

**For Your Information**

November 13, 2020

*This message is for Bozeman Health leadership from Jennifer McManis, system director of compliance.*

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## **Utilizations and Approval Process for CMS Blanket Waivers and Flexibilities for Bozeman Health Deaconess Hospital and Big Sky Medical Center**

### **Here's what's happening...**

CMS has issued blanket waivers and flexibilities that are applicable to Bozeman Health Deaconess Hospital and Big Sky Medical Center. The purpose of the waivers is to help healthcare providers contain the spread of COVID-19 by allowing hospitals the flexibility to rapidly expand their workforce, increase hospital capacity, and reduce administrative burden while responding to the Public Health Emergency (PHE). During the PHE the following regulatory changes have occurred:

- CMS has issued a series of blanket waivers and flexibilities;
- Montana Medicaid has issued waivers that impact payment and has adopted the CMS waivers; and
- The CARES Act was passed which has specific regulatory requirements regarding coverage of COVID-19 testing and COVID-19 related care.

Please see the complete [policy on MIND](#). A [PowerPoint](#) is also available that details the waivers and the flexibilities. It is attached to this email and available on MIND.

### **Here's what you need to do...**

If you have a request to implement blanket waivers and flexibilities you must first go to Incident Command to receive approval ([IncidentCommand@bozemanhealth.org](mailto:IncidentCommand@bozemanhealth.org)).

Please see the following review and approval process:

#### **1. Approving Authority:**

##### **a. Incident Command**

- i. Approves the request and develops recommendation plan to utilize Blanket Waivers and Flexibilities.

##### **b. Executive Team (ET)**

- i. Approves request to utilize Blanket Waivers and Flexibilities issued by CMS to increase hospital capacity (i.e. establish an alternate care site, enter into a contractual relationship to expand hospital capacity, etc.).

##### **c. ET Leader and Hospital President**

- i. Approves request to utilize Blanket Waivers and Flexibilities issued by CMS to expand workforce, reduce administrative burden, or increase access to care, and to implement flexibilities related to EMTALA or HIPAA.

##### **d. System Director**

- i. Approves the request to utilize Flexibilities and regulatory changes issued by CMS or Medicaid to receive payment during the PHE for services that have been expanded, including:
  1. modifiers and conditions codes used to bypass claim edits that would

- prevent payment, (i.e. expanded coverage of home oxygen, diagnostic lab and radiology, or to identify services provided at an approved surge site or in a new care area of the hospital or to reduce patient cost sharing);
2. telephone visits;
  3. virtual visits for new patients; and
  4. to expand Medicaid services that focus on reducing prior-authorization or expansion of care.

## **2. Request and Approval Process**

- a. When a scenario is identified that may benefit from the utilization of a blanket waiver or flexibility that has not been previously approved for utilization, please submit your request to Incident Command ([IncidentCommand@bozemanhealth.org](mailto:IncidentCommand@bozemanhealth.org)) to begin the analysis and approval process.
- b. Incident Command will route the request to the Liaison Officer for review.
- c. Compliance and Legal will review the request and meet with the appropriate stakeholders to review the request.
- d. Compliance and Legal will facilitate the approval process (both for Incident Command the Executive Team/Hospital President), and notify the applicable leaders of the approval or denial of the request to utilize the requested blanket waiver or flexibility.
- e. The applicable system director(s) will be responsible, with assistance from Compliance and Legal, to develop a blanket waiver or flexibility implementation plan.
- f. Compliance and Legal will maintain a table that identifies each waiver and the date that we began utilizing the blanket waiver or flexibility.

### **Here's why...**

These blanket waivers and flexibilities allow Bozeman Health to be agile while also ensuring that our practices support the quality of care and safety of our patients.

**Questions or comments?** Contact Jennifer McManis at [JMcManis@bozemanhealth.org](mailto:JMcManis@bozemanhealth.org) or Steve Klein at [SKlein@bozemanhealth.org](mailto:SKlein@bozemanhealth.org).