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Center for Clinical Standards and Quality

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Ref: QSO-23-03-All  
**RESCINDED as of 01/20/2025**

**DATE:** November 22, 2022  
**TO:** State Survey Agency Directors  
**FROM:** Directors, Quality, Safety & Oversight Group (QSOG) and Survey & Operations Group (SOG)  
**SUBJECT:** **RESCIND** The Importance of Timely Use of COVID-19 Therapeutics

**Memorandum Summary**

*CMS is rescinding this memo (QSO-23-03-All), effective on 01/20/2025 as referenced in Executive Order 13997.*

- *Providers and suppliers, especially those delivering care in congregate care settings, should ensure their patients and residents are protected against transmission of COVID-19 within their facilities, as well as receiving appropriate treatment when tested positive for the virus.*
- *Further, all providers and suppliers should continue to implement appropriate infection control protocols for COVID-19 (<https://www.cdc.gov/coronavirus/2019-ncov/hcp/infection-control.html>) and Influenza (<https://www.cdc.gov/flu/professionals/infectioncontrol/index.htm>).*
- *This memo discusses the importance of the timely use of available COVID-19 therapeutics, particularly for high-risk patients who test positive for the virus.*

**Background**

The purpose of this memo is to highlight the importance of providing timely access to available COVID-19 therapeutics to patients who test positive for the virus. Treatments, including both monoclonal antibodies and oral antiviral drugs, can prevent serious illness and save the lives of high-risk individuals who would otherwise be at risk of severe complications. Every patient who tests positive for COVID-19 should be evaluated to determine whether the use of an available therapeutic is appropriate.

Nursing homes, in particular, should review and reinforce their infection control protocols as we move into fall and winter, when respiratory infections are more commonly transmitted. In addition to mitigating opportunities for transmission of COVID-19, nursing homes should ensure residents receive (in consultation with their physician and family) appropriate treatment when tested positive for COVID-19.

The Food and Drug Administration (FDA) authorized Paxlovid (nirmatrelvir and ritonavir) and Lagevrio in December 2021 as COVID-19 therapeutics (See: <https://aspr.hhs.gov/COVID-19/Therapeutics/Products/Lagevrio/Pages/default.aspx> and <https://www.fda.gov/drugs/news-events-human-drugs/fda-updates-paxlovid-health-care-providers>). Monoclonal antibody treatments are also available. For more information about their use and billing practices for Medicare, visit <https://www.cms.gov/monoclonal>.

On March 7, 2022, the HHS Assistant Secretary for Preparedness and Response opened direct ordering of oral antivirals to long-term care pharmacies to facilitate increased access for long-term care residents who are at increased risk for developing severe COVID-19. Facilities that are at risk of seeing an outbreak of COVID-19 may consider contacting their long-term care pharmacy to discuss ordering in advance an appropriate supply of oral antivirals to have on hand given the importance of expeditious treatment.

Nursing homes, in particular, are encouraged to review the latest updated information from the National Institutes of Health for use of clinically appropriate therapeutics here: <https://www.covid19treatmentguidelines.nih.gov/management/clinical-management-of-adults/nonhospitalized-adults--therapeutic-management/>.

CMS reminds providers and suppliers that, even when a patient's symptoms may not initially present as severe, individual risk levels should be considered when deciding whether to prescribe an appropriate course of treatment. Patients who have multiple preexisting comorbidities, who live in a community setting like a nursing home, or who engage with services like the Program of All-Inclusive Care for the Elderly (PACE) may be particularly important to start on appropriate COVID-19 treatments before their condition deteriorates.

In addition to providing timely access to available COVID-19 therapeutics to patients who test positive for the virus, **staying up to date with COVID-19 vaccinations, including boosters, is the best defense against severe illness, hospitalization, and death from the virus.** [CMS requires nursing homes](#) to educate residents and staff on the risks and benefits of the vaccines, offer to administer the vaccine, and report resident and staff vaccination data to CDC's National Healthcare Safety Network. CMS posts this information on the CMS [COVID-19 Nursing Home Data](#) website along with other COVID-19 data, such as the weekly number of COVID-19 cases and deaths.

**Contact:** Questions about this memorandum should be addressed to:

- [DNH\\_TriageTeam@cms.hhs.gov](mailto:DNH_TriageTeam@cms.hhs.gov) for questions related to nursing homes;
- [QSOG\\_Emergencyprep@cms.hhs.gov](mailto:QSOG_Emergencyprep@cms.hhs.gov) for questions related to acute and continuing care providers.

**Effective Date:** Immediately. This memo does not reflect new survey guidance nor policy, and is to be considered a reference memo, only.

/s/

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