



New York– CMS Medicaid 1135 Waivers Update

- Waives prior authorization requirements under Medicaid FFS or the State Plan
- Extends authorizations for a beneficiary that already received prior authorization
- Waives PASRR Level I and Level II Assessments for 30 days
- Provide additional time regarding fair hearings and appeals requests for Medicaid patients
- Provider Enrollment Waivers
 - Temporarily allows NY to enroll providers already enrolled with another State’s Medicaid program or Medicare
 - For providers not currently enrolled in another State’s Medicaid program or Medicare:
 - CMS waived the following enrollment requirements:
 - Application fee
 - Criminal background checks
 - Site visits
 - New York licensure verification requirements
 - Providers will need to provide the following information to be enrolled:
 - Minimum data to file and process claims (including NPI)
 - SSN, EIN, and/or Tax ID for OIG exclusion list check and licensed in at least one state
 - Payment for these providers must stop within six months of the termination of the public health emergency
 - Providers’ temporary enrollment status will end when the public health emergency has ended
 - May retroactively be enrolled no earlier than March 1, 2020
 - Temporarily stop revalidation of providers located in NY
 - For reimbursement for claims submitted by out-of-state providers enrolled with another State’s Medicaid Agency or Medicare, CMS is waiving the fifth criterion below:
 - 1. The out-of-state provider (includes pharmacy) furnished the item or service outside of NY
 - 2. The NPI is on the claim
 - 3. The provider is enrolled and in “approved” status in Medicaid or another State’s Medicaid program
 - 4. The claim represents the services furnished
 - 5. The represents either:
 - A single instance of care furnished over a 180-day period, or
 - Multiple instances of care furnished to a single participant, over a 180-day period
 - *This requirement is waived and New York may reimburse out-of-state providers for multiple instances of care to multiple participants, so long as the other criteria listed above are met.*
- Facilities may set up alternative sites in unlicensed facilities to provide services
 - The State must make an assessment that the facility meets minimum standards



- Includes NFs, ICF/IDDs, psych residential treatment facilities, and hospital NFs
- The waivers are effective March 1, 2020 – until termination of the public health emergency