Category B – Emergency Protective Measures
Questions & Answers

The Public Assistance Program (PA program), administered by the Federal Emergency Management Agency (FEMA), aids state, tribal, and local governments as well as certain private nonprofit (PNP) organizations in the provision of measures to protect life, public health and safety.

- **How do I find out more information about the Public Assistance Program?** For more information, go to the Maine Emergency Management Agency (MEMA) website at [https://www.maine.gov/mema/grants/public-assistance-grant-program](https://www.maine.gov/mema/grants/public-assistance-grant-program), or contact the PA team by emailing [Maine.Recovery@maine.gov](mailto:Maine.Recovery@maine.gov). FEMA also has provided downloadable video trainings:
  - [https://www.youtube.com/channel/UCIUp91Ds2laVlR1t8uXcEKg/videos](https://www.youtube.com/channel/UCIUp91Ds2laVlR1t8uXcEKg/videos) Grants Portal Access, etcetera Link to all the YouTube videos
  - [https://training.fema.gov/is/crslist.aspx?all=true](https://training.fema.gov/is/crslist.aspx?all=true) IS Course List Emergency Management Institute IS 1000 Series on Public Assistance

- **Where does Public Assistance Program funding come from?**
  PA funding is Federal disaster assistance that is granted to the State of Maine and passed through to eligible applicants for damages and costs, as a result of an emergency or major disaster declaration made by the President. The Maine Emergency Management Agency (MEMA) is the recipient of the PA funding in Maine and works with the Federal Emergency Management Agency (FEMA) to administer the program to eligible subrecipients (applicants).

- **Who can apply for PA funding?**
  States, local units of government and certain PNP organizations that provide eligible services, which includes education, utilities, emergency, medical, custodial care, and other essential social services may apply for PA funding. No funding is available for individuals, households or businesses under PA.

- **Are school districts eligible applicants under Public Assistance Category B?**
  Yes. An “independent school district” and “public/state-controlled institution of higher education” are two types of eligible applicants under the PA program. Schools can apply by emailing their Regional School Unit,
Maine School Administrative District or University name, contact name, phone number, and email address of the person that will be accessing Grants Portal to Maine.Recovery@maine.gov.

- **Is there a minimum threshold to apply for assistance?**
  Applicants must have a minimum threshold of $3,300 to seek reimbursement.

- **What is the incident starting period?**
  The starting period is January 20, 2020 and costs can be reimbursed back to and including that date.

- **What is the deadline to apply for assistance?**
  The Request for Public Assistance deadline has been extended and will remain open for the duration of the Public Health Emergency or deemed appropriate by FEMA.

- **What is the Disaster Declaration reference number?**
  Maine’s Federal Disaster Declaration Award number is 4522DR-ME.

- **How does an organization apply for PA funding?**
  State, tribal, and local governments can apply directly through Grants Portal. PNPs can apply by emailing their organization’s name, organization type (501c3 or non 501c3), contact name, phone number, and email address of the person that will be accessing Grants Portal to Maine.Recovery@maine.gov.

- **What documentation is needed to register a private non-profit agency?**
  Agencies must be prepared to provide a ruling letter from the Internal Revenue Service granting tax exemption under sections 501(c), (d), or (e) of the Internal Revenue Code of 1954 or documentation from the state substantiating that the non-revenue producing organization or entity is a nonprofit entity organized or doing business under state law. Additional information that may be required include:
    - DUNS Number (www.dnb.com/webform)
    - IRS Ruling Letter granting exemption under Sections 501(c), (d), or (e) of the Internal Revenue Code of 1954
    - PNP Facility Questionnaire
    - PNP Certification Sheet
    - Mission Statement

- **Does an organization get paid for 100% of their costs?**
  Federal PA funding provides no less than 75% based on costs determined eligible by FEMA. The State of Maine provides an additional 15% resulting in a final local cost share of 10%. In some cases, credit may be provided towards the non-Federal share for volunteer or donated resources used to complete emergency protective measures.

