



CMS Makes Blanket Waivers Available to Health Care Providers to respond to COVID-19 Outbreak

March 16, 2020

Under Section 1135 of the Social Security Act, the Centers for Medicare and Medicaid Services (“CMS”) has the authority to issue blanket waivers when the President declares a national emergency. On March 13, 2020, the President declared a national emergency concerning the Novel Coronavirus Disease (COVID-19) outbreak. In response, CMS made certain blanket waivers available to health care providers as of 6:00 P.M. Eastern Standard time on March 15, 2020. The blanket waivers have a retroactive effective date of March 1, 2020, and will continue for 60 days. The waiver will likely be updated with additional periods of up to 60 days through the end of the public health emergency. Importantly, when a blanket waiver is issued, healthcare providers do not have to apply for an individual waiver. However, the provider should still notify the State Survey Agency and CMS Regional Office if operating under the blanket waiver. If there’s no blanket waiver, providers can ask for an individual Section 1135 waiver.

CMS has issued a [Fact Sheet](#) summarizing the COVID-19 Blanket Waivers available to Health Care Providers.

If you have any questions regarding CMS’s blanket waivers or require assistance in seeking a Section 1135 waiver, please contact Mary Malone (mmalone@hancockdaniel.com) or Emily Towey (emily.towey@hancockdaniel.com) for assistance.

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