



FEMA

April 6, 2020

Mr. Michael Sprayberry, Director
North Carolina Emergency Management
4236 Mail Service Center
Raleigh, NC 27699-4236

Reference: North Carolina Division of Emergency Management
Request for Non-Congregate Sheltering
FEMA-4487-DR-NC

Dear Mr. Sprayberry:

This is in response to the State of North Carolina's (State) request submitted on April 1, 2020, requesting FEMA approval for emergency non-congregate sheltering activities under the Public Assistance (PA) program. Specifically, the State's letter requests approval for a minimum of 16,518 units (including dormitory rooms, hotel rooms, trailers, or similar) for non-congregate sheltering to isolate at risk populations and to prevent the spread of Coronavirus Disease 2019 (COVID-19). This request includes the cost of all supporting infrastructure (e.g. electricity, waste, waste disposal) and wrap around services (e.g. laundry, food, cleaning, security).

The State's target population includes:

- Individuals who test positive for COVID-19 that do not require hospitalization, but need isolation or quarantine (including those exiting from hospitals);
- Individuals who have been exposed to COVID-19 (as documented by a state or local public health official, or medical health professional) that do not require hospitalization, but need isolation or quarantine;
- Individuals who are symptomatic, awaiting test results or determined to not need a test according to NC DHHS guidance; and
- Individuals who are asymptomatic, but at "high risk," such as people over 65 or who have certain underlying health conditions (respiratory, compromised immunities, chronic disease), or are otherwise at risk in their current living situations (e.g., domestic violence and sexual assault survivors) and who require Emergency non-congregate sheltering as a social distancing measure.

In accordance with section 502 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act, eligible emergency protective measures taken to respond to the referenced COVID-19 emergency, at the direction or guidance of state, local, tribal, and territorial public health officials, may be reimbursed under Category B of FEMA's PA program if necessary to save lives, protect improved property, or public health and safety, and/or lessen or avert the threat of catastrophes.

Based on my review of your request and supporting documentation and information provided, I am approving your request for pre-approval for emergency, non-congregate sheltering, which will be implemented by the State pursuant to the State Health Director of the Department of Health and Human Services (NCDHHS) for the State of North Carolina as notated in her letter dated March 31, 2020. The State Health Director directs state, counties and any other jurisdiction to take appropriate measures to mitigate and respond to the COVID-19 disease pandemic including creating plans for non-congregate sheltering of individuals and households at risk for contracting and spreading COVID-19. Consistent with Executive Orders and guidance issued by NCDHHS and federal partners, the state, counties and any other jurisdiction appropriate have been directed to create clear procedures for social distancing, quarantining and isolating individuals at an elevated risk—quarantining individuals at greatest risk for complications due to COVID-19, isolating those who are symptomatic, and/or have a confirmed case of COVID-19 in non-congregate settings-- individual rooms, if possible-- and have them avoid common areas. My approval is also contingent on these actions being prudent and necessary as documented within the Governor's Executive Orders listed below:

Executive Order 116 – Dated March 10, 2020 – Declaring a state of emergency to coordinate response and protective actions to prevent the spread of COVID-19.

Executive Order 117, 118, and 120 – Between March 14 – March 23, 2020 – Closing schools, dine-in services and some business in an effort to create additional social distancing.

Executive Order 121 – Between March 30 - April 29, 2020 - Directs people to stay at home, except to visit essential businesses, to exercise outdoors or to help a family member; bans gatherings of more than 10 people; and, directs everyone to physically stay at least six feet apart from others.

My approval of the State's request for PA funding for costs related to non-congregate sheltering is subject to and conditioned by the following:

FEMA approves non-congregate sheltering for the individuals identified in the request from the State specifically for individuals that meet one or more of the following criteria:

- Test positive for COVID-19 who do not require hospitalization but need isolation (including those exiting from hospitals)
- Have been exposed to COVID-19 who do not require hospitalization but whom warrant quarantine

- Persons needing social distancing as a precautionary measure, as determined by public health officials, particularly for high-risk groups such as people over 65 or with certain underlying health conditions (respiratory, compromised immunities, chronic disease), this may include those whose living situation makes them unable to adhere to social distancing guidance.

FEMA will not reimburse for the sheltering of non-symptomatic individuals that are not among the foregoing categories.

My approval is limited to emergency, non-congregate sheltering costs that are reasonable and necessary to address the public health needs resulting from FEMA-4487-DR-NC.

My approval is limited to costs that are reasonable and necessary for providing non-congregate sheltering to eligible individuals, including wrap around services. Wrap around services will be reviewed for eligibility based on the type of shelter, the specific needs of those sheltered, and determined necessary to protect public health and safety and in accordance with guidance provided by appropriate health officials. However, support services such as case management, mental health counseling, and others are not eligible. In this regard, please note that FEMA does not mandate that the State pursue a specific option or options for temporary facilities to be used for non-congregate sheltering, but FEMA will only approve PA funding for cost-effective and practical options.

FEMA may provide funding for eligible costs for the establishment of non-congregate sheltering as outlined above in 30-day increments or less if a re-assessment determines there is no longer a public health need, but not to exceed the duration of the Order of the State Public Health Officer. The State must provide a re-assessment from the State Public Health Officer at each 30-day interval that includes certification that a threat to lives, public health, or safety exists, and that measures to eliminate or lessen that threat are required. **The reassessment must be submitted 30 days from the date of this letter.**

To be reimbursed for contract costs, the State must comply with the Federal procurement standards found at 2 C.F.R. §§ 200.317 – 200.326. FEMA's Procurement Under Grants Conducted Under Exigent or Emergency Circumstances Fact Sheet (March 16, 2020) provides additional guidance, and the State should include a termination for convenience clause in its contracts for sheltering and related services, such as food, security services, and care for those with disabilities or access and functional needs.

FEMA will not approve PA funding that duplicates funding by another federal agency, including the U.S. Department of Health and Human Services or Centers for Disease Control and Prevention.

The State must comply with, and enable FEMA to comply with, applicable environmental and historic preservation laws, regulations, and executive orders or funding may be jeopardized.

The State will need to maintain tracking mechanisms to provide sufficient data and documentation to establish the eligibility of costs for which it is requesting PA funding (including the need for non-congregate sheltering of each individual, costs and length of stay to include they are no longer determined to be infected and therefore do not require quarantine). As with any activity, lack of sufficient support documentation may result in FEMA determining that some or all of the costs are ineligible.

In conjunction with this approval for Non-Congregate Sheltering, the following information for each operational site shall be reported to the Region IV Regional Response Coordination Center (RRCC) by COB each Monday for the duration of the sheltering operations.

- Location Name
- Location Address
- Building Type (Hotel/Motel, Dormitory, etc.)
- Maximum Capacity
- Current Number of Individuals Sheltered (as of midnight the previous day)

Reporting of the above information shall be emailed to the below email addresses:

R04-RRCC-ICMG@fema.dhs.gov

R04-RRCC-SITL@fema.dhs.gov

R4-Recovery-COVID-19@fema.dhs.gov

If you have any questions or require more information, please contact Mr. Terry L. Quarles, CEM, Director, Recovery Division, at (770) 220-5300.

Sincerely,



Gracia B. Szozech
Regional Administrator