Can you still get unemployment if you are approved for the EIDL ?

Answered on 4/13/20 – M. Giammarco, MPP: This depends on the unemployment insurance you're requesting. Many state programs require recipients to show proof of unemployment. If you have received EIDL funds, it may be assumed that you are still employed/working.

Question: If I am able to apply for and receive unemployment and then get approved for the EIDL loan, would I be able to decline the loan? Or will they not even approve me for UI because I have applied for this loan?

Answered on 4/13/20 – M. Giammarco, MPP: It depends on the criteria for receiving UI. Some states require UI recipients to prove unemployment and show proof of job search. If you are still running your business and qualified for EIDL, it is possible that you would not be eligible for state UI. It depends on your state's UI policy, so check there first. We would also recommend that you consult your accountant or bank to determine what relief strategy best works for your business.

Question: As an S-Corp I applied for the EIDL to cover operating expenses for my business and unemployment to cover my personal expenses. Is that OK?

Answered on 4/13/20 – M. Giammarco, MPP: That should be okay -- each state's unemployment insurance criteria is different, so check to ensure your state recognizes your business and personal distinctions. We also recommend consulting an accountant if your state policy is unclear.