



CMS Waivers and Services Impacted by End of the Public Health Emergency

Provider Outreach & Education, National Government Services

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General

End Date - 5/11/2023

Subject	Resources
Free Over-the-Counter COVID-19 test	COVID-19 Over-the-Counter Tests <ul style="list-style-type: none"> HCPCS code K1034
4/18/2023: deleted codes and new codes for COVID-19 vaccines and monoclonal antibodies	COVID-19 Vaccines and Monoclonal Antibodies <ul style="list-style-type: none"> Payment allowances and effective dates for COVID-19 vaccines and administration
Waiver on timeframe in which an appeal must be filed to a MAC or QIC	COVID-19 Emergency Declaration Blanket Waivers for Health Care Providers
Home as an approved originating telehealth site for ESRD	Physicians and Other Clinicians: CMS Flexibilities to Fight COVID-19

End Date - 12/31/2023

Subject	Resources
Payment of approximately \$40 per dose for outpatient setting COVID-19 vaccine administration- will be aligned with other preventive vaccine administration rates going forward	Medicare COVID-19 Vaccine Shot Payment <ul style="list-style-type: none"> Rates through 12/31/2023
Additional payment of approximately \$36 for home vaccine administration	CMS Waivers, Flexibilities, and the End of the COVID-19 Public Health Emergency

Not Affected by the End of PHE

Subject	Resources
COVID-19 vaccinations and treatments (e.g., Paxlovid, Lagevrio)	Fact Sheet: End of the COVID-19 Public Health Emergency
COVID-19 testing when ordered by a physician, no cost-sharing	CMS Waivers, Flexibilities, and the End of the COVID-19 Public Health Emergency

Physician and NPP

End Date - 5/11/2023

Subject	Resources
Modifier CS added to bypass cost sharing for COVID-19 evaluations	COVID-19 Frequently Asked Questions (FAQs) on Medicare Fee-for-Service (FFS) Billing MLN Matters® SE20011 Revised: Medicare Fee-for-Service Response to the Public Health Emergency on COVID-19
Disaster related modifiers CR professional billing and DR for institutional billing	MLN Matters® SE20011 Revised: Medicare Fee-for-Service Response to the Public Health Emergency on COVID-19
Ambulance treat in place	Ambulances: CMS Flexibilities to Fight COVID-19
Pharmacist orders for laboratory tests	Laboratories: CMS Flexibilities to Fight COVID-19
High throughput COVID-19 testing	COVID-19 Frequently Asked Questions (FAQs) on Medicare Fee-for-Service (FFS) Billing <ul style="list-style-type: none"> HCPCS codes U0003- U0005
Laboratory specimen collection from patient's home	COVID-19 Frequently Asked Questions (FAQs) on Medicare Fee-for-Service (FFS) Billing <ul style="list-style-type: none"> HCPCS codes G2023- G2024
Reciprocal or Locum Tenens 60-day waiver of same-provider substitute	Physicians and Other Clinicians: CMS Flexibilities to Fight COVID-19 <ul style="list-style-type: none"> Substitute billing arrangements
Authentication of verbal orders resumes 48-hour limit	Guidance for the Expiration of the COVID-19 Public Health Emergency (PHE)
Medical record completion resumes expectation of "promptly completed"	Guidance for the Expiration of the COVID-19 Public Health Emergency (PHE)
CPT 99211 waiver on incident to rule compliance	Physicians and Other Clinicians: CMS Flexibilities to Fight COVID-19 <ul style="list-style-type: none"> Billing level 1 E/M 99211
Controlled substance dispensing without face-to-face interaction	Fact Sheet: COVID-19 Public Health Emergency Transition Roadmap <ul style="list-style-type: none"> Dispense controlled substances via telemedicine

Subject	Resources
CRNA physician supervision waiver (states may apply to CMS for waiver extension)	CMS Waivers, Flexibilities, and the Transition Forward from the COVID-19 Public Health Emergency
Waiver on expectation for medical record completion at discharge	CMS Waivers, Flexibilities, and the Transition Forward from the COVID-19 Public Health Emergency
Remote physiological monitoring for new patients	Physicians and Other Clinicians: CMS Flexibilities to Fight COVID-19 <ul style="list-style-type: none"> CPT codes 99453- 99454
Waiver of NCD and LCD requirements for physician specialty to perform and supervise specific services	Physicians and Other Clinicians: CMS Flexibilities to Fight COVID-19
Waiver on LCD clinical indication requirements for therapeutic glucose monitors	Physicians and Other Clinicians: CMS Flexibilities to Fight COVID-19 <ul style="list-style-type: none"> LCD indication waiver for glucose monitors
Waiver on NCD and LCD for respiratory related devices, home infusion pumps and home anticoagulation therapy	Physicians and Other Clinicians: CMS Flexibilities to Fight COVID-19
Provider enrollment hotline for isolation facilities	Physicians and Other Clinicians: CMS Flexibilities to Fight COVID-19
All Stark Law requirement waivers	Physicians and Other Clinicians: CMS Flexibilities to Fight COVID-19
Waiver on procedural volume requirements for facilities and providers who perform percutaneous left atrial appendage closure, transcatheter aortic valve replacement (TAVR), transcatheter mitral valve replacement (TMVR) and ventricular assist device (VAD)	Physicians and Other Clinicians: CMS Flexibilities to Fight COVID-19

