

For Immediate release

April 8, 2022

CMS releases schedule for removal of COVID-19 waivers

The Centers for Medicare and Medicaid services (CMS) have released an update to COVID-19 Emergency Declaration Blanket Waivers for Specific Providers.

CMS's release states skilled nursing facilities/nursing facilities (SNFs/NFs), inpatient hospices, intermediate care facilities for individuals with intellectual disabilities (ICF/IIDs) and end-stage renal disease (ESRD) facilities have developed policies or other practices that we believe mitigates the need for certain waivers.

Applicable waivers will remain in effect for hospitals and critical access hospitals (CAH)

The waivers will end in two different waves, 30 days from April 7, 2022 and 60 days.

Below is a synopsis of some of the waivers that CMS is ending:

- **Equipment Maintenance & Fire Safety Inspections for ESRD facilities** - 42 CFR §494.60(b) and (d) CMS waived the requirement for on-time preventive maintenance of dialysis machines and ancillary dialysis equipment. Additionally, CMS waived the requirements for ESRD facilities to conduct on-time fire inspections.
- **Facility and Medical Equipment Inspection, Testing & Maintenance (ITM)** for Inpatient Hospice, ICF/IIDs and SNFs/NFs – 42 CFR §§418.110(c)(2)(iv), 483.470(j), and 483.90
- CMS waived **ITM** requirements for facility and medical equipment to reduce disruption of patient care and potential exposure/transmission of COVID-19.
- Life Safety Code (LSC) and Health Care Facilities Code (HCFC) ITM for Inpatient Hospice, ICF/IIDs and SNFs/NFs - 42 CFR §§ 418.110(d)(1)(i) and (e), 483.470(j)(1)(i) and (5)(v), and 483.90(a)(1)(i) and (b) CMS waived **ITM** required by the LSC and HCFC, with specified exceptions, which permitted facilities to adjust scheduled ITM frequencies and activities to the extent necessary.
- Life Safety Code for Inpatient Hospice, ICF/IIDs, and SNFs/NFs - 42 CFR §§418.110(d), 483.470(j), and 483.90(a) CMS waived these specific LSC provisions:

Fire Drills: Due to the inadvisability of quarterly fire drills that move and mass staff together, CMS permitted a documented orientation training program related to the current fire plan, which considered current facility conditions.

Temporary Construction: CMS waived requirements that would otherwise not permit temporary walls and barriers between patients.

Please refer to the CMS release for complete details on the removal of waivers. If you have further questions, please call 785-296-3401 or email john.sprague@ks.gov.