

DHS: Wolf Administration Submits Waiver for Greater Flexibility in Medicaid, CHIP Programs During COVID-19 Mitigation Efforts

Text of March 25 press release:

Harrisburg, PA – The Wolf Administration submitted a waiver to the federal Centers for Medicare & Medicaid Services (CMS) to temporarily grant flexibility of requirements for providers of Medicaid and Children’s Health Insurance Program (CHIP) to ensure availability and access to health care and public assistance programs for people who need them in light of COVID-19 mitigation efforts.

“The Wolf Administration will do everything in its power to ensure that people have access to health care coverage to protect themselves and their families during this time. That’s why we are urging the federal government to grant us flexibility to ensure our programs are able to meet this public health challenge,” said DHS Secretary Teresa Miller. “Medicaid and CHIP enrollment are open year-round. Everyone who needs health coverage should get it so they have the peace of mind that if they need care, their insurance will cover it.”

When the president declares a disaster or emergency under the Stafford or National Emergencies Act and the Secretary of Health and Human Services (HHS) declares a public health emergency under Section 319 of the Public Health Service Act, the HHS Secretary is granted additional authority. Under section 1135 of the Social Security Act, this authority permits changes to Medicare, Medicaid, and the Children’s Health Insurance Program to ensure the needs of people covered by these programs are met during an emergency.

The waiver can also ensure that regulations around health care providers serving these programs are able to adequately respond to and adjust care in light of a public health emergency.

DHS is seeking temporary changes to its Medicaid Fee-for-Service Program, the HealthChoices managed care programs for both physical and behavioral health services, Community HealthChoices (CHC), Home and Community Based Services (HCBS) waivers, the Section 1115 Demonstration waiver for Former Foster Care Youth and Substance Use Disorder, and Children’s Health Insurance Program (CHIP).

Once approved, this waiver will allow DHS and the Department of Health to give providers the temporary flexibility to:

- Suspend Medicaid fee-for-service prior authorization requirements;
- Expand care delivery sites;
- Expand telehealth use;
- Suspend regulations that would limit bed capacity across all facilities;
- Permit providers located outside Pennsylvania to provide care to a Medicaid enrollee and be reimbursed for that service;
- Streamline provider enrollment requirements when enrolling providers;

- 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;
- Create flexibility for providers needing to provide services in alternative settings, including using an unlicensed facility, if the provider's licensed facility has been evacuated; and,
- Enhance health care practitioner access by allowing physician extenders to provide services within their scope of practice without the direction of a physician.

Visit pa.gov for a ["Responding to COVID-19" guide](#) or the Pennsylvania Department of Health's dedicated coronavirus webpage for the most up-to-date information regarding COVID-19.

Guidance to DHS providers related to COVID-19 is available [here](#).

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- [1135 Waiver Request Letter](#)
- [1135 Waiver Request Checklist](#)