



## NEWS ALERT

April 21, 2020

Here is a summary of recent Centers for Medicare & Medicaid Services (CMS) actions taken in response to the 2019 Novel Coronavirus (COVID-19), as 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](http://www.coronavirus.gov). For information specific to CMS, please visit the [CMS News Room](#) and [Current Emergencies Website](#). CMS updates these resources on an ongoing basis throughout the day; the information below is current as of April 21, 2020 at 12:00 p.m.

### **CMS Issues Recommendations to Re-Open Health Care Systems in Areas with Low Incidence of COVID-19**

As the United States continues to face the unprecedented public health emergency from the COVID-19 pandemic, the tide is turning and some areas throughout the country are seeing a decline in cases. As states and localities begin to stabilize, CMS is issuing guidance on providing essential non-COVID-19 care to patients without symptoms of COVID-19 in regions with low and stable incidence of COVID-19. This is part of Phase 1 in the Trump Administration's [Guidelines for Opening Up America Again](#). The recommendations update earlier guidance provided by CMS on limiting non-essential surgeries and medical procedures.

[Press Release](#)  
[Recommendations](#)

### **Trump Administration Announces New Nursing Homes COVID-19 Transparency Effort**

CMS announced [new regulatory requirements](#) that will require nursing homes to inform residents, their families, and their representatives of COVID-19 cases in their facilities. In addition, as part of President Trump's Opening Up America, CMS will now require nursing homes to report cases of COVID-19 directly to the Centers for Disease Control and Prevention (CDC). This information must be reported in accordance with existing privacy regulations and statute. This measure augments longstanding requirements for reporting infectious disease to State and local health departments. CMS will also require nursing homes to fully cooperate with CDC surveillance efforts around COVID-19 spread.

[Press Release](#)  
[Guidance Memo](#)

### **Trump Administration Champions Reporting of COVID-19 Clinical Trial Data through Quality Payment Program, Announces New Clinical Trials Improvement Activity**

CMS is encouraging clinicians who participate in the Quality Payment Program (QPP), such as physicians, physician assistants, nurse practitioners, and others, to contribute to scientific

research and evidence to fight the COVID-19 pandemic. Clinicians may now earn credit in the Merit-based Incentive Payment System (MIPS), a performance-based track of QPP that incentivizes quality and value, for participation in a clinical trial and reporting clinical information by attesting to the new COVID-19 Clinical Trials improvement activity. This action will provide vital data to help drive improvement in patient care and develop innovative best practices to manage the spread of COVID-19 within communities.

### [Press Release](#)

#### **RHC & FQHCs: Telehealth and Virtual Communications Flexibilities During COVID-19 Public Health Emergency**

To support Rural Health Clinics (RHCs), Federally Qualified Health Centers (FQHCs), and their patients, Congress and CMS made changes to requirements and payments during the COVID-19 Public Health Emergency, including:

- New payment for telehealth services, including how to bill Medicare
- Expansion of virtual communication services
- Revision of home health agency shortage requirement for visiting nursing services
- Consent for care management and virtual communication services
- Accelerated/advance payments

### [MLN Matters SE20016](#)

#### **CMS Amends Certain Activities Related to the Health Insurance Exchange Quality Rating System, QHP Enrollee Experience Survey, and Quality Improvement Strategy**

CMS is easing burden on Qualified Health Plans (QHPs) during the Public Health Emergency. CMS directed plans that are eligible to report for the Quality Rating System and the Quality Improvement Strategy programs to discontinue collecting clinical quality measure data. Eligible QHPs can discontinue reporting in June 2020 for display on Exchange websites for the 2021 Open Enrollment period. CMS will continue to accept QHP Enrollee survey data submissions for this year, given that the survey administration is already underway.

### [Guidance](#)

#### **CMS Approves Additional State Medicaid Waivers and Amendments to Give States Flexibility to Address Coronavirus Pandemic**

CMS has approved 53 COVID-related emergency waivers, 39 state amendments, 16 COVID-related Medicaid Disaster Amendments and one CHIP COVID-related Disaster Amendment in record time. States are using a [toolkit](#) CMS developed to expedite the application and approval of Medicaid state waivers and State Plan Amendments.

CMS recently approved an additional COVID-related emergency Medicaid waiver for Wisconsin, delivering urgent regulatory relief to ensure the state can quickly and effectively care for its most vulnerable citizens. CMS also recently approved COVID-19 related Medicaid Disaster Amendments that bring relief to Guam, Louisiana, Maryland, and Minnesota. These approvals help to ensure that states have the tools they need to combat COVID-19 through a wide variety of state plan flexibilities. CMS continues to authorize amendments to ensure

emergency flexibilities in programs that care for the elderly and people with disabilities, including most recently for the District of Columbia, Florida, Mississippi, Nebraska, Utah, and Virginia. These approved flexibilities support President Trump's commitment to a COVID-19 response that is locally executed, state managed, and federally supported.

[Section 1135 Waivers](#)

[1915\(c\) Waiver Appendix K Amendments](#)

[Medicaid State Plan Amendments](#)

[CHIP State Plan Amendments](#)