

1135 Request Instructions

In response to COVID-19, CMS is empowered to take proactive steps through 1135 waivers and rapidly expand the Administration's aggressive efforts against COVID-19. As a result, the following blanket waivers are available for those providers affected by the emergency: <https://www.cms.gov/files/document/covid19-emergency-declaration-health-care-providers-fact-sheet.pdf>

HHAU has submitted requests to CMS and sent letters for requested support from Utah's Governor and national Legislators for blanket waivers. When a blanket waiver is issued, providers don't have to apply for an individual waiver. However, if there is no blanket waiver, providers affected by the emergency can ask for an individual Section 1135 waiver by following these [instructions](#).

In order process 1135 waivers as quickly as possible, please make sure they contain the following information:

- Provider Name/Type for those provider affected by the emergency
- Full Address (including county/city/town/state) CCN (Medicare provider number)
- Contact person and his or her contact information for follow-up questions should the Region need additional clarification
- Brief summary of why the waiver is needed. **For example:** CAH is sole community provider without reasonable transfer options at this point during the specified emergent event (e.g. flooding, tornado, fires, or flu outbreak). CAH needs a waiver to exceed its bed limit by X number of beds for Y days/weeks (be specific).
- Consideration – Type of relief you are seeking or regulatory requirements or regulatory reference that the requestor is seeking to be waived.

The following websites provide helpful information on § 1135 waivers:

- CMS Emergency Preparedness & Response Operations – Waivers & Flexibilities: <https://www.cms.gov/About-CMS/Agency-Information/Emergency/EPRO/Resources/Waivers-and-flexibilities>
- Provider Survey and Certification Frequently Asked Questions: <https://www.cms.gov/About-CMS/Agency-Information/Emergency/Downloads/Provider-Survey-and-Certification-Frequently-Asked-Questions.pdf>
- Requesting an 1135 Waiver 101: <https://www.cms.gov/Medicare/Provider-Enrollment-and-Certification/SurveyCertEmergPrep/Downloads/Requesting-an-1135-Waiver-101.pdf>

To keep up with the important work CMS is doing in response to COVID-19, please visit the [Current Emergencies Website](#).

Should you require any further information, and/or would like to submit a revised 1135 waiver, please submit your request to: CMD@cms.hhs.gov.