



Kevin Corbett | Chief Executive Officer

J. Kevin Stitt | Governor

IT/U Public Notice 2022-02

February 22, 2022

RE: Oklahoma Health Care Authority Proposed COVID-19 Disaster Relief Request

Dear Tribal Representative:

The purpose of this letter is to notify you of a proposed COVID-19 Disaster Relief request that will be submitted to CMS for review.

In response to the public health emergency (PHE) declared by the President of the United States on March 13, 2020, the Secretary of the U.S. Department of Health and Human Services invoked his authority to waive or modify certain requirements of titles XVIII, XIX, and XXI of the Social Security Act to assist states in responding to the COVID-19 national emergency. The Centers for Medicare and Medicaid Services (CMS) is allowing states to request flexibilities which revise policies related to eligibility, enrollment, benefits, premiums, cost sharing, and payments outlined in their Medicaid state plans as well as Section 1115 demonstrations. The flexibilities ensure sufficient health care items and services are available to meet the needs of Medicaid members and to ensure health care providers who furnish such services in good faith, but are unable to comply with one or more of such requirements as a result of the COVID-19 pandemic, may be reimbursed for services absent any determination of fraud or abuse.

OHCA requested the following COVID-19 related policy change through a disaster relief state plan amendment with an effective date of December 1, 2021:

For the period beginning December 1, 2021, through the expiration of the PHE, OHCA seeks to provide flexibility for nursing care ratio requirements to address staffing shortages when inpatient psychiatric services for individuals under 21 are provided within in-state psychiatric residential treatment facilities (PRTFs) with 17 beds or more. PRTFs shall ensure that an RN is available to be on-site within one hour and nursing care coverage allows for appropriate and safe monitoring of patients.

The OHCA values consultation with tribal governments and will strive to provide your representatives up-to-date information regarding the requests submitted to CMS.

Sincerely,

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Dana Miller
Director, Tribal Government Relations



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