House Pandemics and Public Health Committee

February 17, 2021

Agency for Health Care Administration

Molly McKinstry, Deputy Secretary for Health Quality Assurance
Beth Kidder, Deputy Secretary for Medicaid

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

6 Emergency Orders

18 Emergency Rules

- 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

Protecting Long-Term Care Residents

- Initial visitor and staff screening toolkit
- Enhanced infection and prevention control oversight
- Limiting entry of non-essential personnel in LTC facilities
- Hospital screening requirements for long-term care residents
- Required vaccine access for residents and staff

State Emergency Orders/Rules

State Declaration of Emergency

Protective Measures for Vulnerable Populations

- Resident testing prior to hospital discharge – AHCA Emergency Rules (5)
- Screening and restricted entry/visitation for LTC – DEM Emergency Orders

Testing, Infection Control, Vaccines in Long Term Care Facilities

- Access by Department of Health infection control teams – AHCA Emergency Rules (8)
- Mandatory staff testing and access to testing for residents – AHCA Emergency Rules (3)
- Vaccine access for staff and residents – AHCA Emergency Rules (2)

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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

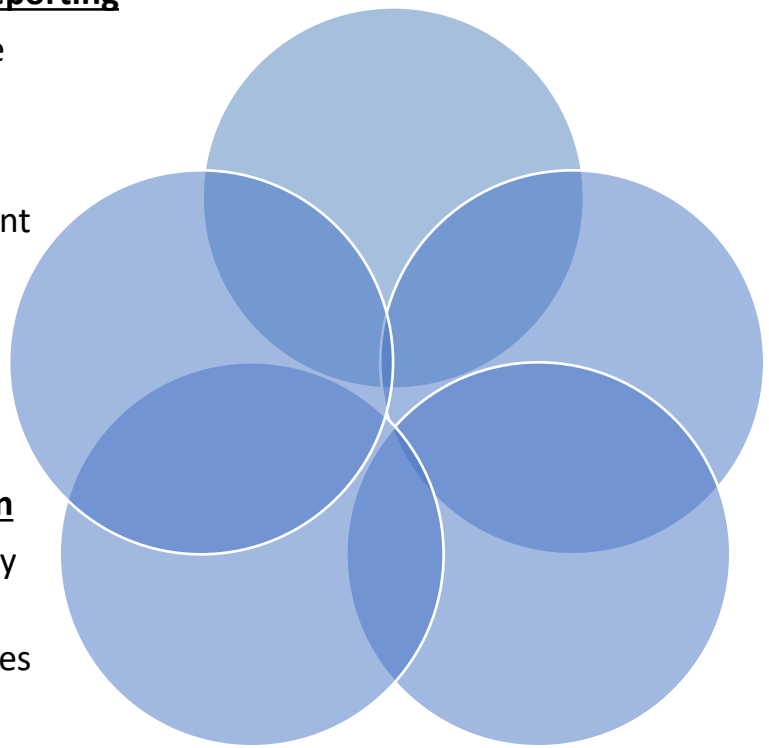
Vaccination progress

Address Regulatory Barriers

Background screening of staff

Certificate of Need flexibility

Personal care attendant program for nursing homes



Long Term Care Vaccination

Enrollment in CDC Pharmacy Partnership

Require entry to offer vaccines

Laboratory Reporting

Timely test results

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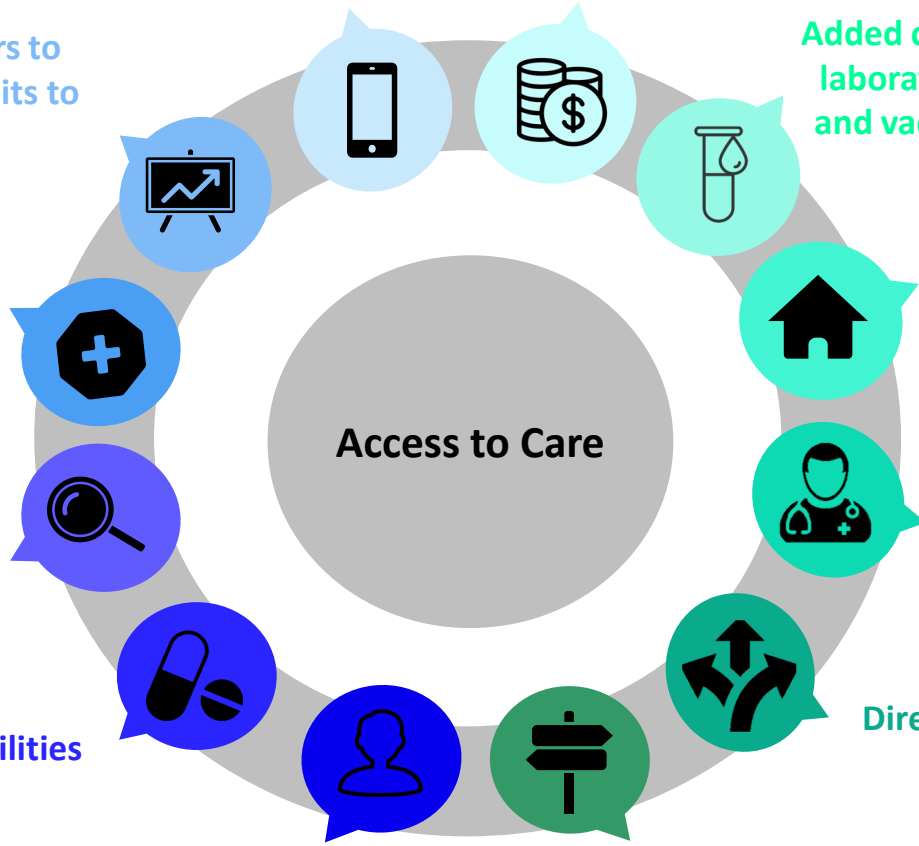
Medicaid Access to Care During Pandemic



Expanded telemedicine services

Waived all co-payment requirements

Allowed providers to exceed service limits to treat COVID

Added coverage of COVID-19 laboratory testing services and vaccine administration

Waived service limits for behavioral health services

Long-Term Care and Home and Community-Based Waivers

Waived prior authorization/ extended authorizations

Enacted provider enrollment flexibilities

Enacted pharmacy flexibilities

Directed and provided guidance to health plans

Extended Medicaid recipient eligibility and extended time to complete application process

Service-specific changes

Questions