



STATE OF WASHINGTON
DEPARTMENT OF SOCIAL AND HEALTH SERVICES
Aging and Long-Term Support Administration
PO Box 45600, Olympia, Washington 98504-5600

April 27, 2020

AL TSA: ICF/IID #2020-015
NEW BLANKET WAIVERS FOR ICF/IID FACILITIES

Dear ICF/IID Superintendent

On April 22, 2020, the Centers for Medicare and Medicaid Services (CMS) announced new blanket waivers for ICF/IID facilities. The announcement is available [here](#).

The blanket waivers apply to four sections of [42 CFR §483.420-440](#) as described below. The waivers are retroactively effective beginning March 1, 2020 through the end of the emergency declaration, and do not require a request to CMS nor notification to the CMS regional office.

- **Staffing Flexibilities.** CMS is waiving the requirements at 42 CFR §483.430(c)(4), which requires the facility to provide sufficient Direct Support Staff so that Direct Care Staff are not required to perform support services that interfere with direct client care. This will allow facilities to adjust staffing patterns, while maintaining the minimum staffing ratios required at §483.430(d)(3).
- **Suspension of Community Outings.** CMS is waiving the requirements at 42 CFR §483.420(a)(11), which requires clients have the opportunity to participate in social, religious, and community group activities. The federal and state emergency restrictions will dictate the level of restriction from the community based on whether it is for social, religious, or medical purposes. CMS is authorizing the facility to implement social distancing precautions with respect to on and off-campus movement.
- **Suspension of Mandatory Training Requirements.** CMS is waiving, in part, the requirements at 42 CFR §483.430(e)(1) related to routine staff training programs unrelated to the public health emergency. CMS is not waiving 42 CFR §483.430(e)(2)-(4), which requires focusing on the clients' developmental, behavioral, and health needs and being able to demonstrate skills related to interventions for inappropriate behavior and implementing individual plans. CMS is also not waiving initial training for new staff hires or training for staff around prevention and care for infection control of COVID-19.
- **Modification of Adult Training Programs and Active Treatment.** CMS recognizes that active treatment will need to be modified. The requirements at 42 CFR §483.440(a)(1) require that each client must receive a continuous active treatment program, which includes consistent implementation of a program of specialized and generic training, treatment, health services, and related services. CMS is waiving those components of beneficiaries' active treatment programs and training that would violate current state and local requirements for social distancing, staying at home, and traveling for essential services only.

CMS provided previous guidance for ICF/IID facilities in [QSO-20-17-ALL](#), [20-09-ALL](#), [QSO-20-20-All](#), and [QSO-20-23-icf-iid-prtf.pdf](#). Several [Governor's Proclamations](#) also apply to ICF/IID facilities. The previous guidance and proclamations continue to be in effect.

Below are additional helpful links:

- [ALTSA ICF/IID](#)
- [Provider Letters](#)
- [ALSTA COVID-19 Guidance and Resources](#)
- [Department of Health](#)

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- DOH Hotline: 1-800-525-0127
- [COVID-19 Outbreak](#)
- [DOH COVID-19 Infection Prevention and Control webinar \(registration required\)](#)
- [DOH Recommendations for LTC Facilities during COVID-19 Outbreak](#)
- [Local Health Jurisdiction interactive directory map](#)
- [CDC COVID-19](#)
- [CDC Personal Protective Equipment](#)

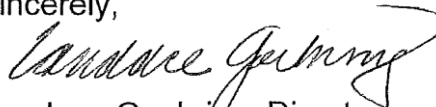
General Information

You must report suspected or confirmed cases of COVID-19 to your local health jurisdiction and to the Residential Care Services Complaint Resolution Unit (CRU). For information on how and when to report to your local health jurisdiction, please use this [link](#):

For more information about how to best protect residents, staff, and yourself, and to get the most current guidance for your facility, please visit the web sites listed above frequently as the situation is changing rapidly.

Thank you for your continued commitment to resident health and safety. If you have any questions, please contact your local RCS Field Manager or Shana Privett, Policy Program Manager, at (360) 764-6320 or Shana.Privett@dshs.wa.gov.

Sincerely,



Candace Goehring, Director
Residential Care Services

DSHS: "Transforming Lives"