



DATE: August 20, 2021
TO: All Medicare Advantage Organizations and Medicare-Medicaid Plans
SUBJECT: COVID-19 Flexibilities Reminder

In light of the recent surge of the COVID-19 delta variant and increased hospitalizations across the country, the Centers for Medicare & Medicaid Services (CMS) strongly encourages all Medicare Advantage Organizations (MAOs) to waive or relax plan prior authorization requirements and utilization management processes to facilitate the movement of patients from general acute-care hospitals to post-acute care and other clinically-appropriate settings, including skilled nursing facilities, long-term care hospitals, inpatient rehabilitation facilities, and home health agencies. The ability of hospitals to transfer patients to appropriate levels of care without unnecessary delays or administrative burdens is critical to ensuring that hospitals have open acute-care beds to treat patients requiring emergent care.

CMS reminds MAOs that they are permitted to waive or relax plan prior authorization requirements at any time in order to facilitate access to services with less burden on beneficiaries, plans, and providers, even absent a disaster or public health emergency¹. Any such relaxation or waiver must be uniformly provided to similarly situated enrollees. We also remind MAOs that while they and their contracted providers are not required to follow Original Medicare's documentation requirements or policies for establishing medical necessity, the methods implemented by MAOs and/or their contracted providers to determine medical necessity cannot result in coverage standards that are more stringent than standards that apply in Fee-For-Service Medicare. The rules governing CMS's payments to Medicare Advantage Organizations remain unchanged, and are not affected by this information. We strongly encourage MAOs to use this flexibility during this time.

¹ See [May 22, 2020 HPMS Memo titled "Information Related to Coronavirus Disease 2019 – COVID-19"](#) for additional information on permissive actions and flexibilities.