

## 2009 H1N1 Pandemic Influenza 1135 Waiver Request Protocol for Nevada

Date of Request:	Date Submitted to State Agency:
Name of Provider/Supplier:	
Mailing Address of Provider/Supplier:	
City, State, Zip:	
Name of Individual Requesting Waiver:	
Name of Affected Facility (if different than above):	
Address of Affected Facility (if different than above):	
City, State, Zip:	
Waiver request Code of Federal Regulation:	
Date/Time disaster protocol was activated:	
Justification for waiver request:	

### 1135 Waiver Request Process

1. Healthcare providers and suppliers should submit their requests to operate under the Section 1135 waiver authority, or for other relief that may be possible, to the Bureau of Health Care Quality and Compliance, with a copy to CMS Regional IX Office in San Francisco by email.
2. Federally certified/approved providers and suppliers must operate under normal rules and regulations unless they have sought and have been granted modifications under the 1135 waiver authority from specific requirements.

We also emphasize that an EMTALA Section 1135 waiver does not affect a hospital's or CAH's obligation to comply with State law or regulation that may separately impose requirements similar to those under EMTALA law and regulations. Facilities are encouraged to communicate with the Bureau of Health Care Quality and Compliance State licensure authorities as to the availability of waivers under State law.

CMS will confirm with the State Agency whether the State's preparedness plan has been activated in the area where the hospital or CAH is located. CMS will also seek to confirm when the hospital activated its disaster protocol, whether other measures may address the situation in a manner that does not require a waiver, and other factors important to the ability of the hospital to demonstrate that a waiver is needed.

#### Contacts

Bureau of Health Care Quality and Compliance:

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The following CMS contact email address and phone numbers are provided:

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Some website links for more information:

<http://www.cms.hhs.gov/h1n1>

<http://www.cdc.gov/h1n1flu>