

## Medicaid Flexibilities Requests in Response to COVID-19 Emergency

October 2, 2020

The Department has made the following requests to the Centers for Medicare and Medicaid Services (CMS) to continue serving Medicaid members during the COVID-19 emergency. *\*The end dates listed are the earliest possible date each specific request could end, however the Department is awaiting official guidance from CMS on possible flexibility around end dates. The end dates also are pending possible further extension of the federal public health emergency (PHE).*

Request	Start Date	Expected End Date*
<b>Provision of Services in Alternative Settings</b> <ul style="list-style-type: none"> <li>Allow for the provision of services in alternative settings when a licensed facility is unavailable due to the COVID-19 emergency</li> </ul>	March 1, 2020	End of Federal Public Health Emergency (PHE) <i>(January 20, 2021)</i>
<b>CHIP/Hawki Age-out</b> <ul style="list-style-type: none"> <li>Continued eligibility for Children's Health Insurance Program (CHIP) enrollees who turn 19 years old during the national emergency and who are otherwise ineligible for Medicaid due to income above 133% of the federal poverty level (FPL).</li> </ul>	March 1, 2020	End of Federal PHE + 60 Days <i>(March 21, 2021)</i>
<b>CHIP/Hawki Eligibility</b> <ul style="list-style-type: none"> <li>Extend eligibility to CHIP members beyond their certification period.</li> <li>Provide CHIP members additional time to submit renewal or verification materials.</li> </ul>	March 1, 2020	End of Federal PHE <i>(January 20, 2021)</i>
<b>Continuous Eligibility</b> <ul style="list-style-type: none"> <li>Establish up to 12-months of continuous eligibility for all Medicaid enrollees age 19 and over (already in place for those under age 19).</li> </ul>	March 1, 2020	End of the Month in which Federal PHE Ends <i>(January 31, 2021)</i>
<b>Cost Sharing Suspended</b> Suspend cost-sharing for all members and suspend premiums for: <ul style="list-style-type: none"> <li>Medicaid for Employed People with Disabilities (MEPD)</li> <li>Iowa Health and Wellness Plan (IHAWP)</li> <li>Dental Wellness Plan (DWP)</li> <li>Healthy and Well Kids in Iowa (Hawki)</li> <li>Client participation is not suspended.</li> </ul>	March 1, 2020	Premiums could resume: End of Federal PHE <i>(January 20, 2021)</i> Disenrollment for non-payment could resume: End of the quarter in which Federal PHE Ends: <i>(March 31, 2021)</i>
<b>Coverage for Uninsured</b> <ul style="list-style-type: none"> <li>Cover COVID-19 testing and related visits for uninsured individuals during the emergency, as allowed under the Families First Coronavirus Response Act.</li> </ul>	June 1, 2020	End of Federal PHE <i>(January 20, 2021)</i>

Request	Start Date	Expected End Date*
<p><b>Fair Hearing Flexibilities</b></p> <ul style="list-style-type: none"> <li>Suspend adverse actions for individuals for whom the state has completed a determination but either: (1) has not yet sent the notice; or (2) who the state believes likely did not receive the notice.</li> <li>Delay scheduling fair hearings and issuing fair hearing decisions under 42 C.F.R. 431.244(f)(4)(i)(B).</li> <li>Hold fair hearings via video conferencing or telephone, provided the state adheres to other fair hearing requirements (42 C.F.R. part 431, subpart E), including ensuring that the hearing system is accessible to persons who are limited English proficient and persons who have disabilities (see 42 C.F.R. § 431.205(e) and 435.905(b)).</li> <li>Reinstate services or eligibility if discontinued because the beneficiary's whereabouts were unknown due to displacement, after the beneficiary's whereabouts become known (if still eligible), consistent with 42 C.F.R. 431.231(d).</li> </ul>	<p>March 13, 2020</p>	<p>End of Federal PHE <i>(January 20, 2021)</i></p>
<p><b>Home Delivered Meals</b></p> <ul style="list-style-type: none"> <li>Provide home delivered meals, subject to prior authorization, for Medicaid enrollees <b>who are not enrolled in a 1915(c) waiver</b>, and are homebound due to the national emergency.</li> </ul>	<p>March 13, 2020</p>	<p>End of Federal PHE <i>(January 20, 2021)</i></p>
<p><b>Home Delivered Meals</b></p> <ul style="list-style-type: none"> <li>Provide home delivered meals for members receiving habilitation services.</li> </ul>	<p>March 13, 2020</p>	<p>End of Federal PHE <i>(January 20, 2021)</i></p>
<p><b>Home Delivered Meals</b></p> <ul style="list-style-type: none"> <li>Provide home delivered meals for all 1915(c) enrollees who are homebound due to the national public health emergency. <b>(Members receiving Home- and Community-Based HCBS waiver services.)</b></li> </ul>	<p>January 27, 2020</p>	<p>One year from the effective date <i>(January 26, 2021)</i></p>
<p><b>Additional Services</b></p> <ul style="list-style-type: none"> <li><b>For Non-HCBS Population/Non-Habilitation</b> <ul style="list-style-type: none"> <li>Companion services</li> <li>Homemaker services</li> </ul> </li> </ul>	<p>March 13, 2020</p>	<p>End of Federal PHE <i>(January 20, 2021)</i></p>
<p><b>Additional Services</b></p> <ul style="list-style-type: none"> <li><b>For HCBS Population</b> <ul style="list-style-type: none"> <li>Companion services <ul style="list-style-type: none"> <li>Includes the alternative for companion services to replace supported community living, and consumer directed attendant care services that are unavailable if there is a shortage of providers or providers are not able to deliver goal directed service due to the COVID-19 emergency.</li> </ul> </li> </ul> </li> </ul>	<p>January 27, 2020</p>	<p>One Year from the Effective Date <i>(January 26, 2021)</i></p>