- **How do I submit questions on how to access the FEMA Grants Portal or ask eligibility questions?**
  Questions can be sent to Maine.Recovery@maine.gov. This mailbox is monitored by MEMA’s Public Assistance team and is reviewed daily.
What is eligible for reimbursement for COVID-19?

Who determines what damages and costs are eligible for reimbursement?
FEMA, as the Grantor Agency, determines what costs are eligible.

How do I keep track of expenses?
FEMA’s website provides good collection of Project Worksheet Forms (for example Force Account Labor Summary Record, Force Account Equipment, and Contract Work Summary Work Record) that may assist in organizing eligible expenses. FEMA’s online tool called the Grants Portal has a Resources tab which also includes links to this information.

Who makes the payments to the applicants?
The PA program is a pass-thru reimbursement grant. Once FEMA determines the amount of eligible funding, MEMA is given these funds to process payment directly to the Applicant. PA funding is considered federal funding even though payments are processed through the State.

Can we submit incurred costs as we go or wait until the end of the event to receive reimbursement?
For this event, FEMA is simplifying the PA application process. Given this flexibility, it is reasonable for applicants to apply for reimbursement in 30-day increments which could result in multiple Project Applications.

How long does an organization have to complete eligible work?
An Applicant has 6 months from the declaration date to complete debris removal and emergency protective measures work. An applicant has 18 months to complete permanent restoration/repair work on eligible facilities. Applicants can seek an extension by contacting the Maine Emergency Management Agency prior to the current expiration date.

If an eligible applicant requests financial assistance under Public Assistance Category B for costs incurred to perform certain emergency protective measures and, after being paid, later learns that financial assistance was available from another funding source for the same work, could the applicant return the funding to FEMA, withdraw its request for FEMA assistance, and then seek financial assistance from the other funding source?
An applicant may withdraw its request for financial assistance under the Public Assistance Program and return any payments. Although FEMA cannot speak definitively to eligibility under other funding sources, we presume that the other funding source would conclude that there was no duplication of benefits concerns under Section 312 of the Stafford Act in that situation.

Is equipment purchased to do town meetings via Zoom during this event eligible for reimbursement?
The equipment would only be able to be reimbursed if the equipment was being used to support COVID-19 response. Town meetings would not be an eligible reason.
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- Could a state, local, or tribal government be eligible under Public Assistance Category B for its contract costs with a YMCA or other provider for group child-care services in a group setting for first responders and health care workers that are performing emergency protective measures?
  FEMA is not extending eligibility for child-care services to first responders. This is because, among other things, the Coronavirus Aid, Relief, and Economic Security Act (“CARES Act”) contains a $3.5 billion appropriation to the U.S. Department of Health and Human Services’ Administration for Children and Families to provide Child Care and Development Block Grants that would obviate the need for Public Assistance. This appropriation states that “States, Territories, and Tribes are authorized to use funds appropriated...to provide child care assistance to health care sector employees, emergency responders, sanitation workers, and other workers deemed essential during the response to coronavirus by public officials...”

- Would providing meals to residents be an eligible expense under Public Assistance?
  The purchase and distribution of food may be reimbursed under the PA Program, provided this is the legal responsibility of an eligible applicant.

- If a Non-profit Food Bank/Pantry purchases a new freezer to store perishable foods due to COVID-19 would this be a reimbursable expense?
  Yes, if the purchase was due to a lack of cold storage space in the community. It will be important for the Non-profit to clearly state why the freezer was needed in response to COVID-19 (e.g. limited cold storage space at the facility or no other resources available in the community).

- If a Non-profit Food Bank/Pantry purchases a generator due to recent power outages during the response to COVID-19 would this be a reimbursable expense?
  No, unfortunately power outages in Maine are frequent and generators for the purposes of COVID-19 are not an eligible expense for reimbursement purposes.

- Would providing meals to staff conducting COVID-19 response activities be an eligible expense under Public Assistance?
  Meals may be reimbursed if an eligible applicant’s meal policy allows for the purchasing of meals for employees.

