



Medicaid Flexibilities Requests in Response to COVID-19 Emergency

Last Updated: April 27, 2023

Iowa HHS made the following requests to the Centers for Medicare and Medicaid Services (CMS) to serve Medicaid members during the COVID-19 emergency. Iowa HHS is doing a gradual return to regular processes. Any further clarification from CMS on the ending of flexibilities will be communicated through website updates and informational letters.

Requests	Start Date	End Date	Informational Letter
Provision of Services in Alternative Settings <ul style="list-style-type: none"> Allow for the provision of services in alternative settings when a licensed facility is unavailable due to the COVID-19 emergency 	March 1, 2020	June 6, 2022	IL 2346-MC-FFS
CHIP/Hawki Age-Out <ul style="list-style-type: none"> Continued eligibility for Children’s Health Insurance Program (CHIP) enrollees who turn 19 years old during the national emergency and who are otherwise ineligible for Medicaid due to income above 133% of the federal poverty level (FPL) 	March 1, 2020	April 20, 2021	IL 2246-MC-FFS-CVD
CHIP/Hawki Eligibility <ul style="list-style-type: none"> Extend eligibility to CHIP members beyond their certification period. Provide CHIP members additional time to submit renewal or verification materials 	March 1, 2020	March 31, 2024	
Continuous Coverage <ul style="list-style-type: none"> Provide continuous coverage for members who were enrolled on March 18, 2020 or anytime thereafter during the continuous coverage requirement. 	March 1, 2020	March 31, 2023	IL 2438-MC-FFS IL 2446-MC-FFS

Requests	Start Date	End Date	Informational Letter
<p>Cost Sharing Suspended Suspend cost-sharing for all members and suspend premiums for:</p> <ul style="list-style-type: none"> • Medicaid for Employed People with Disabilities (MEPD) • Iowa Health and Wellness Plan (IHAWP) • Dental Wellness Plan (DWP) • Healthy and Well Kids in Iowa (Hawki) • Client participation is not suspended 	March 1, 2020	May 31, 2024 Disenrollment for non-payment varies by program area.	
<p>Coverage for Uninsured</p> <ul style="list-style-type: none"> • Cover COVID-19 testing and related visits for uninsured individuals during the emergency, as allowed under the Families First Coronavirus Response Act. 	June 1, 2020	May 11, 2023	<u>IL 2448-MC-FFS-CVD</u>
<p>Fair Hearing Flexibilities</p> <ul style="list-style-type: none"> • Suspend adverse actions for individuals for whom the state has completed a determination but either: (1) has not yet sent the notice; or (2) who the state believes likely did not receive the notice. • Delay scheduling fair hearings and issuing fair hearing decisions under 42 C.F.R. 431.244(f)(4)(i)(B). • Hold fair hearings via video conferencing or telephone, provided the state adheres to other fair hearing requirements (42 C.F.R. part 431, subpart E), including ensuring that the hearing system is accessible to persons who are limited English proficient and persons who have disabilities (see 42 C.F.R. § 431.205(e) and 435.905(b)). • Reinstate services or eligibility if discontinued because the beneficiary's whereabouts were unknown due to displacement, after the beneficiary's whereabouts become known (if still eligible), consistent with 42 C.F.R. 431.231(d). 	March 13, 2020	May 11, 2023	

Requests	Start Date	End Date	Informational Letter
Home Delivered Meals <ul style="list-style-type: none"> Provide home delivered meals for members receiving 1915(i) HCBS Habilitation services, who are homebound due to the national public health emergency 	March 13, 2020	November 11, 2023	2449-MC-FFS-CVD_PHE_HCBS_Flexibilities Unwind
Home Delivered Meals <ul style="list-style-type: none"> Provide home delivered meals for 1915(c) enrollees who are homebound due to the national public health emergency. (Members receiving Home- and Community-Based HCBS waiver services.) 	January 27, 2020	November 11, 2023	2449-MC-FFS-CVD_PHE_HCBS_Flexibilities Unwind
Additional Services <ul style="list-style-type: none"> For 1915(C) HCBS Waiver Population <ul style="list-style-type: none"> Companion services Includes the alternative for companion services to replace supported community living, and consumer directed attendant care services that are unavailable if there is a shortage of providers or providers are not able to deliver goal directed service due to the COVID-19 emergency. January 27, 2020, End of Federal PHE + 6 Months* (Homemaker services Allow self-direction of the added services 	January 27, 2020	November 11, 2023	2449-MC-FFS-CVD_PHE_HCBS_Flexibilities Unwind
Additional Services For 1915(i) HCBS Habilitation Population <ul style="list-style-type: none"> Companion services <ul style="list-style-type: none"> Includes the alternative for companion services to replace habilitation services that are unavailable if there is a shortage of providers or providers are not able to deliver goal directed service due to the COVID-19 emergency Homemaker services Allow self-direction of the added services 	March 13, 2023	May 11, 2023	2449-MC-FFS-CVD_PHE_HCBS_Flexibilities Unwind

