

In the News

Public Health Emergency (PHE) 1135 Waivers: Updated Guidance for Providers

Some of the flexibilities that were created during the COVID-19 pandemic were recently expanded by the Consolidated Appropriations Act, 2023. Others, while critical during the initial response to COVID-19, are no longer needed. The Centers for Medicare & Medicaid Services (CMS) has made further updates to their [CMS Emergencies Page](#) with useful information for providers – specifically around major telehealth and individual waivers – that were initiated during the Public Health Emergency (PHE).

Please reference the following guidance in response to the PHE ending May 11, 2023:

- **Provider-specific fact sheets about COVID-19 Public Health Emergency (PHE) waivers and flexibilities:** <https://www.cms.gov/coronavirus-waivers>
- **CMS COVID-19 Waivers and Flexibilities for providers include:**
 - Physicians and Other Clinicians
 - Hospitals and CAHs (including Swing Beds, DPUs), ASCs and CMHCs
 - Teaching Hospitals, Teaching Physicians and Medical Residents
 - Long Term Care Facilities (Skilled Nursing Facilities and/or Nursing Facilities)
 - Home Health Agencies
 - Hospice
 - Inpatient Rehabilitation Facilities
 - Long Term Care Hospitals & Extended Neoplastic Disease Care Hospitals
 - Rural Health Clinics (RHCs) and Federally Qualified Health Centers (FQHCs)
 - Laboratories
 - Medicare Shared Savings Program
 - Durable Medical Equipment, Prosthetics, Orthotics and Supplies
 - Medicare Advantage and Part D Plans
 - Ambulances
 - End Stage Renal Disease (ESRD) Facilities
 - Participants in the Medicare Diabetes Prevention Program
 - Intermediate Care Facility for Individuals with Intellectual Disabilities
- **Department of Health & Human Services Fact Sheet:**
<https://www.hhs.gov/about/news/2023/02/09/fact-sheet-covid-19-public-health-emergency-transition-roadmap.html>