Request	Start Date	Expected End Date*
<ul style="list-style-type: none"> <li>○ Homemaker services</li> <li>○ Allow self-direction of the added services</li> </ul>		
<p><b>Additional Services</b></p> <ul style="list-style-type: none"> <li>● <b>Habilitation Population</b> <ul style="list-style-type: none"> <li>○ Companion services <ul style="list-style-type: none"> <li>▪ Includes the alternative for companion services to replace habilitation services that are unavailable if there is a shortage of providers or providers are not able to deliver goal directed service due to the COVID-19 emergency.</li> </ul> </li> <li>○ Homemaker services</li> <li>○ Allow self-direction of the added services</li> </ul> </li> </ul>	March 13, 2020	End of Federal PHE <i>(January 20,2021)</i>
<p><b>Hospital 24-Hour Nursing Flexibility</b></p> <ul style="list-style-type: none"> <li>● Waive the 24-hour nursing requirement, which will permit a nurse to cover more than one ward in the event of staffing shortages caused by the COVID-19 emergency.</li> </ul>	March 1, 2020	End of Federal PHE <i>(January 20,2021)</i>
<p><b>Intermediate Care Facility for Individuals with Intellectual Disabilities (ICF/IID) Flexibilities</b></p> <ul style="list-style-type: none"> <li>● Waive the requirement for direct care residential living unit staff, which will allow changes to direct care staff numbers, if necessary, due to the COVID-19 emergency.</li> <li>● Waive the continuous active treatment program requirement, which will allow the health and safety needs of residents to be met if sufficient staff are unavailable to implement continuous active treatment due to the COVID-19 emergency.</li> </ul>	March 1, 2020	End of Federal PHE <i>(January 20,2021)</i>
<p><b>Nursing Facility COVID-19 Relief Rate (CRR)</b></p> <ul style="list-style-type: none"> <li>● CRR payments are available to Medicaid certified skilled nursing facilities (SNF) and nursing facilities (NF) during the period of the federal public health emergency who meet the requirements in <a href="#">IL 2146-MC-FFS-CVD</a>.</li> </ul>	March 13, 2020	End of Federal PHE <i>(January 20,2021)</i>
<p><b>Preadmission Screening and Resident Review (PASRR)</b></p> <ul style="list-style-type: none"> <li>● Waive the PASRR, which will allow a nursing home to continue admission of an individual who has not had an assessment completed if there is a workforce disruption or hospitals reduce or limit outside contact in their facilities.</li> </ul>	March 1, 2020	End of Federal PHE <i>(January 20,2021)</i>