End Date - 12/31/2023

Subject	Resources
<p>CMS is exercising enforcement discretion through 12/31/2023 and considering policy for frequency limitations further through our rulemaking process</p> <ul style="list-style-type: none"> CPT codes 99231- 99233 may only be furnished via Medicare telehealth once every 3 days CPT codes 99307- 99309 may only be furnished via Medicare telehealth once every 14 days 	Physicians and Other Clinicians: CMS Flexibilities to Fight COVID-19

Subject	Resources
Opioid treatment program audio/only assessments	Opioid Treatment Programs (OTP) <ul style="list-style-type: none"> Extends periodic assessments via audio-only when video isn't available
Virtual direct physician supervision – returns to “must be immediately available” standard	Physicians and Other Clinicians: CMS Flexibilities to Fight COVID-19 <ul style="list-style-type: none"> Medicare physician supervision requirements
Waiver on obtaining prior beneficiary consent for services furnished by auxiliary personnel (e.g., CCM)	Physicians and Other Clinicians: CMS Flexibilities to Fight COVID-19 <ul style="list-style-type: none"> Obtaining beneficiary consent

End Date - 12/31/2024

Subject	Resources
<p>In the CY 2023 Final Rule, CMS finalized alignment of availability of services on the telehealth list with the extension timeframe enacted by the Consolidation Appropriations Act (CAA) 2022</p> <p>The CAA, 2023 further extended those flexibilities through CY 2024</p> <p>CMS updated and simplified the Medicare list of approved telehealth codes to clarify that these services will be available through the end of CY 2023, we anticipate addressing updates to the Medicare Telehealth Services List for CY 2024 and beyond through our established processes as part of the CY 2024 Physician Fee Schedule proposed and final rules</p> <p>Telephone services (audio-only technology) 99441-99443 for established patients not related to a previous E/M within the prior 7-days or procedure within the next 24 hours</p>	List of Telehealth Services
Audio-only equipment for telehealth services furnished to patients in home under for purposes of diagnosis, evaluation, or treatment of a mental health disorder and substance use disorder	Physicians and Other Clinicians: CMS Flexibilities to Fight COVID-19 <ul style="list-style-type: none"> Consolidation Appropriations Act 2023 provides for an extension for this flexibility

Teaching Physician

End Date - 5/11/2023

Subject	Resources
Residents time may only be counted for direct graduate medical education (DGME) or indirect medical education (IME) payments no longer allowed in alternative locations (e.g., residents' homes or other hospitals)	Teaching Hospitals, Teaching Physicians and Medical Residents: CMS Flexibilities to Fight COVID-19
Primary Care Exception: levels 4-5 only billable when teaching physician is physically present for key portions of services	MLN® Booklet: Teaching Physicians, Interns, & Residents Guidelines Teaching Hospitals, Teaching Physicians and Medical Residents: CMS Flexibilities to Fight COVID-19
Hospital services with NPPs (PAs and NPPs) serving as attending physicians	Hospitals and CAHs (including Swing Beds, DPU's), ASCs and CMHCs: CMS Flexibilities to Fight COVID-19

End Date – 12/31/2023

Subject	Resources
Teaching physicians virtual presence and bill for services involving residents in residency training sites only allowed outside of a MSA after the PHE ends	Frequently Asked Questions: CMS Waivers, Flexibilities, and the End of the COVID-19 Public Health Emergency

Hospital, RHC, FQHC

End Date - 5/11/2023

Subject	Resources
Medical staff privilege expiration waiver ends	COVID-19 Emergency Declaration Blanket Waivers for Health Care Providers <ul style="list-style-type: none"> Expiration of billing privilege
CRNA physician supervision waiver (states may apply to CMS for waiver extension)	CMS Waivers, Flexibilities, and the Transition Forward from the COVID-19 Public Health Emergency
CAH waivers for length of stay and number of beds	Hospitals and CAHs (including Swing Beds, DPUs), ASCs and CMHCs: CMS Flexibilities to Fight COVID-19
Beneficiary's home is no longer considered provider-based department of hospital	Frequently Asked Questions: CMS Waivers, Flexibilities, and the End of the COVID-19 Public Health Emergency <ul style="list-style-type: none"> HCPCS code Q3014
Hospitals without walls	Frequently Asked Questions: CMS Waivers, Flexibilities, and the End of the COVID-19 Public Health Emergency <ul style="list-style-type: none"> Furnished by hospital clinical staff
Waiver of the three-day hospital stay for SNF admissions	Ambulances: CMS Flexibilities to Fight COVID-19 Frequently Asked Questions: CMS Waivers, Flexibilities, and the End of the COVID-19 Public Health Emergency <ul style="list-style-type: none"> Qualifying hospital stay requirement prior to a Medicare-covered SNF stay, no longer in effect
HCPCS C9803 specimen collection codes	COVID-19 Frequently Asked Questions (FAQs) on Medicare Fee-for-Service (FFS) Billing
IME payments based on beds added through PHE	Teaching Hospitals, Teaching Physicians and Medical Residents: CMS Flexibilities to Fight COVID-19 <ul style="list-style-type: none"> IME payments held harmless for temporary increase in beds