Requests	Start Date	End Date	Informational Letter
<p>Medical Day Care for Children For 1915(c) HCBS Brain Injury (BI), ID, Health and Disability (HD), and Children’s Mental Health (CMH) Waivers. This service provides for the supervision and support of children residing in their family home who, because of their complex medical or complex behavioral needs, require specialized exceptional care that cannot be provided in traditional childcare settings</p>	January 27, 2020	November 11, 2023	2449-MC-FFS-CVD_PHE_HCBS_Flexibilities Unwind
<p>Adult Day Care in the Home For the 1915(C) HCBS AIDS/HIV, BI, Elderly, HD, and ID Waivers Temporarily add adult day care to provide protective oversight and supervision for individuals in the home because of the absence of the primary caregiver.</p>	January 27, 2020	November 11, 2023	2449-MC-FFS-CVD_PHE_HCBS_Flexibilities Unwind
<p>Hospital 24-Hour Nursing Flexibility</p> <ul style="list-style-type: none"> Waive the 24-hour nursing requirement, which will permit a nurse to cover more than one ward in the event of staffing shortages caused by the COVID-19 emergency 	March 1, 2020	June 6, 2022	
<p>Intermediate Care Facility for Individuals with Intellectual Disabilities (ICF/IID) Flexibilities</p> <ul style="list-style-type: none"> Waive the requirement for direct care residential living unit staff, which will allow changes to direct care staff numbers, if necessary, due to the COVID-19 emergency. Waive the continuous active treatment program requirement, which will allow the health and safety needs of residents to be met if sufficient staff are unavailable to implement continuous active treatment due to the COVID-19 emergency. 	March 1, 2023	June 6, 2022	

Requests	Start Date	End Date	Informational Letter
Nursing Facility COVID-19 Relief Rate (CRR) <ul style="list-style-type: none"> CRR payments are available to Medicaid certified skilled nursing facilities (SNF) and nursing facilities (NF) during the period of the federal public health emergency who meet the requirements in IL 2146-MC-FFS-CVD. 	March 13, 2020	July 1, 2022	IL 2325-MC-FFS-CVD
Preadmission Screening and Resident Review (PASRR) <ul style="list-style-type: none"> Waive the PASRR, which will allow a nursing home to continue admission of an individual who has not had an assessment completed if there is a workforce disruption or hospitals reduce or limit outside contact in their facilities. 	March 1, 2020	May 11, 2023	
Provider Enrollment <ul style="list-style-type: none"> Waive payment of application fee to temporarily enroll a provider Waive site visits to temporarily enroll a provider 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 	March 1, 2020	May 11, 2023	
Provider Enrollment <ul style="list-style-type: none"> Permit providers located out-of-state/territory to provide care to an emergency state's Medicaid enrollee and be reimbursed for that service Postpone deadlines for revalidation of providers who are located in the state or otherwise directly impacted by the emergency Waive conditions of participation or conditions for coverage for existing providers for facilities for providing services in alternative settings, including using an unlicensed facility, if the provider's licensed facility has been evacuated 	March 1, 2020	May 11, 2023	IL 2387-MC-FFS-CVD

