

The following flexibilities expire 06/30/2021:

Flexibility	State Regulation
General or Applies to Multiple Services	
Waiver of public notice requirements that would otherwise be applicable to state plan amendment submission.	
Nursing Facilities	
Suspend Pre-Admission Screening and Annual Resident Review (PASRR) Level I and Level II Assessments for 30 days.	§ 32.1-330. 12 VAC 30-10-520(E) 12 VAC 30-60-302
For admissions occurring after March 12, 2020, nursing facilities do not need to obtain Medicaid LTSS Screening packages that would normally be required by 12VAC30-60-308, and may admit individuals without the Medicaid LTSS screening package. The individual may be admitted directly to the nursing facility without a LTSS Screening.	§ 32.1-330. Long-term services and supports screening required Items C,E,F
Durable Medical Equipment (DME)	
Allow a temporary extension of current Certificate of Medical Need (CMN) and allow a temporary suspension of the requirement for a CMN for new DME orders. (See footnote)	12 VAC 30-60-75 § 32.1-325(A)(14)

Footnote – For DME flexibility related to CMNs:

The DME flexibility for CMNs will end on 6/30/21. Providers will need to get a new CMN for any item in which the current CMN, verbal order or written order will end with the end of the state of emergency (6/30/21). As a reminder, DME providers have 60 days to have a new CMN signed and dated by the ordering practitioner to cover dates of service back to the begin service date on the CMN. So for example, if the begin service date on the new CMN is 7/1/2021, the provider will need to have the CMN signed and dated by 8/29/2021. If the DME provider has a current CMN that covers dates of services beyond 6/30/2021, a new CMN is not required until the current CMN expires. A new CMN is not required for every order only those that used a CMN extension, verbal order, faxed order or written order, in place of a new CMN, during the pandemic.