

DEPARTMENT OF HEALTH & HUMAN SERVICES
Centers for Medicare & Medicaid Services
San Francisco Regional Office
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San Francisco, California 94103-6708



DIVISION OF FINANCIAL MANAGEMENT & FEE FOR SERVICE OPERATIONS

October 18, 2017

Cheri Hummel
Vice President, Emergency Management & Facilities
California Hospital Association
1215 K Street, Suite 800
Sacramento, California 95814

Dear Ms. Hummel:

This is a follow-up response to our letter to you dated October 13, 2017, regarding the California wildfires. You indicated that the California Hospital Association has been working closely with hospitals adversely affected by the wildfires in northern California.

On October 15, 2017, Acting Secretary Eric D. Hargan declared that a public health emergency exists and has existed since October 8, 2017, in the State of California, as a consequence of the California wildfires. You may review the following CMS webpage which includes information regarding the emergency declaration for the 2017 California wildfires.
<https://www.cms.gov/About-CMS/Agency-Information/Emergency/Wildfires.html>.

With respect to section 1135 of the Social Security Act, you may review the following CMS webpage which includes detailed information about 1135 waivers and how request an 1135 waiver. <https://www.cms.gov/Medicare/Provider-Enrollment-and-Certification/SurveyCertEmergPrep/1135-Waivers.html>.

With respect to Medicare Part A coverage for post-acute skilled nursing facility (SNF) care, CMS has approved a blanket waiver of the Social Security Act, Section 1812(f). This waiver of the requirement for a 3-day prior hospitalization for coverage of a SNF Part A stay provides temporary emergency coverage of SNF services without a qualifying hospital stay, for those people who are evacuated, transferred, or otherwise dislocated as a result of the effect of the wildfires in California in 2017. In addition, for certain beneficiaries who recently exhausted their SNF benefits, it authorizes renewed SNF coverage without first having to start a new benefit period. Individual facilities do not need to apply for this blanket waiver.

We hope this is of assistance to you. If you need any additional information, you may contact me at (415) 744-3551.

Sincerely,

A handwritten signature in black ink, appearing to read "Neal E. Logue". The signature is fluid and cursive, with the first name "Neal" being the most prominent.

Neal E. Logue
Health Insurance Specialist
Division of Financial Management and
Fee for Service Operations