NEWS ALERT

September 27, 2022

CMS Announces Resources and Flexibilities to Assist with the Public Health Emergency in the State of Florida

The Centers for Medicare & Medicaid Services announced today additional resources and flexibilities available in response to Hurricane Ian in the State of Florida. CMS is working closely with the State of Florida to put these flexibilities in place to ensure those affected by this natural disaster have access to the care they need – when they need it most.

On September 24, 2022, President Biden determined that an Emergency exists in the State of Florida due to the emergency conditions resulting from the then Tropical Storm Ian beginning on September 23, 2022, and continuing. Additionally, on September 26, 2022, Department of Health and Human Services Secretary Xavier Becerra determined that a Public Health Emergency exists in the State of Florida and has existed since September 23, 2022.

CMS stands ready to assist with resources and waivers to ensure hospitals and other facilities can continue to operate and provide access to care to those impacted by the consequences of the hurricane.

The following is key information and resources for those affected and actions CMS is taking in response to the hurricane in the State of Florida:

State of Florida Waivers: CMS waivers are available to providers in the State of Florida who have been affected by Hurricane Ian and COVID-19 waivers remain for those affected by the pandemic. The non-COVID-19 emergency waivers can be found here: https://www.cms.gov/current-non-covid-emergencies. Health care providers who need additional flexibilities specific to the effects resulting from Hurricane Ian can submit a request to CMS here: https://cmsqualitysupport.servicenowservices.com/cms_1135

Disaster Toolkit and Support for State Medicaid and CHIP Agencies: To prepare for current and future disasters, CMS has developed an inventory of Medicaid and Children's Health Insurance Program (CHIP) flexibilities and authorities available to states in the event of a disaster to support Medicaid and CHIP operations and ensure continuity of coverage for people served through Medicaid and CHIP programs during times of crisis. For more information and to access the inventory and toolkit, visit: https://www.medicaid.gov/state-resource-center/disaster-response-toolkit/index.html

Dialysis Care: CMS is helping people obtain and maintain access to critical life-saving services by activating the Kidney Community Emergency Response (KCER) program and working with End-Stage Renal Disease (ESRD) Network 7, which is responsible under a contract with CMS for assessing the status of dialysis facilities in potentially impacted areas of the State of Florida. This includes assessing impacts related to generators, alternate water supplies, providing education and materials for patients, and more. ESRD Network 7 is also assisting people to receive dialysis services in the location to which they evacuated. CMS, through ESRD Network 7, has also advised people to keep an emergency supply kit on hand in a waterproof bag, containing important personal, medical, and insurance information; contact information for their dialysis facility; the ESRD Network hotline number; and contact information of those with whom they may stay or for out-of-state contacts. They have also been instructed to have on hand supplies to follow a three-day emergency diet.

The ESRD Network 7 (Florida) toll-free hotline is 800-826-3773.
Additional information is available on the KCER website at www.kcercoalition.com.

Medical Equipment and Supplies Replacements: CMS will temporarily waive certain requirements to enable people with Medicare who have lost or realized damage to their durable medical equipment, prosthetics, orthotics, and supplies as a result of the hurricane to receive replacements of such items and services. This will help to ensure beneficiaries can continue to access the needed medical equipment and supplies they rely on each day. Medicare beneficiaries can contact 1-800-MEDICARE (1-800-633-4227) for assistance.

Health Information Privacy/ Civil Rights Accessibility Resources: During a public health emergency, the HHS Secretary may waive sanctions and penalties against a covered hospital that does not comply with certain provisions of the HIPAA Privacy Rule in the emergency area and for the emergency period identified in the public health emergency declaration; to hospitals that have instituted a disaster protocol; and for up to 72 hours from the time the hospital implements its disaster protocol. The HHS Office for Civil Rights offers more information on HIPAA during emergency responses.

Recent natural disasters have demonstrated the importance of ensuring accessibility to health and human services for everyone living in the United States, including individuals in need of interpretation and translation services. To help first responders provide on-the-ground language assistance and communicate effectively during disasters and in accordance with federal civil rights laws, the HHS Office for Civil Rights offers a plain language checklist - PDF, including recommendations, specific action steps, resources, and tips such as to how to identify language needs in a disaster-impacted community to effectively utilizing interpreters. Additional information is available on the HHS OCR website (https://www.hhs.gov/civil-rights/for-individuals/special-topics/emergency-preparedness/index.html).

CMS will continue to work with the State of Florida and those areas impacted by the hurricane. We encourage beneficiaries and providers of healthcare services that have been impacted to seek help by visiting CMS's emergency webpage (www.cms.gov/emergency).

To find additional preparedness and response resources for the health sector and emergency management professionals, please visit:
https://www.phe.gov/emergency/Tools/Pages/default.aspx

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