Request	Start Date	Expected End Date*
<b>Provider Enrollment</b> <ul style="list-style-type: none"> <li>Waive payment of application fee to temporarily enroll a provider</li> <li>Waive site visits to temporarily enroll a provider</li> <li>Waive requirements that physicians and other health care professionals be licensed in the state in which they are providing services, so long as they have equivalent licensing in another state</li> </ul>	March 1, 2020	End of Federal PHE + 6 Months <i>(July 21, 2021)</i>
<b>Provider Enrollment</b> <ul style="list-style-type: none"> <li>Permit providers located out-of-state/territory to provide care to an emergency State's Medicaid enrollee and be reimbursed for that service</li> <li>Postpone deadlines for revalidation of providers who are located in the state or otherwise directly impacted by the emergency</li> <li>Waive conditions of participation or conditions for coverage for existing providers for facilities for providing services in alternative settings, including using an unlicensed facility, if the provider's licensed facility has been evacuated</li> <li>Temporarily delay or suspend onsite re-certification and revisit surveys, and enforcement actions, and allow additional time for facilities to submit plans of correction.</li> </ul>	March 1, 2020	End of Federal PHE <i>(January 20, 2021)</i>
<b>Long Term Service and Supports (LTSS)</b> <ul style="list-style-type: none"> <li>Extend minimum data set (MDS) authorizations for nursing facility and skilled nursing facility residents</li> <li>Modify deadlines for OASIS (HHA) assessments and transmission</li> </ul>	March 1, 2020	End of Federal PHE <i>(January 20, 2021)</i>
<b>Reporting and Oversight</b> <ul style="list-style-type: none"> <li>Suspend 2-week aide supervision requirement by a registered nurse for home health agencies</li> <li>Suspend supervision of hospice aides by a registered nurse every 14 days' requirement for hospice agencies</li> </ul>	March 1, 2020	End of Federal PHE <i>(January 20, 2021)</i>
<b>Residency</b> <ul style="list-style-type: none"> <li>Consider beneficiaries evacuated from the state temporarily absent and maintain enrollment in their home state (for home state where disaster occurred or public health emergency exists)</li> </ul>	March 13, 2020	End of Federal PHE <i>(January 20, 2021)</i>
<b>Telehealth</b> <ul style="list-style-type: none"> <li>Allow telehealth for any Medicaid service for which it is appropriate, regardless of member location.</li> </ul>	March 13, 2020	End of Federal PHE <i>(January 20, 2021)</i>

Request	Start Date	Expected End Date*
<p><b>Allow case management companies to provide direct services in order to address potential personnel crisis for:</b></p> <ul style="list-style-type: none"> <li>• HCBS Population</li> <li>• Habilitation Population</li> </ul>	<p>January 27, 2020 March 1, 2020</p>	<p>HCBS: One Year from the Effective Date <i>(January 26, 2021)</i> Habilitation: End of Federal PHE <i>(January 20, 2021)</i></p>
<p><b>Exceed Respite Service Limitations</b></p> <ul style="list-style-type: none"> <li>• Remove the annual cost limit for respite services on the Intellectual Disabilities (ID) Waiver.</li> <li>• Remove the limitation on respite being provided for children while parents, or primary caregivers, are working from home in order to relieve pressure created by work, school and daycare closures during the emergency. <b>(HCBS Population)</b></li> </ul>	<p>January 27, 2020</p>	<p>One Year from the Effective Date <i>(January 26, 2021)</i></p>
<p><b>HCBS Regulations</b></p> <ul style="list-style-type: none"> <li>• Not comply with the HCBS settings requirement at 42 CFR 441.301(c)(4)(vi)(D) that individuals are able to have visitors of their choosing at any time, for settings added after March 17, 2014, to minimize the spread of infection during the COVID-19 pandemic. <ul style="list-style-type: none"> <li>○ <b>HCBS Population</b></li> <li>○ <b>Habilitation Population</b></li> </ul> </li> </ul>	<p>January 27, 2020 March 1, 2020</p>	<p>HCBS: One Year from the Effective Date <i>(January 26, 2021)</i> Habilitation: End of Federal PHE <i>(January 20, 2021)</i></p>
<p><b>Out-of-State Background Checks</b></p> <ul style="list-style-type: none"> <li>• Temporarily waive out-of-state background checks for Consumer Directed Attendant Care (CDAC) providers. The State will continue to conduct Iowa background checks during the emergency.</li> </ul>	<p>March 1, 2020</p>	<p>End of Federal PHE <i>(January 20, 2021)</i></p>
<p><b>Parents and Family Members</b></p> <ul style="list-style-type: none"> <li>• Allow parents and family members to provide direct services. <ul style="list-style-type: none"> <li>○ Services allowed include: home based habilitation services, supported community living, CDAC, and meals <ul style="list-style-type: none"> <li>▪ <b>HCBS Population</b></li> <li>▪ <b>Habilitation Population</b></li> </ul> </li> </ul> </li> </ul>	<p>January 27, 2020 March 1, 2020</p>	<p>HCBS: One Year from the Effective Date <i>(January 26, 2021)</i> Habilitation: End of Federal PHE <i>(January 20, 2021)</i></p>
<p><b>Use of Legally Responsible Individuals to Render Personal Care Services (Early Periodic Screening, Diagnosis and Treatment, EPSDT)</b></p> <ul style="list-style-type: none"> <li>• For 1905(a) personal care services to be rendered by legally responsible individuals, including legally responsible family caregivers</li> </ul>	<p>March 1, 2020</p>	<p>End of Federal PHE <i>(January 20, 2021)</i></p>
<p><b>Processes</b></p> <ul style="list-style-type: none"> <li>• Allow an extension for reassessments and reevaluations for up to one year past the due date.</li> <li>• Allow the option to conduct evaluations, assessments, and person-centered service planning meetings virtually/remotely in lieu of face-to-face meetings.</li> <li>• Adjust prior approval/authorization elements approved in waiver.</li> <li>• Adjust assessment requirements.</li> </ul>		



