

Agency for Health Care Administration Laws and Policy Exemptions or Modifications Implemented During COVID-19 Pandemic

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Senate Committee on Health Policy

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COVID 19 Response

Law and Policy Exemptions and Flexibilities

- Emergency Orders and Emergency Rules
- Federal Centers for Medicare and Medicaid Services (CMS) Blanket Waivers and Flexibilities and Mandates
- Centers for Disease Control guidance and other federal agencies
- Medicaid Flexibilities
- Critical Coverage and Access to Care Flexibilities



Federal Rules / Declarations / Guidance

-  Declaration of a National Emergency - Allocation of Resources
-  Personal Protective Equipment (PPE) and Infection Control Flexibilities
-  CDC Guidance on Infection Control for Health Care Providers
-  Certification Mandates for Visitation and Infection Control
-  Federal Reporting for Hospitals, Skilled Nursing, and Laboratories
-  Blanket Waivers for Health Care Providers
-  Delivery System and Provider Payment Guidance



Federal Blanket Waivers

Series of flexibilities activated during emergencies



Nursing Facilities

- Waiver of 3-day prior hospitalization for Medicare reimbursement
- Waiver of Pre-Admission Screening and Annual Resident review (PASARR)
- Flexibility in room utilization to accommodate surge



Hospitals

- Alternate care sites
- Acute Care at Home/
Hospitals Without walls



All Providers

- Waiver of certain physical environment requirements
- Waiver of prescriptive requirements for alcohol-based hand-rub dispensers



State Emergency Orders/Rules/Directives

State Declaration of Emergency

Protective Measures for Vulnerable Populations

- Long term care facility residents at greatest risk
- Mandatory masks and infection control measures
- Resident testing prior to hospital discharge

Entry, Testing, and Infection Control in Long Term Care Facilities

- Access by Department of Health infection control teams
- Mandatory staff testing and access to testing for residents

Access and Visitation Limits at Long Term Care Facilities

- Mandatory screening
- Restriction of entry
- Revisions to allow limited visitation



State Emergency Orders/Rules/Directives

Non-Essential Elective Medical Procedures

Daily Emergency Status System Reporting

COVID admissions and case
ICU and ventilator use
Surge capabilities
Personal Protective Equipment
Vaccination progress

Long Term Care Vaccination

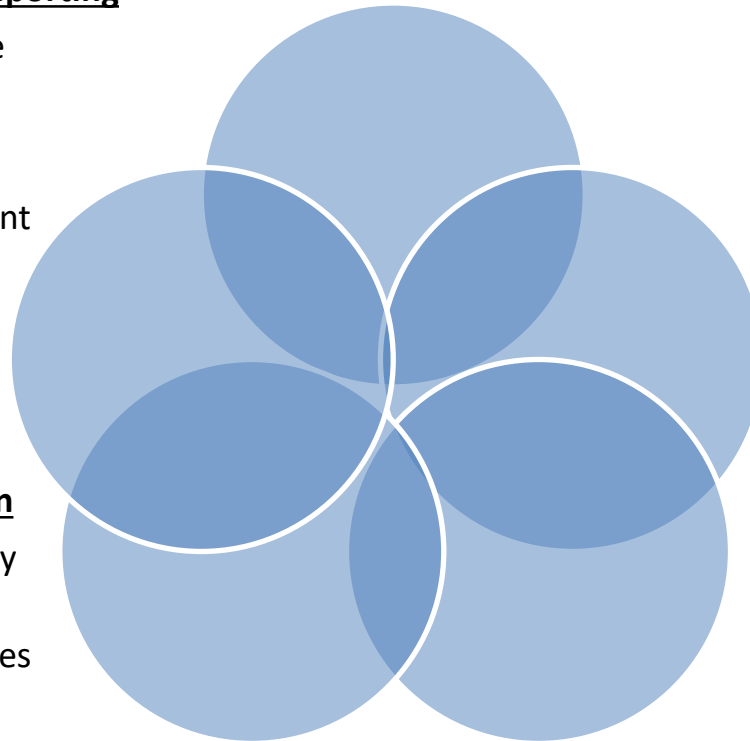
Enrollment in CDC Pharmacy
Partnership
Require entry to offer vaccines

Address Regulatory Barriers

Background screening of staff
Certificate of Need flexibility
Personal care attendant
program for nursing homes

Laboratory Reporting

Timely test results



Medicaid Access to Care During Pandemic

