

United States Senate

WASHINGTON, DC 20510

March 22, 2020

The Honorable Seema Verma
Administrator
Centers for Medicare and Medicaid Services
7500 Security Boulevard
Baltimore, MD 21244

Dear Administrator Verma:

Thank you for the actions the Centers for Medicare and Medicaid Services (CMS) has taken to help address the health consequences and challenges from the COVID-19 (coronavirus) pandemic. On March 19, the State of Illinois submitted a Section 1135 Medicaid waiver request to meet the needs of Illinois families and providers in responding to this public health emergency. We urge CMS to swiftly approve the 1135 waiver request submitted by Illinois, so the state can expand access to health services and have the flexibility to deliver quality care amid the coronavirus pandemic.

Pursuant to the March 13 national emergency declaration, CMS has the emergency authority to waive certain requirements in Medicare, Medicaid, and the Children's Health Insurance Program (CHIP) under Section 1135 of the Social Security Act. To date, CMS has used this authority to approve waivers for Washington and Florida.

The waiver submitted by the State of Illinois would waive certain federal Medicaid, CHIP, and Health Insurance Portability and Accountability Act (HIPAA) requirements to ensure patient health care needs and can be met during the COVID-19 emergency. Specifically, the Illinois 1135 waiver request bolsters workforce capacity by waiving certain regulations on prescribing and referring practices and certain restrictions on care settings—so health providers can deliver essential care in innovative locations, such as a drive-thru screening site. The waiver also suspends prior authorization requirements for most services, so patients can access necessary care without delay. Illinois is also seeking flexibilities to expand tele-health services, including for in-home checkups.

On March 20, Illinois issued a stay-at-home order to contain the spread of COVID-19, which so far has resulted in 753 cases and 6 deaths. Our health care system is facing unprecedented strains and it is essential that we provide the resources and flexibility for our heroic health providers to continue serving their community. This 1135 waiver will do just that, and we urge CMS to move expeditiously to approve this waiver for Illinois.

Sincerely,



Richard J. Durbin
United States Senator



Tammy Duckworth
United States Senator