

Non-Substantive Change Request to 0938-1384: Submissions of 1135 Waiver Request

Automated Process

September 8, 2022

This is a non-substantive change request to the CMS 1135 Waiver/Flexibility Request from the ‘Submission of 1135 Waiver Request Automated Process’ that was approved as OMB number 0938-1384. CMS must be able to apply waivers and flexibilities to assist health care providers/suppliers in providing timely healthcare and services as well as ensure beneficiaries have continued access to care during a disaster or emergency. Accordingly, CMS developed a publically-accessible web based form to create a standardized, user-friendly submission that’s a more efficient processing of 1135 waiver requests.

The Nurses Aide Training Certification and Evaluation Program (NATCEP) is a statutory requirement and is the standardized training program that all nurse aides must meet to work in a Skilled Nursing Facility (SNF), Nursing Facility (NF) or a dually participating SNF/NF. States operate the approval process for the NATCEP/CEP programs. At the beginning of the COVID-19 pandemic, CMS waived this requirement. CMS informed States and Nursing Homes that they have until October 2022 to ensure that all Nursing Home Nurse Aides/Assistants are certified (trained and tested). We understand that there are certain States and/or counties throughout the Nation that may need an extension of this October deadline. To facilitate the extension, CMS is requesting approval to update our 1135 web form to capture State and County data with each “Conditional” waiver request submission (Conditional Waiver: Waiver Requests applicable only to a specific geographical location (Specific States and/or Counties). Please see below:

CMS 1135 Waiver/Flexibility Request web pages

- Added two required drop down fields (‘State’ and ‘County’) to the Waiver Request section on the web form that will appear when the submitter selects a “Conditional” waiver

This change has no impact on our currently approved burden estimates and on any other forms. In this regard we are not making any changes to our currently approved Supporting Statement nor adding any crosswalks besides the one that is associated with our revised CMS 1135 Waiver/Flexibility Request web page update for the addition of a State and county drop down field for “Conditional” waivers.