U.S. Department of Homeland Security
536 S. Clark St. 6th Floor
Chicago, IL 60605

FEMA

May 1, 2020

Sima S. Merick
Executive Director
Ohio Emergency Management Agency
2855 West Dublin-Granville Road
Columbus, OH 43235-2206

Dear Ms. Merick:

This letter amends my prior approval for non-congregate sheltering by the State of Ohio. This amended approval contains further clarification for the populations I am approving for non-congregate sheltering due to the COVID-19 emergency in Ohio.

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 Coronavirus Disease 2019 (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.

I am providing a conditional approval of your request for emergency, non-congregate sheltering, which will be implemented by the State of Ohio and/or sub-state jurisdictions pursuant to the Director of Ohio's Public Health Order signed April 29, 2020.

My approval of Ohio's request for emergency non-congregate sheltering is subject to and conditioned by the following:

FEMA will reimburse costs associated with the sheltering of individuals to include those who test positive for COVID-19 who do not require hospitalization but need isolation (including those exiting from hospitals); those who have been exposed to COVID-19 and do not require hospitalization; and asymptomatic high-risk individuals needing social distancing as a precautionary measure, such as people over 65 or with certain underlying health conditions (respiratory, compromised immunities, chronic disease). Sheltering specific populations in non-congregate shelters should be determined by a public health official's direction or in accordance with the direction or guidance of health officials by the appropriate state or local entities.

My approval does not include the reimbursement of costs for the sheltering of asymptomatic individuals that are not among the populations specifically identified in the previous paragraph, without additional state or local public health official's direction or guidance.

FEMA may provide funding for eligible costs for the establishment of non-congregate sheltering as outlined above in 30 days increments until there is no longer a public health need per your State Public Health Officer. The State will need to provide a re-assessment at each 30-day interval that includes State

Public Health Official certification that a threat to lives, public health, or safety still exists, and that continuing non-congregate sheltering eliminates or lessens the threat.

This letter does not approve or obligate specific funding, but rather is approval of specific activities in advance of the grant formulation and reimbursement process. Funding requests will be subject to all elements of Public Assistance program eligibility guidance.

The State and local jurisdictions engaging in shelter missions and planning to seek FEMA reimbursement must follow FEMA's Procurement Under Grants Conducted Under Exigent or Emergency Circumstances guidance and include a termination for convenience clause in its contracts for sheltering and related services, such as food, security, wrap around 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.

All entities engaging in shelter missions who plan to seek FEMA reimbursement must comply with, and enable FEMA to comply with, applicable environmental and historic preservation laws, regulations, and executive orders or funding may be jeopardized.

Additionally, they 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, length of stay, and costs). As with any activity, lack of sufficient support documentation may result in FEMA determining that some or all of the costs are ineligible.

For more information on the implementation of the non-congregate sheltering, please contact my Recovery Director, Fred Kaehler at Fredric.Kaehler@fema.dhs.gov or call at 312.718.6459.

Sincerely,

James K. Joseph
Regional Administrator