



Kevin Corbett | Chief Executive Officer

J. Kevin Stitt | Governor

I/T/U Public Notice 2020-06

July 23, 2020

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

Dear Tribal Representative:

The purpose of this letter is to give you notice of a proposed COVID-19 disaster relief policy follow up request that was submitted to CMS on July 23, 2020.

In response to the public health emergency 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. 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 changes, through a disaster relief state plan amendment, with an effective date of March 1, 2020:

- Allow for testing to diagnose or detect COVID-19 within non-office settings such as mobile test sites, exempting requirements in 42 CFR 440.30(b).
- Coverage also includes laboratory processing of self-collected test systems that the FDA has authorized for home use to diagnose or detect COVID-19 and COVID-19 antibodies, even if those self-collected test would not otherwise meet requirements in 42 CFR 440.30(a) or (b), as long as the self-collection of the test is intended to avoid transmission of COVID-19.

The proposed request above will be in effect until the termination of the public health emergency.



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

Additionally, this item will be discussed in the upcoming face-to-face tribal consultation on September 1, 2020.

Sincerely,

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Dana Miller
Director, Tribal Government Relations



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