

Summary of CMS Information Bulletins on Waivers

Section 1115 Changes

Reducing Burden – CMS is aiming to reduce the regulatory burden of the 1115 waiver process. Per the informational bulletin, 1115 applications will be streamlined, simplified, and set to an approval timeline that includes meeting dates and deadlines. Further, states can submit a draft of the Standard Terms and Conditions language and CMS will work with the states to make the Terms and Conditions match the actual policy agreements.

Increasing Efficiency – CMS will:

- Use an **expedited approval process** when waivers are presented that substantially resemble previously approved waivers, while pledging to still pay attention to the specific features of each state’s program. As part of expedited approval, CMS will attempt to work with states to help ensure their applications resemble previously approved waivers, when applicable.
- Approve **10 year extensions** for “routine, successful, non-complex” 1115(a) waivers in order to avoid a long approval process in the future
- **Establish a “fast track” approach** to extend established 1115 demonstrations, which must meet certain criteria to be eligible.

Promoting Transparency – With the aim of clear communication between federal and state entities, CMS will offer technical assistance to states prior to their formal submission of demonstration applications. CMS also plans to bolster the flow of review and requirement information that states are receiving to keep states and CMS on the same page. An additional section of CMS’s commitment to transparency includes goals of coordinating efforts across CMCS. For example, CMS will help states identify other waivers, funding sources and technical assistance that they may need at an early stage of setting program goals. CMS will also clarify expectations relating to budget neutrality through technical assistance and standardization of policies.

Demonstration Monitoring and Evaluation – The last section of the CMS letter on section 1115 waivers targets monitoring and evaluation updates, including standardization of measurement sets, strengthening CMS’ ability to offer mid-course correction to programs, and produce more robust data. As part of demonstration monitoring, CMS has reduced the number of monitoring reports by combining the fourth quarterly reports with annual reports. Further, CMS will reduce the reporting frequency of certain programs, based on previous evaluations and tenure. In terms of evaluation, CMS has the goal of standardizing the measurements used across the nation to simplify the procedure.

Section 1915 and State Plan Amendment Changes

Short-term SPA and 1915 Waiver Process Improvements – CMS is attempting to combat the long wait times associated with State Plan Amendments and 1915 waivers with several process improvements. To do so, CMS will:

- will now hold a phone call with state offices within 15 days after receiving 1915 waiver or SPA submissions to do an initial review.

- Provide states with toolkits to assist with waiver preparation. These will include preprints, templates and checklists for states.
- Reduce waiver backlog by providing a comprehensive list of requests for additional information and give states 90 days to respond. Without a response from the state, under certain circumstances, CMS may disapprove SPAs
- CMS aims to expand MACPro (a web-based system used to process SPA's) to cover additional SPA authorities.

Addressing SPA Same Page Review – When a state submits a State Plan Amendment for review, and a non-compliant provision is spotted in the existing language (not in the part being changed), a same page review is triggered. A guidance was issued in 2010 to deal with this type of review, and CMS in its letter now says that it will attempt to bolster the process of separating these same page reviews from the SPA's which are being submitted.

Next Steps for SPA and 1915 Waiver Process Improvements – CMS concludes its letter on Section 1915 and SPA changes by looking forward. Long term improvement strategies will be examined and implemented in the future, including larger toolkits and a larger MACPro build out.