

Guidance Documents Available on CMS H1N1 Website as of 11/03/09

Link to main page: <http://www.cms.hhs.gov/H1N1/>

MEDICARE

FACT SHEET: Coverage of H1N1 Vaccine in Medicare Program. Brief summary of Medicare benefits coverage for H1N1 vaccine administration and antiviral medication, and information on H1N1 vaccine recommendations (3 pp.). Written for and addressed to a lay audience (i.e. beneficiaries).

H1N1 Fact Sheet: Medicare FFS Provider Billing (9-25-09). Bullet points on Medicare coverage, billing, coding, cost-sharing and payment policies for H1N1 vaccination, diagnosis, and treatment (2 pp.).

H1N1 - Medicare FFS - Emergency Qs & As (10-14-09). Question and answer document that enumerates Medicare Fee-For-Service (FFS) policies and procedures related to emergencies (26 pp.). Includes a section specific to the H1N1 pandemic that describes Medicare coverage and payment for H1N1 vaccine administration in physician offices and alternate settings, coverage for surgical masks and H1N1 diagnostic tests, and billing information including the Free Care Rule.

MLN Matters SE0920: Medicare Fee-for-Services (MFFS) Billing for the Administration of the Influenza A (H1N1) Virus Vaccine. Newsletter for Medicare providers with detailed technical information on billing and payment for H1N1 and seasonal influenza vaccination (3 pp.).

MEDICAID

2009 H1N1 Guidance for States. Letter to State Health Officials outlining Medicaid/CHIP authorities and obligations related to H1N1 vaccination and treatment (10 pp.). Includes extent of coverage for H1N1 vaccine for beneficiaries, billing and coding information, providing vaccine in alternate settings, presumptive eligibility, H1N1 treatment services available to beneficiaries, and other topics.

FACT SHEET: Coverage of H1N1 Vaccine in Medicaid/CHIP Programs. Brief summary of Medicaid/CHIP benefits coverage for H1N1 vaccine administration and antiviral medication, and information on H1N1 vaccine recommendations (3 pp.). Written for and addressed to a lay audience (i.e. beneficiaries).

H1N1 Fact Sheet Medicaid/CHIP Provider Billing (10-26-09). Bullet points on Medicaid and CHIP coverage, billing, coding, cost-sharing and payment policies for H1N1 vaccination, diagnosis, and treatment (3 pp.).

Guidance to States on New H1N1 Billing Codes. Question and answer document describing how newly established billing codes for H1N1 vaccine and vaccine administration may be used when billing Medicaid (1 pg.).

SECTION 1135 WAIVERS

Background and Q's & A's on President Obama's 10/24/09 Emergency Declaration for H1N1 Flu (Posted: 10-28-09). Question and answer document providing information about President Obama's emergency declaration including the legal authority under which it was issued, how it affects the

Section 1135 waiver process, effect of the declaration on state and certain federal laws, and implementation steps for Section 1135 waivers (5 pp.).

H1N1 FACT SHEET: Requesting an 1135 Waiver (10-27-09). A summary of the process providers must follow to request an 1135 waiver, given the Secretary's authority (3 pp.)

H1N1 - Medicare FFS - Emergency Qs & As that May be Implemented Only with a § 1135 Waiver (10-30-09). Question and answer document that enumerates Medicare FFS policies and procedures that may change under a Section 1135 waiver (12 pp.). A Section 1135 waiver allows the HHS Secretary to waive or modify certain Medicare, Medicaid or CHIP requirements during a Presidentially-declared national emergency that is also declared a public health emergency by the HHS Secretary. On October 23, 2009, President Obama declared a national emergency with respect to the H1N1 influenza pandemic. On April 26, 2009, Acting Secretary Charles Johnson declared a public health emergency in response to the H1N1 virus, and Secretary Sebelius renewed that declaration on July 24, 2009 and again on October 1, 2009. Secretary Sebelius invoked the 1135 waiver authority on October 29, 2009, with a retroactive effect to October 23, 2009.

Waiver or Modification of Requirements under Section 1135 of the Social Security Act (10/27/09). Transcript and scan of Secretary Sebelius' invocation of 1135 waiver authority on October 29, 2009, with a retroactive effect to October 23, 2009.

GENERAL EMERGENCY RESPONSE

CMS Pandemic Influenza Operations and Response Plan. Agency-level plan on continuity of operations and pandemic influenza response, updated in September 2009 (111 pp.).

EMTALA Fact Sheet. Memorandum to State Survey Directors describing requirements, options, and waivers for hospitals related to EMTALA, the Emergency Medical Treatment and Active Labor Act (4 pp.). Includes options for managing emergency department surges in compliance with EMTALA.

H1N1 FACT SHEET: Hospital Alternative Care Sites during H1N1 Public Health Emergency (10-27-09). Question and answer document that describes hospitals' ability to establish alternative care sites in the event of a surge of emergency department patients (14 pp.). With the ongoing outbreaks of the 2009 novel H1N1 flu this fall, there are some hospitals that may experience a surge in the number of individuals presenting to emergency departments for evaluation and treatment for H1N1 illness. In some cases, hospitals may find it necessary to establish alternative care sites to expand the ability of the facility to care for patients. Includes guidance on payment for care, standards of care, and conditions of participation at alternative care sites, for Medicare and Medicaid, with and without a Section 1135 waiver.