

CMS Grants Massachusetts 1135 Waiver Request

Insights

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On March 26, 2020, CMS responded to a March 20 request from the Commonwealth of Massachusetts for waivers of a number of federal Medicaid requirements that pose challenges for the Commonwealth's health system and to aid in its ability to respond to the COVID-19 public health emergency. In its approval letter, CMS agreed to:

- Temporarily suspend Medicaid fee-for-service prior authorization requirements;
- Extend pre-existing authorizations for which a beneficiary has previously received prior authorization through the end of the public health emergency;
- Suspend pre-admission screening and annual resident review (PASRR) Level I and II assessments for 30 days;
- Extend deadlines for state fair hearing requests and timelines for appeals;
- Relax requirements for reimbursement of claims from out-of-state providers not enrolled in MassHealth;
- Waive certain provider enrollment requirements to allow for temporary, provisional enrollment of out-of-state providers;
- Allow facilities, including nursing facilities, intermediate care facilities, and psychiatric residential treatment facilities, to be reimbursed for services rendered to patients in unlicensed facilities (temporary locations); and
- Relax the state plan amendment submission process, including submission deadlines, public notice requirements, and tribal consultation requirements.

These waivers are only effective for the duration of the public health emergency.

For additional detail, please see CMS' [approval letter](#). To date, CMS has also granted waivers to 28 states in addition to Massachusetts (Alabama, Arizona, California, Colorado, Hawaii, Idaho, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Maryland, Mississippi, Missouri, New Hampshire, New Jersey, New Mexico, New York, North Carolina, North Dakota, Oklahoma, Oregon, Rhode Island, South Dakota, Virginia, and Washington). Copies of these waivers can be found [here](#). Additional COVID-19 resources can be found on Hooper, Lundy & Bookman, PC's [COVID-19 Resource Page](#).

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