Requests	Start Date	End Date	Informational Letter
<ul style="list-style-type: none"> Temporarily delay or suspend onsite re-certification and revisit surveys, and enforcement actions, and allow additional time for facilities to submit plans of correction. 			
Long Term Service and Supports (LTSS) <ul style="list-style-type: none"> Extend minimum data set (MDS) authorizations for nursing facility and skilled nursing facility residents Modify deadlines for OASIS (HHA) assessments and transmission 	March 1, 2020	May 10, 2021	IL 2242-MC-FFS
Reporting and Oversight <ul style="list-style-type: none"> Suspend 2-week aide supervision requirement by a registered nurse for home health agencies Suspend supervision of hospice aides by a registered nurse every 14 days requirement for hospice agencies 	March 1, 2020	May 11, 2023	
Residency <ul style="list-style-type: none"> Consider beneficiaries evacuated from the state temporarily absent and maintain enrollment in their home state (for home state where disaster occurred, or public health emergency exists) 	March 13, 2020	May 11, 2023	
Telehealth <ul style="list-style-type: none"> Allow telehealth for any Medicaid service for which it is appropriate, regardless of member location 	March 13, 2020	December 31, 2023	IL 2457-MC-FFS
Allow case management companies to provide direct services to address potential personnel crisis for: <ul style="list-style-type: none"> HCBS Population Habilitation Population 	HCBS: November 11, 2023 Habilitation: November 11, 2023	November 11, 2023	2449-MC-FFS-CVD_PHE_HCBS_Flexibilities Unwind
Exceed Respite Service Limitations <ul style="list-style-type: none"> Remove the annual cost limit for respite services on the Intellectual Disabilities (ID) Waiver. 	January 27, 2020	November 11, 2023	2449-MC-FFS-CVD_PHE_HCBS_Flexibilities Unwind

Requests	Start Date	End Date	Informational Letter
<ul style="list-style-type: none"> Remove the limitation on respite being provided for children while parents, or primary caregivers, are working from home to relieve pressure created by work, school and daycare closures during the emergency. (HCBS ID Waiver Population) 			
<p>HCBS Settings Regulations</p> <ul style="list-style-type: none"> Not comply with the HCBS settings requirement at 42 CFR 441.301(c)(4)(vi)(D) that individuals are able to have visitors of their choosing at any time, for settings added after March 17, 2014, to minimize the spread of infection during the COVID-19 pandemic. <ul style="list-style-type: none"> ➤ HCBS Population ➤ Habilitation Population 	<p>HCBS Waiver: January 27, 2020</p> <p>HCBS Habilitation: March 1, 2020</p>	<p>November 11, 2023</p>	<p>2449-MC-FFS-CVD_PHE_HCBS_Flexibilities Unwind</p>
<p>Out-of-State Background Checks</p> <ul style="list-style-type: none"> Temporarily waive out-of-state background checks for Consumer Directed Attendant Care (CDAC) providers. The State will continue to conduct Iowa background checks during the emergency 	<p>March 1, 2020</p>	<p>May 11, 2023</p>	
<p>Parents and Family Members</p> <ul style="list-style-type: none"> Allow parents and family members to provide direct services. <ul style="list-style-type: none"> ➤ Services allowed include home based habilitation services, supported community living, CDAC, and meals ▪ HCBS Population ▪ Habilitation Population 	<p>HCBS: January 27, 2020</p> <p>Habilitation: March 1, 2020</p>	<p>HCBS Waiver November 11, 2023</p> <p>HCBS Habilitation May 11, 2023</p>	<p>2449-MC-FFS-CVD_PHE_HCBS_Flexibilities Unwind</p>
<p>Use of Legally Responsible Individuals to Render Personal Care Services (Early Periodic Screening, Diagnosis and Treatment, EPSDT)</p> <ul style="list-style-type: none"> For 1905(a) personal care services to be rendered by legally responsible individuals, including legally responsible family caregivers 	<p>March 1, 2020</p>	<p>May 11, 2023</p>	

Requests	Start Date	End Date	Informational Letter
<p>HCBS Population & Habilitation Population Processes</p> <ul style="list-style-type: none"> • Allow an extension for reassessments and reevaluations for up to one year past the due date. • Allow the option to conduct evaluations, assessments, and person-centered service planning meetings virtually/remotely in lieu of face-to-face meetings • Adjust prior approval/authorization elements approved in waiver. • Adjust assessment requirements • Add an electronic method of signing off on required documents such as the person-centered service plan. 	<p>HCBS: January 27, 2020</p> <p>Habilitation: March 1, 2020</p>	<p>November 11, 2023</p>	<p>IL 2304-MC-FFS-CVD IL 2244-MC-FFS-CVD 2449-MC-FFS-CVD_PHE_HCBS_Flexibilities Unwind</p>
<p>Retainer Payments Option for the State to make retainer payments to providers when a member is unable to receive normally authorized and scheduled services due to hospitalization, short term facility stay, isolation, or closure of a service line for any of the services listed below of no more than 30 days related to the COVID-19 emergency:</p> <ul style="list-style-type: none"> • HCBS Population <ul style="list-style-type: none"> ➢ Adult Day Care (AIDS, ID, and BI) ➢ Consumer Directed Attendant Care (AIDS, PD, ID, BI) ➢ Day Habilitation (ID) ➢ Prevocational Services (ID, BI) ➢ Supported Employment (ID, BI) • Habilitation Population <ul style="list-style-type: none"> ➢ Day Habilitation ➢ Prevocational Services ➢ Supported Employment 	<p>HCBS: January 27, 2020</p> <p>Habilitation: March 13, 2020</p>	<p>HCBS Waiver November 11, 2023</p> <p>HCBS Habilitation May 11, 2023</p>	<p>IL 2349-MC-FFS-CVD</p>
<p>HCBS Settings Regulations : Settings for HCBS expanded, if necessary and appropriate</p> <ul style="list-style-type: none"> • Allow services to be provided in ICF/ID or other facility settings 	<p>HCBS Waiver: January 27, 2020</p>	<p>November 11, 2023</p>	<p>2449-MC-FFS-CVD_PHE_HCBS_Flexibilities Unwind</p>