End Date – 12/31/2024

Subject	Resources
Acute hospital care at home	CMS Waivers, Flexibilities, and the Transition Forward from the COVID-19 Public Health Emergency
RHC and FQHC in person mental health visit requirements	MLN Matters® SE22001 Revised: Mental Health Visits via Telehealth for Rural Health Clinics & Federally Qualified Health Centers

Not Affected by the End of PHE

Subject	Resources
Hospital staff may perform mental behavioral health services via telecommunications technology	Frequently Asked Questions: CMS Waivers, Flexibilities, and the End of the COVID-19 Public Health Emergency <ul style="list-style-type: none"> HCPCS codes C7900- C7902 CR13031: January 2023 Update of the Hospital Outpatient Prospective Payment System (OPPS)

Telehealth

End Date - 5/11/2023

Subject	Resources
Remote telehealth data collection minimum 16-day requirement waiver ended; data requirement resumed	Physicians and Other Clinicians: CMS Flexibilities to Fight COVID-19 <ul style="list-style-type: none"> Remote physiologic monitoring
ESRD-home dialysis –monthly face-to-face times initial three months and every three months for subsequent 23 months required- telehealth option ended 5/11/2023	Physicians and Other Clinicians: CMS Flexibilities to Fight COVID-19 <ul style="list-style-type: none"> Face-to-face without the use of telehealth

End Date - 12/31/2023

Subject	Resources
Modifier 95	MLN Matters® MM12982: Medicare Physician Fee Schedule Final Rule Summary: CY 2023
Telehealth frequency limit waiver of days for 99231-99233 and SNF 99307-99319	Frequently Asked Questions: CMS Waivers, Flexibilities, and the End of the COVID-19 Public Health Emergency <ul style="list-style-type: none"> Subsequent nursing facility or subsequent inpatient visit when furnished via Medicare telehealth

End Date - 12/31/2024

Subject	Resources
Telephone services (audio-only technology) 99441-99443 for established patients not related to a previous E/M within the prior 7-days or procedure within the next 24 hours	Physicians and Other Clinicians: CMS Flexibilities to Fight COVID-19
Expanded provider types approved for telehealth services	Physicians and Other Clinicians: CMS Flexibilities to Fight COVID-19 <ul style="list-style-type: none"> Requirements that expand therapy professionals
Audio-only telephone E/M services, and behavioral health counseling and educational services	Physicians and Other Clinicians: CMS Flexibilities to Fight COVID-19 <ul style="list-style-type: none"> Audio only equipment
Face-to-face requirement for telehealth mental health services	Temporary Medicare changes through December 31, 2024
Home as an approved originating telehealth site	Telehealth policy changes after the COVID-19 public health emergency

Not Affected by the End of PHE

Subject	Resources
Independent practicing Part B e-visits (G2010, G2012, G2251, G2252) for established patients only	Physicians and Other Clinicians: CMS Flexibilities to Fight COVID-19 <ul style="list-style-type: none"> Remote evaluations, check-ins and e-visits
Part B visits allowed for LCSWs, clinical psychologists, PTs, OTs, SLPs	Physicians and Other Clinicians: CMS Flexibilities to Fight COVID-19 <ul style="list-style-type: none"> Remove evaluations, check-ins and e-visits
State licensure requirement for telehealth services defer to state law	Physicians and Other Clinicians: CMS Flexibilities to Fight COVID-19
Domiciliary, rest home, or custodial care service, for new and established patients 99334 -99335	Physicians and Other Clinicians: CMS Flexibilities to Fight COVID-19
Home visits, for new and established patient 99347-99348	Physicians and Other Clinicians: CMS Flexibilities to Fight COVID-19
Care planning for patients with cognitive impairment 99483	Physicians and Other Clinicians: CMS Flexibilities to Fight COVID-19
Group and individual psychotherapy 90853	Physicians and Other Clinicians: CMS Flexibilities to Fight COVID-19
Supervised diagnostic tests nurse practitioners, clinical nurse specialists, certified nurse-midwives, physician assistants, and certified registered nurse anesthetists	Physicians and Other Clinicians: CMS Flexibilities to Fight COVID-19