

Washington State's Supplemental 1135 Waiver Requests  
March 21, 2020

Dear Calder and Jackie,

Thank you again for your team's work. We appreciate the 1135 basic waiver approval. We are working to hone in on our 1115 waiver for the Disaster Relief Fund and other issues.

In the meantime, I wanted to clarify the few other 1135 issues we believe you did not approve, so we're hoping your team can take a closer look at the following:

1. **We believe that these three flexibilities are definitely available, but were not approved:**

- Modifying deadlines for CMS Outcome and Assessment Information Set (OASIS) and Minimum Data Set (MDS) assessments and transmission
- Temporarily suspending 2-week aide supervision requirement by a registered nurse for home health agencies
- Temporarily suspending the supervision of hospice aides by a registered nurse every 14 days requirement for hospice agencies

2. **We believe the following other potential 1135 waivers may be available – or please advise accordingly:**

- Modifying timelines for person-centered service plans
- Suspending licensure requirements so services may be provided by doulas and CHWs
- Waiving Medicare hospice provider face-to-face requirements
- Waiving CMS Medicaid regulations, 42 C.F.R. § 440.70(a)(2), to once again allow ARNPs and PAs to order home health services and medical supplies without a physician signature (this was a recent inadvertent change made that we're hoping CMS can reverse to allow these providers this needed flexibility)