- If an organization sends its employees home to meet social distancing guidelines, are those costs eligible (labor, home office equipment costs, etc.)?
  They are only eligible if they are performing specific COVID-19 activities. It would not be reimbursable if being used to conduct normal business activities.

- Is renting space eligible for reimbursement?
  Space may be eligible if being used to support specific COVID-19 activities. It would not be reimbursable if being used to conduct normal business activities.
• How do I find out the requirements of this grant?
MEMA is creating a “virtual” Applicant’s Briefing to go over the grant process and reimbursement requirements. We will work with our agency partners such as the County Emergency Management Agencies to get this published in addition to posting on MEMA’s website.

• Are private for-profit hospitals performing emergency medical services eligible for Public Assistance Category B?
No, for-profit organizations are not eligible applicants for Public Assistance Category B under the Stafford Act.

• If a state, local, or tribal government contracts for emergency medical services or other emergency services, could these contract costs be eligible under Public Assistance Category B?
Yes. If state, local, or tribal government entities contract with private for-profit or private non-profit entities to carry out eligible emergency protective measures, FEMA may reimburse the state, local, or tribal government for the cost of eligible work. For example, a local government could enter into an agreement with a private non-profit food bank to perform emergency feeding at the local government’s congregate shelter. In that case, FEMA would provide financial assistance for the emergency feeding of shelter occupants to the local government, which then would pay the private nonprofit organization for the cost of providing those services under the agreement.

• Is a private nonprofit (PNP) hospital eligible to receive financial assistance under Public Assistance Category B for emergency medical care for COVID-19?
Yes, emergency medical care is eligible as an emergency protective measure for public and private nonprofit (PNP) medical facilities, so long as the facility provided an emergency medical service necessary to save lives and/or protect public health and safety. In this case, emergency medical care related to COVID-19 cases is eligible as an emergency protective measure.

• If the force account medical staff of an eligible applicant are performing eligible emergency medical services, what are the eligible labor costs for the force account medical staff?
It depends on whether the employee is a budgeted or unbudgeted employee. Only salaries and benefits for overtime is eligible for budgeted employees, and salaries and benefits for both overtime and straight-time are eligible for unbudgeted employees.

• If an eligible applicant provides meals to its force account employees engaged in eligible emergency protective measures, would those meal costs be eligible under Public Assistance Category B?
Yes, if certain conditions are met. To be eligible, the individuals must not be receiving per diem and one of the following circumstances apply: (a) Meals are required based on a labor policy or written agreement that meets certain requirements; (b) Conditions constitute a level of severity that requires employees to work abnormal, extended work hours without a reasonable amount of time to provide for their own meals; or (c) food or water is not reasonably available for employees to purchase. FEMA only reimburses the cost of meals that are brought to the work location and purchased in a cost-effective and reasonable manner, such as bulk meals.
• If an eligible applicant decides to establish and operate an alternative care facility (ACF), what types of costs would be eligible under Public Assistance Category B?
Eligible types of costs could include: (a) retrofitting an existing structure, which could include removing carpet, modifying HVAC, installing nurses’ stations, enable/configure information technology infrastructure, modifying electrical system to supply necessary power and emergency back-up power; (b) procuring and installing necessary medical equipment; (c) procuring other equipment; and (d) procuring supplies.

• Is the purchase and distribution of pet food eligible for Public Assistance?
Yes, the purchase of pet food can be eligible in some circumstances. First, the purchase and distribution of food and water to pets and service animals in shelters can be eligible. Second, the purchase and delivery of food and water for household pets and service animals to unsheltered residents in communities can also be eligible. In FEMA Policy No. 014-010-03, COVID-19 Pandemic: Purchase and Distribution of Food Eligible for Public Assistance, FEMA details the conditions under which it will provide financial assistance for the costs incurred by a state, local, or tribal government in purchasing and distributing food in response to COVID-19. If FEMA concluded that the applicant was eligible to purchase and deliver food to a specific population, then this could also include the cost for purchasing and distributing pet food for that same population.