

Congress of the United States
Washington, DC 20515

March 18, 2020

The Honorable Seema Verma
Administrator
Centers for Medicare and Medicaid Services
7500 Security Blvd.
Baltimore, MD 21244

Ms. Lauren D. Reinertsen, M.P.A., Ph.D.
Associate Regional Administrator
Centers for Medicare and Medicaid Services
Northeast Division Survey & Certification
26 Federal Plaza, Room 37 – 130
New York, NY 10278-0063

Dear Administrator Verma and Associate Regional Administrator Reinertsen,

On behalf of New Jersey's acute care hospitals, post-acute facilities, long-term care facilities, home health agencies, and the thousands of New Jersey health care workers serving on the front lines of this unprecedented public health emergency, the undersigned members of the New Jersey congressional delegation write today to express our support of New Jersey's Section 1135 waiver application that was submitted on March 16, 2020 in response to the outbreak of the 2019 Novel Coronavirus (COVID-19)

A waiver under Section 1135 of the Social Security Act allows the Secretary of Health and Human Services to waive or modify certain Medicare, Medicaid, and Children's Health Insurance Program (CHIP) requirements to ensure that sufficient health care items and services are available to meet the needs of individuals affected by a national public health emergency like the COVID-19 pandemic.

The New Jersey Department of Health, in coordination with the state's healthcare industry associations, has determined that compliance with certain CMS requirements is not or will not be possible as COVID-19 outbreak escalates. Examples include waiving allowing facilities to receive payments for services provided to affected beneficiaries in alternative physical settings (e.g., temporary shelters); and waiving the home health and hospice face-to-face encounter requirements, as these requirements can hinder providers' ability to provide timely and effective care while meeting increasing demand and protecting the health of the provider workforce.

We support the New Jersey Department of Health's request that the Secretary waive these requirements for the duration of the national emergency. Doing so will allow providers and facilities to continue treating patients – including patients not diagnosed with COVID-19 – with minimal interruption to services. We urge CMS to approve the waiver request as soon as possible to ensure that New Jersey patients can get the care they need.

We appreciate your prompt attention on this critical matter and look forward to working with you and your department to address the COVID-19 pandemic.

Sincerely,



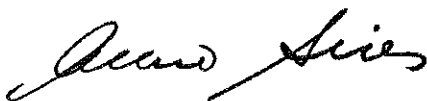
Robert Menendez
United State Senator



Bill Pascrell, Jr.
Member of Congress



Cory A. Booker
United States Senator



Albio Sires
Member of Congress



Donald Norcross
Member of Congress



Bonnie Watson Coleman
Member of Congress

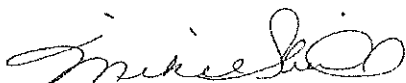


Andy Kim
Member of Congress



Christopher H. Smith
Member of Congress

Donald M. Payne, Jr.
Member of Congress



Mikie Sherill
Member of Congress

Jefferson Van Drew
Member of Congress

Josh Gottheimer
Member of Congress



Tom Malinowski
Member of Congress



Frank Pallone, Jr.
Member of Congress