



CMS NEWS

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CMS Approves First State Request for 1135 Medicaid Waiver in Florida

Action gives state greater flexibility for its COVID-19 response efforts

On March 13, 2020, President Trump declared the rapidly evolving COVID-19 situation a national emergency. This bold action enables the Centers for Medicare and Medicaid Services (CMS) to waive certain requirements in Medicare, Medicaid, and CHIP under Section 1135 authority. This includes the ability to grant state and territorial Medicaid agencies a wider range of flexibilities, and states may now submit Section 1135 waiver requests for CMS approval that will remove administrative burdens and expand access to needed services.

Shortly after the President’s declaration, Florida became the first state to submit a Section 1135 waiver request in response to the COVID-19 national emergency. In keeping with CMS’s commitment to ensure our state partners have the tools they need to combat COVID-19, the agency acted within days to approve a wide variety of appropriate Medicaid flexibilities.

“I want to thank Governor DeSantis for his leadership in Medicaid and for taking full advantage of federal flexibilities,” said CMS Administrator Seema Verma. “CMS is committed to removing all unnecessary administrative and bureaucratic barriers that may hinder an effective response to this public health emergency, and I have directed my team to expeditiously process these requests.”

The state’s approval letter can be found [here](#), and includes flexibilities that enable the state to waive prior authorization requirements to remove barriers to needed services, streamline provider enrollment processes to ensure access to care for beneficiaries, allow care to be provided in alternative settings in the event a facility is evacuated to an unlicensed facility, suspend certain nursing home screening requirements to provide necessary administrative relief, and extend deadlines for appeals and state fair hearing requests. These flexibilities will

enable the state to focus its resources on combatting this outbreak and provide the best possible care to Medicaid beneficiaries in their state.

“Florida is acutely focused on eliminating unnecessary barriers on our health care providers who are on the front lines serving our communities most impacted by COVID-19,” said Florida Governor Ron DeSantis. “President Trump recognizes this need and Administrator Seema Verma is providing Florida the critical flexibility for our state’s Medicaid program by waiving prior authorization requirements for essential health care services and expedited provider enrollment.”

CMS provides guidance to states on how to apply for Section 1135 waivers through the Medicaid Disaster Response Tool Kit, which can be found [here](#). CMS will continue to expeditiously review and approve as appropriate all Section 1135 waivers and other requests that the agency receives to ensure that we are providing our state partners with the maximum flexibility they need to care for their Medicaid beneficiaries during the public health emergency. To support these efforts, CMS is developing checklists and tools to expedite requests and approvals for waivers and other commonly requested flexibilities.

While Florida is the first state to apply for this waiver authority, CMS expects more states will also submit similar requests. Additional Section 1135 approval letters will be posted [here](#) as they are issued.

This action, and earlier CMS actions in response to the COVID-19 virus, are part of the ongoing White House Task Force efforts. To keep up with the important work the Task Force is doing in response to COVID-19 click here www.coronavirus.gov. For information specific to CMS, please visit the [Current Emergencies Website](#).

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