Request	Start Date	Expected End Date*
<p><b>Typically Face-to-Face Processes</b></p> <ul style="list-style-type: none"> <li>• Level of care and need based assessment evaluations and reevaluations</li> <li>• Service plan reviews</li> <li>• Interim service plan changes based on member's change in needs</li> <li>• Quarterly face to face case manager contacts               <ul style="list-style-type: none"> <li>○ <b>HCBS Population</b></li> <li>○ <b>Habilitation Population</b></li> </ul> </li> </ul>	<p>January 27, 2020 March 1, 2020</p>	<p>HCBS: One Year from the Effective Date <i>(January 26, 2021)</i> Habilitation: End of Federal PHE <i>(January 20, 2021)</i></p>
<p><b>Dental Relief Payment</b></p> <ul style="list-style-type: none"> <li>▪ Allowed a temporary enhanced payment to dental providers to help address facility and safety upgrades in accordance with <a href="#">IL 2148-FFS-D-CVD</a>.</li> </ul>	<p>May 1, 2020</p>	<p>August 31, 2020</p>
<p><b>Provider Relief</b></p> <ul style="list-style-type: none"> <li>▪ Allowed the distribution of \$50 million in grants to specific providers in accordance with <a href="#">IL 2149-MC-FFS-CVD</a>. This money was provided to the State under the federal Coronavirus Aid, Relief, and Economic Security (CARES) Act.</li> </ul>	<p>March 1, 2020</p>	<p>December 30, 2020</p>
<p><b>Grants to Nursing Facilities</b></p> <ul style="list-style-type: none"> <li>○ Allow civil money penalty (CMP) funds to be distributed as grants to nursing facilities to purchase communicative technology during COVID-19 in accordance with <a href="#">IL 2133-MC-FFS-CVD</a>.</li> <li>○ Allow CMP funds to be distributed as grants to nursing facilities for In-Person Visitation.</li> </ul>	<p>March 1, 2020  Information to be released soon</p>	<p>Technology: End of Federal PHE <i>(January 20, 2021)</i> In-Person Visitation: Information to be released soon</p>
<p><b>E-Learning</b></p> <ul style="list-style-type: none"> <li>• Allow e-learning for Supported Community Living (SCL) members living outside the family home. <b>(HCBS Population)</b></li> <li>• Allow e-learning for home based Habilitation members living outside the family home. <b>(Habilitation Population)</b></li> </ul>	<p>January 27, 2020  March 1, 2020</p>	<p>HCBS: One Year from the Effective Date <i>(January 26, 2021)</i> Habilitation: End of Federal PHE <i>(January 20, 2021)</i></p>

**Blanket waivers announced by CMS, applicable to all states without need to specifically waive:**

<https://www.cms.gov/files/document/covid19-emergency-declaration-health-care-providers-fact-sheet.pdf>

**COVID-19 Waivers for Health Facilities announced by the Department of Internal Inspections:**

<https://dia.iowa.gov/document/covid-19-waivers-health-facilities>