State of Wisconsin
Department of Health Services
Tony Evers, Governor
Andrea Palm, Secretary

March 24, 2020

The Honorable Alberta Darling, Senate Co-Chair
Joint Committee on Finance
Room 317 East
State Capitol
P.O. Box 7882
Madison, WI 53707-7882

The Honorable John Nygren, Assembly Co-Chair
Joint Committee on Finance
Room 309 East
State Capitol
P.O. Box 8953
Madison, WI 53708

Dear Senator Darling and Representative Nygren:

I am requesting approval from the Committee to submit a section 1135 waiver request to the federal Centers for Medicare and Medicaid Services (CMS) to support Wisconsin's health care system response to the COVID-19 pandemic.

On March 12, 2020, Governor Evers declared a public health emergency in response to COVID-19. On March 13, 2020, President Trump declared a national emergency in response to COVID-19. These declarations followed a public health emergency declaration by the Secretary of U.S. Department of Health and Human Services (DHHS) on January 31, 2020.

Section 1135 of the Social Security Act authorizes the federal DHHS Secretary to temporarily modify or waive certain Medicare, Medicaid, Children's Health Insurance Program, and Health Insurance Portability and Accountability Act requirements. The purpose of the 1135 waiver authority is to ensure that sufficient healthcare services are available to meet the needs of individuals when and where an emergency is experienced.

On March 13, 2020, the DHHS Secretary invoked his authority to issue 1135 waivers with a retroactive effective date of March 1, 2020. Section 1135 waivers are in place until termination of the federal public health emergency, including any extensions. As of today, CMS has approved 1135 waivers for 13 states.

Attached is the 1135 waiver the Department has developed based on consultations with providers and other stakeholders in the state's health care system. We seek your partnership and cooperation in quickly convening telephonically or via paper ballot to address this urgent matter

to ensure the state is able to receive flexibility to serve the people of our state during this time of emergency.

Please contact me if you have any questions about this request.

Sincerely,

Andrea Palm
Secretary-designee