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| **Section:**  EOP  Policies and Procedures | **Policy Title:**  Waiver Declared by Secretary | **Policy Number:** |
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**Purpose:**

To establish a process to develop a plan that is based on new CMS requirements. This will assist \_\_\_\_\_\_\_\_\_\_Facility’s Name\_\_\_\_\_\_\_\_\_\_\_\_\_\_ to develop Policies and Procedures to establish a foundation for mitigation, preparedness, response and recovery requirements and activities to maintain a constant state of Emergency Preparedness.

**Scope:**

Develops the criteria for “Waiver Declared by Secretary” to support the development of the Emergency Operation Plan for \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_.

**1. Policies and Procedures:**

**A. Roles under Waiver Declared by Secretary.** \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ is to reference the establish process which captures the developed process for the following:

**1.** The role of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ under a waiver declared by the Secretary, is in accordance with section 1135 of the Act, in the provision of care and treatment at an alternate care site identified by emergency management officials.

**(refer to attachments)**

**2. Asking for Assistance or a Waiver:**

**a.** Once an 1135 Waiver is authorized:

**1.** The Administrator is to coordinate with their chain of command.

**2.** After it is determined to submit a request of an 1135 Waiver, the Administrator’s request is to be made by sending an email to the CMS Regional Office in the service area (refer to Exhibit E-26-03 (Requesting a Waiver) on page number 3) and the State Survey Agency is to be copied**.**

**3.** When making the request,information on the facility and the justification for making the request of wavier is to be articulated on a letter (as an attachment) in the email sent to CMS Regional Office and the State Survey Agency is to be copied**.**

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**3.** \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ is encouraged to consider current establish policy and coordinate with the chain of command in providing care at alternate care sites during emergencies.

**4.** \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ is encouraged to collaborate with their local emergency officials in this proactive process which will allow an organized and systematic response to assure continuity of care even when services at each building has been severely disrupted.

**5.** \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_is to specifically addresses the facility’s role in emergencies where the President declares a major disaster or emergency under the Stafford Act or an emergency under the National Emergencies Act. **(refer to attachments)**

**6.** Which address emergency situations in which a declaration was not made and where an 1135 waiver may not be applicable (for example: during a disaster affecting the single facility). **(Coordinate with the Chain of Command)**