Requests	Start Date	End Date	Informational Letter
<ul style="list-style-type: none"> Allow direct care provider’s homes to be authorized settings – subject to Iowa Medicaid approval through an exception to policy request after all other options have been exhausted Allow direct care providers to move into member’s homes – subject to Iowa Medicaid approval through an exception to policy request after all other options have been exhausted Lift the existing limitation on five person homes to no longer designate an upper limit; providers allowed to consolidate members into homes, with this allowance limited by the home’s capacity. <ul style="list-style-type: none"> ➤ HCBS Population ➤ Habilitation Population 	HCBS Habilitation: March 1, 2020		
<p>Typically Face-to-Face Processes</p> <ul style="list-style-type: none"> Level of care and need based assessment evaluations and reevaluations Service plan reviews Interim service plan changes based on member’s change in needs Quarterly face to face case manager contacts <ul style="list-style-type: none"> ➤ HCBS Population ➤ Habilitation Population 	HCBS: January 27, 2020 Habilitation: March 1, 2020	November 11, 2023	2449-MC-FFS-CVD_PHE_HCBS_Flexibilities Unwind
<p>Dental Relief Payment</p> <ul style="list-style-type: none"> Allowed a temporary enhanced payment to dental providers to help address facility and safety upgrades in accordance with IL 2148-FFS-D-CVD. 	May 1, 2020	August 31, 2020	IL 2148-FFS-D-CVD
<p>Provider Relief</p> <ul style="list-style-type: none"> Allowed the distribution of \$50 million in grants to specific providers in accordance with IL 2173-MC-FFS-CVD. This money was provided to the State under the federal Coronavirus Aid, Relief, and Economic Security (CARES) Act. 	March 1, 2020	June 30, 2021	IL 2173-MC-FFS-CVD

Requests	Start Date	End Date	Informational Letter
Grants to Nursing Facilities <ul style="list-style-type: none"> Allow civil money penalty (CMP) funds to be distributed as grants to nursing facilities to purchase communicative technology during COVID-19 in accordance with IL 2133-MC-FFS-CVD. Allow CMP funds to be distributed as grants to nursing facilities for In-Person Visitation Aids. 	March 1, 2020 October 26, 2020	May 11, 2023	IL 2133-MC-FFS-CVD IL 2128-MC-FFS-CVD IL 2321-MC-FFS-CVD
E-Learning <ul style="list-style-type: none"> HCBS: Allow e-learning for Supported Community Living (SCL) members living outside the family home. Habilitation: Allow e-learning for home based Habilitation members living outside the family home. 	HCBS: January 27, 2020 Habilitation: March 1, 2020	November 11, 2023	2449-MC-FFS-CVD_PHE_HCBS_Flexibilities Unwind
Provider Relief <ul style="list-style-type: none"> Allowed the distribution of \$24 million in grants to specific providers in accordance with IL 2194-MC-FFS-CVD. This money was provided to the State under the federal Coronavirus Aid, Relief, and Economic Security (CARES) Act. 	March 1, 2020	June 30, 2021	IL 2194-MC-FFS-CVD

Blanket waivers announced by CMS, applicable to all states without need to specifically waive:

<https://www.cms.gov/files/document/covid19-emergency-declaration-health-care-providers-fact-sheet.pdf>

COVID-19 Waivers for Health Facilities announced by the Department of Internal Inspections:

<https://dia.iowa.gov/document/covid-19-waivers-health-facilities>