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President and CEO  
P.O. Box 60  
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March 25, 2020

Randall Williams, M.D.  
Director  
Missouri Department of Health and Senior Services  
P.O. Box 570  
Jefferson City, MO 65102-0570

Dear Dr Williams:

As the COVID-19 crisis continues to escalate, Missouri can expect significant social disruption, increased burden on the health care delivery system and workforce issues resulting from school and daycare closures. The events will have a substantial effect on hospitals, especially as they prepare for a surge in COVID-related illnesses. Therefore, it is essential to adequately prepare for the foreseeable surge in cases, using lessons learned from other states. At this time, the Missouri Hospital Association requests the state waiver or alter the following regulatory standards to ease the burden on hospitals and ensure that at-risk patients who need access to critical care are able to receive it.

### **ANNUAL HOSPITAL LICENSURE SURVEY**

MHA understands the Department of Health and Senior Services will continue to conduct certain surveys during the COVID-19 response as the state agency for the Centers for Medicare & Medicaid Services. We request the department temporarily suspend all state level licensure and complaint investigations during this time.

### **TIME CRITICAL DIAGNOSIS**

It is imperative that hospitals have the flexibility to add or open space that would increase their capacity to provide care. MHA asks that DHSS continues to accept new applications for designation including, but not limited to trauma, stroke and STEMI, if possible.

MHA also requests DHSS extend state designations for trauma, stroke and STEMI facilities whose expiration date falls between March 1 and June 1 by 90 days. This includes facilities designated solely by the state or through a national designation process to prevent expiration of their designation. We further ask that DHSS consider on a case-by-case basis the circumstances that may cause a facility to not meet certain time-limited standards or the deadline for applying for continued designation if the facility provides written explanation which includes circumstances, through no fault of the facility, emerging from COVID-19. For example, if the national designating body must prolong the time period until resurvey or due to staff constraints or cancellations, professional certifications lapse. DHSS would affirm this waiver by making

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applicable updates to the program website and provide written communication of such extension with the extended expiration date to any facility given an extension (190.241, 19 CSR 30-40.420, .430, .440, .720, .730, .750, .760).

### **ANNUAL HOSPITAL SURVEY**

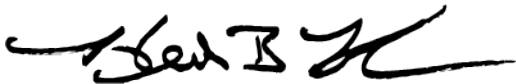
Hospitals participate in an annual survey to inform to DHSS. We recognize the value of the survey. The survey is extensive with more than 2,000 pieces of data collected as well as requiring a multidisciplinary approach for completion. MHA is requesting a 90-day extension or until August 1, 2020, to submit survey results to DHSS (192.230, RSMo.).

### **FEDERAL WAIVER REQUESTS**

MHA submitted a letter to CMS requesting certain waivers pursuant to Section 1135. To date, we have not received a response. We anticipate CMS may be prioritizing waiver requests submitted by the states over those of provider associations. We would appreciate your assistance with getting the waiver requests approved by either reaching out to CMS on our behalf or submitting the same requests from DHSS. These waivers are critical to relieving substantial regulatory impediments for addressing the COVID-19 crisis and anticipated patient surge.

If you have any questions, you may contact me at 573-893-3700, ext. 1332 or [hkuhn@mhanet.com](mailto:hkuhn@mhanet.com).

Sincerely,



Herb B. Kuhn  
President and CEO

hbk:sw/pt