

CMS NEWS

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CMS Approves Medicaid Section 1135 Waivers for 11 Additional States in Response to COVID-19

Section 1135 waivers give states and providers regulatory relief on a range of requirements

Today, in keeping with its commitment to ensure states have the necessary tools to respond to the 2019 Novel Coronavirus (COVID-19) pandemic, the Centers for Medicare & Medicaid Services (CMS) approved an additional 11 state Medicaid waiver requests under Section 1135 of the Social Security Act (Act), bringing the total number of approved Section 1135 waivers for states to 13. The waivers were approved within days of states' submitting them, and offer states new flexibilities to focus their resources on combatting the outbreak and providing the best possible care to Medicaid beneficiaries in their states. These waivers support President Trump's commitment to operating a COVID-19 response that is locally executed, state managed and federally supported.

These waivers, which were announced earlier today during a White House conference call with the governors, provide relief on a number of fronts, such as prior authorization and provider enrollment requirements, suspending certain nursing home pre-admission reviews, and facilitating reimbursement to providers for care delivered in alternative settings due to facility evacuations.

Today's approved waivers include the following states:

- [Alabama](#)
- [Arizona](#)
- [California](#)
- [Illinois](#)
- [Louisiana](#)
- [Mississippi](#)
- [New Hampshire](#)
- [New Jersey](#)
- [New Mexico](#)
- [North Carolina](#)
- [Virginia](#)

"Thanks to the decisive leadership of President Trump during this emergency, CMS has been able to swiftly remove barriers and cut red tape for our state partners," said CMS Administrator Seema Verma. "These waivers give a broad range of states the regulatory relief and support they need to more quickly and effectively care for their most vulnerable citizens."

On March 13, 2020, President Trump declared the rapidly evolving COVID-19 situation a national emergency, enabling CMS to waive certain requirements in Medicare, Medicaid, and CHIP under section 1135 emergency authority. CMS immediately began accepting and approving state section 1135 Medicaid waiver requests and on March 22, 2020, CMS released an [1135 Medicaid & CHIP Checklist](#) to assist states with their requests.

Examples of waivers available under section 1135 of the Act include:

- Temporarily suspend prior authorization requirements;
- Extend existing authorizations for services through the end of the public health emergency;
- Modify certain timeline requirements for state fair hearings and appeals;
- Relax provider enrollment requirements to allow states to more quickly enroll out-of-state or other new providers to expand access to care, and
- Relax public notice and submission deadlines for certain COVID-19 focused Medicaid state plan amendments, enabling states to make changes faster and ensure they can be retroactive to the beginning of the emergency.

These section 1135 waivers are effective March 1, 2020 and will end upon termination of the public health emergency, including any extensions. Last week, CMS approved COVID-19 related state Medicaid section 1135 waiver requests for Florida and Washington.

These waivers, and earlier CMS actions in response to COVID-19, are part of the ongoing White House Task Force efforts. To keep up with the important work the Task Force is doing in response to COVID-19, visit www.coronavirus.gov. For a complete and updated list of CMS actions, and other information specific to CMS, please visit the [Current Emergencies Website](#).

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