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CMS Urges Providers to Prepare ASAP for Loss of Waivers, Posts Updated Waiver Documents

By Nina Youngstrom

In an Aug. 18 blog, top CMS administrators encourage providers to prepare “as soon as possible” for the loss of the waivers and flexibilities that flow from the COVID-19 public health emergency (PHE) “and to begin moving forward to reestablishing previous health and safety standards and billing practices.” ^[1]

But the blog, “Creating a Roadmap for the End of the COVID-19 Public Health Emergency,” reiterates that HHS will give the health care industry 60 days’ notice before ending the PHE “to minimize any disruptions.” The COVID-19 PHE continues through Oct. 13, and the jury is out on whether HHS will again extend it.

“It’s a wake-up call,” said attorney Sandra DiVarco, with McDermott Will & Emery in Chicago. “It is, in my view, the solid sign that they are going to wind it down—and 60 days’ notice out from October would be close to the end of the year, which is a natural turning point.”

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