

PUBLIC HEALTH EMERGENCY (PHE) WAIVERS & FLEXIBILITIES FOR CONTINUING HEALTH

Summary Table Updated 7/15/2022

PHE Expires 10/13/2022

Blanket Waivers updated 6/16/2022: [COVID-19 Emergency Declaration Blanket Waivers for Health Care Providers \(cms.gov\)](https://www.cms.gov/medicare/coverage/policies/2020s/c1901000/2022-01-01-covid-19-emergency-declaration-blanket-waivers-for-health-care-providers)

Waiver/Flexibility Category	Description	CMS Notes/State Specifics	Comments
Licensed Staff Working Across State Lines	Allows for licensed professionals in good standing from other states to work in IL and WI during the PHE.	Worker and employer complete temporary permit applications within 30 days of beginning work (WI). Employer must complete a notarized affidavit (IL).	IL waivers expire when the Public Health Emergency concludes. WI expire 30 days after the National Emergency Declaration concludes.
F2F Encounter for home health admission and hospice recertifications	If done remotely, must use audio/visual technology in real time	Needed to establish beneficiary eligibility	Allowed in both IL and WI
Initial Assessments	May be done remotely or through record review	Determines eligibility for home health	Allowed in both IL and WI
Comprehensive Assessment Visit by OT/PT/SLP	May be done by OT/PT/SLP if the patient is to receive therapy services. Excludes cases that are nursing only.	OT cannot be an independent discipline in the home. For OT to continue as a dependent service, SN/PT/SLP must be established first	Allowed in both IL and WI. COPs codified in 2022 HH payment rule allowing OTs to complete comprehensive assessments
Medicare Telehealth (billable)	Expands eligible practitioners to include rehab services: PT, OT, ST	Distant site telehealth may be provided by those that are eligible to bill for Medicare services	Allowed in both IL and WI
Homebound Definition	A beneficiary is considered homebound when quarantined for Covid-19 or susceptible to contract Covid-19 infection	Still must have skilled needs	Allowed in both IL and WI
Hospice Telehealth (non-billable)	Audio only (telephone) or audio-visual technology, that allows for real-time interaction between patient and clinician	Permitted in routine hospice care and telehealth must be included in the plan of care	Clinical judgement should be used to determine if telehealth meets the needs of patient/family

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Waiver Flexibility/Category	Description	CMS Notes/State Specifics	Comments
Patient request for clinical records	When requested the agency has 10 days to produce record	This is an extension from four days	Allowed in both IL and WI
Annual training and assessment of home health/hospice aides	Annual on-site visit waived.	Must resume no later than 60 days after expiration of PHE	Allowed in IL and WI Continuing Health is still observing aide training and competency assessments
12 hours in-service training requirement for home health/hospice aides	12-hour in-service requirement waived.	Resumes at the end of the first quarter following the expiration of the PHE	Continuing Health is still observing aide training
Detailed information sharing at home health discharge planning	Post-acute discharge planning to other post-acute setting is waived	All other discharge planning requirements are maintained	Allowed in both IL and WI See SBAR on CMS discharge planning
Appeals	CMS is allowing extensions for appeals in FFS, MA, and Part D	Must make request for extension with good cause	Allowed in both IL and WI
Covid-19 Testing	HHAs/Hospices are permitted to collect tests in patients in home setting.	Skilled services must already be in place	Allowed in both IL and WI
Hospice Volunteers and Non-core services	Provision of volunteer services is waived	Non-core services include PT, OT, ST	Allowed in both IL and WI
Replacement of DMEPOS Items	Requirements are waived for replacement of equipment that is lost, destroyed or damaged	Most provide detail on claim	Allowed in both IL and WI
Home Oxygen	Medicare beneficiaries may receive home oxygen without qualifying testing with Covid-19 diagnosis	N/A	Allowed in both IL and WI

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SNF 3 Day Prior Hospital Stay	3 Day Hospital stay is waived prior to SNF admission	60-day wellness period also waived to renew SNF benefit period	Allowed in both IL and WI
Waive Pre-Admission Screening for SNF	Assessment may be delayed up to 30 days	Residents with mental health or intellectual disability are screened as soon as resources are available	Allowed in both IL and WI
Transfer of SNF Residents	Transfer of Covid-19 + patients are permitted if receiving facility agrees	Any patients transferred among facilities without signs of respiratory infection are quarantined	Allowed in both IL and WI

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