<table>
<thead>
<tr>
<th>Authority</th>
<th>Requires Public Health Emergency(^1)</th>
<th>Requires Presidential Emergency(^2)</th>
<th>Effective Dates</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>1135 Waivers</strong></td>
<td>X</td>
<td>X</td>
<td>Available at the beginning of the public health emergency and terminate at the end of the public health emergency declaration expires.</td>
</tr>
<tr>
<td></td>
<td></td>
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<td>Available at the beginning of the public health emergency and terminate at the end of the public health emergency declaration expires.</td>
</tr>
<tr>
<td><strong>Appendix K for 1915(c) Waivers</strong></td>
<td></td>
<td></td>
<td>State proposed, CMS approved start and end date. Can begin on or after the beginning of the public health emergency. COVID Appendix Ks may be extended to no more than 6 months after the public health emergency ends.</td>
</tr>
</tbody>
</table>

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\(^1\) Declared by Secretary Azar on January 31, 2020 retroactive to January 27\(^{th}\). Subsequently renewed multiple times. See: [https://www.phe.gov/emergency/news/healthactions/phe/Pages/default.aspx](https://www.phe.gov/emergency/news/healthactions/phe/Pages/default.aspx)

## Medicaid Disaster Relief Authorities

<table>
<thead>
<tr>
<th>Authority</th>
<th>Types of Changes Allowable</th>
<th>Requires Public Health Emergency</th>
<th>Requires Presidential Emergency</th>
<th>Effective Dates</th>
</tr>
</thead>
</table>
| **Appendix K for 1915(c) Waivers** | • Allows retainer payments to providers of personal care or habilitation services for the lesser of 30 consecutive days or the length of the state’s institutional bed hold policy;  
• Additional flexibility around some timelines and processes for some operations. |                                |                                | Duration of both the Presidential emergency declaration and the Secretarial public health emergency declaration or a shorter period if the state chooses. Ends when the public health emergency expires. |
| **State Plan Amendments**  | Broad options allowable within the existing State Plan. Not applicable to pre-existing 1915(c) or 1115. Options in the CMS pre-print include:  
• Eligibility: adopt new groups, increase income limits, loosen nonfinancial requirements;  
• Enrollment: expand presumptive eligibility, extend redetermination periods;  
• Cost Sharing: suspend out of pocket costs, allow hardship waivers;  
• Benefits: add new benefits, modify current benefits, expand telehealth;  
• Payment: increase rates for certain services.  
• Prescription Drugs: increasing limits on the number of drugs dispensed, expanding prior authorization, and adding exceptions to state preferred drug lists. | X                                | X                               | State proposed, CMS approved, but must end no later than 60 days after the end of the public health emergency. States may request effective dates retroactive to any time after March 1, 2020. |
| **1115 Waivers**           | States can implement changes to state-plan services as well as to HCBS not delivered via a 1915(c) waiver, such as 1915(i); 1915(k); 1905(a) state plan benefits. CMS Template includes items such as:  
• Changes to benefits;  
• Waiver of statewideness;  
• Ability to provide services in a different amount, duration, or scope for certain individuals;  
• Adjust payment rates;  
• Waiver of premiums, cost-sharing, or other participant costs. |                                |                                | State proposed, CMS approved, but must end no later than 60 days after the end of the public health emergency. States may request effective dates retroactive to any time after March 1, 2020. |