

## **Trump Administration Releases COVID-19 Checklists and Tools to Accelerate Relief for State Medicaid & CHIP Programs**

*New tools to help speed states' access to emergency flexibilities and resources*

Today, the Trump Administration released new tools to strip away regulatory red tape and unleash new resources to support state Medicaid and Children's Health Insurance Programs (CHIP) during the 2019 Novel Coronavirus (COVID-19) outbreak. Because of the President's bold action in declaring COVID-19 a national emergency, CMS now has a full suite of tools available to maximize responsiveness to state needs. The agency has created four checklists that together will make up a comprehensive Medicaid COVID-19 federal authority checklist to make it easier for states to receive federal waivers and implement flexibilities in their program.

"The Trump Administration is marshaling all its support behind states battling the Coronavirus," said Administrator Seema Verma. "CMS is making it easier and faster for state Medicaid agencies to get the regulatory relief and additional support they need to respond as rapidly and effectively as possible to protect their most vulnerable residents from this disease."

The four tools CMS is announcing today will permit states to access emergency administrative relief, make temporary modifications to Medicaid eligibility and benefit requirements, relax rules to ensure that individuals with disabilities and the elderly can be effectively served in their homes, and modify payment rules to support health care providers impacted by the outbreak. President Trump has also called on states to allow Medicaid beneficiaries to receive services through telehealth. While this doesn't require federal approval in many cases, these tools can also help states quickly remove state-specific restrictions on telehealth.

All of the options that CMS is providing to states are aimed at helping states by reducing burdensome red tape and making it possible for states to provide the best care to their residents during this outbreak. We are providing states the option to request these waivers and other authorities be made effective retroactively, to at least March 1, 2020, the effective date of the national emergency declared by the President. These options include:

### **1115 Waiver Opportunity and Application Checklist**

CMS is releasing a State Medicaid Director Letter (SMDL) #20-002, which outlines a new section 1115 demonstration opportunity to aid states with addressing the public health emergency. States will be able to waive federal rules to streamline enrollment into long-term care programs and home and community-based services, as well as access broad authorities to vary and target services based on population needs.

The SMDL includes a waiver checklist to streamline state application requirements. Due to the extraordinary circumstances of this emergency, CMS has determined that an exception to the normal state and federal public notice procedures is warranted.

<https://www.medicaid.gov/medicaid/section-1115-demonstrations/1115-application-process/index.html>

### **1135 Waiver Checklist**

CMS has pre-packaged relevant and commonly requested 1135 authorities into a checklist template to share with states. This will expedite their ability to apply for and receive approval for these waivers that are now available under the President's national emergency declaration. Examples of flexibilities include the ability to temporarily suspend prior authorization requirements, provide beneficiaries more time for appeals and fair hearings, relax rules to more quickly enroll providers, and allow providers from out of state to bill for services delivered to Medicaid beneficiaries.

<https://www.medicaid.gov/state-resource-center/disaster-response-toolkit/cms-1135-waivers/index.html>

### **1915(c) Appendix K Template**

CMS developed the Appendix K to help states accelerate changes to their 1915(c) home and community-based services waiver operations or to request emergency amendments. To support the specific types of flexibilities that

states are asking for during the COVID-19 outbreak, CMS has designed an Appendix K template addendum that has been pre-populated with commonly requested and relevant program changes. Examples of the types of flexibilities that states can access through this process include adding an electronic method of service delivery for certain services allowing continuity of service without face to face interaction, adding services to address additional needs of waiver recipients during the time of emergency, and adjustments to process requirements to decrease state burden during this time.

<https://www.medicaid.gov/state-resource-center/disaster-response-toolkit/hcbs/appendix-k/index.html>

### **Medicaid Disaster State Plan Amendment Template**

The Medicaid state plan is the document that describes the state's rules related to eligibility, benefits, and payments. States have wide discretion within a broad federal framework to design their programs, and changes are processed through state plan amendments. Sometimes, states might wish to make changes that are only temporary during a disaster or emergency situation. To streamline and support this process, CMS has developed a Disaster State Plan Amendment (SPA) template that would allow a state to submit one combined request for temporary changes that we expect states may wish to make in their programs. This includes expanding temporary coverage to optional eligibility groups, adding specialized benefits, expanding telehealth coverage, and temporarily increasing provider reimbursement, among other temporary changes.

<https://www.medicaid.gov/state-resource-center/disaster-response-toolkit/state-plan-flexibilities/index.html>

The tools released today further CMS's commitment to providing our state partners the resources they need at this time. Additionally, the agency recently approved its first section 1135 public health emergency waivers for the state of Florida on March 16, and the first 1915(c) Home and Community-Based Services waiver Appendix K approval on March 18th for the state of Pennsylvania in response to the COVID-19 outbreak. These approvals have granted these states a wide range of Medicaid and CHIP flexibilities, and we encourage other states to apply for the additional flexibilities they need in this situation. All state requests will be reviewed on a case-by-case basis to ensure they may be approved under applicable law.

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

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