



COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF HUMAN SERVICES

March 24, 2020

Jackie Glaze
CMS Acting Director
Medicaid & CHIP Operations Group Center for Medicaid & CHIP Services
7500 Security Boulevard
Baltimore, Maryland 21244
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**REQUEST FOR SECTION 1135 WAIVER FLEXIBILITIES RELATED TO NOVEL
CORONAVIRUS DISEASE (COVID-19) NATIONAL EMERGENCY/PUBLIC HEALTH
EMERGENCY**

Dear Ms. Glaze:

The Pennsylvania Department of Health Human Services (DHS) writes to request approval for flexibilities available under Section 1135 of the Social Security Act (42 U.S.C. § 1320b-5) as related to the Novel Coronavirus Disease (COVID-19). The COVID-19 outbreak was declared a national emergency under the Stafford Act on March 13, 2020, and a nationwide public health emergency on January 31, 2020 (retroactive to January 27, 2020).

The provisions identified in the attached 1135 Checklist Template represent Pennsylvania's initial requested flexibilities under the Section 1135 authority in connection with the COVID-19 outbreak and emergency. Because circumstances surrounding the COVID-19 emergency remain quite fluid, DHS may subsequently request approval for additional flexibilities, which we can commit to doing promptly, as soon as the need is discovered. Consistent with Section 1 of the President's March 13, 2020, national emergency declaration, DHS requests a retroactive effective date of March 1, 2020, for the requested Section 1135 flexibilities to coincide with the effective date of the waiver or modification of requirements under Section 1135 of the Social Security Act implemented by the Secretary of Health and Human Services on March 13, 2020.

In addition, DHS requests that any approved flexibility granted with respect to the benefits and providers would apply equally, to the extent applicable, to our State's Medical Assistance (MA) Fee-for-Service Program, federally approved 1915(b) HealthChoices managed care waiver, 1915(b)/(c) Community HealthChoices managed long-term services and supports (MLTSS) waiver, 1915(c) home and community based services waivers, Pennsylvania's Section 1115 Former Foster Care Youth and Substance Use Disorder Waiver, and to Pennsylvania's standalone Children's Health Insurance Program (CHIP).

OFFICE OF THE SECRETARY

If you have any questions concerning this waiver request, please contact Ms. Sally Kozak of my staff at (717) 856-6418 or sakozak@pa.gov.

Sincerely,


Teresa D. Miller
Secretary

cc: Dr. Rachel Levine, Secretary, Department of Health
Ms. Sarah Boateng, Executive Deputy Secretary, Department of Health
Mr. Clarke Madden, Executive Deputy Secretary, Department of Human Services
Ms. Sally Kozak, Deputy Secretary, Office of Medical Assistance Programs
Ms. Lindsay Mauldin, Director, Office of Policy Development
Mr. Kevin Hancock, Deputy Secretary, Office of Long-Term Living
Ms. Kristin Ahrens, Deputy Secretary, Office of Developmental Programs
Ms. Kristen Houser, Deputy Secretary, Office of Mental Health
and Substance Abuse Services
Ms. Lisa Watson, Deputy Secretary, Office of Income Maintenance
Ms. Tracey Campanini, Deputy Secretary, Office of Child Development
and Early Learning
Ms. Patricia Allan, Deputy Secretary, Children's Health Insurance Program