



**TOOL:**

### Sample 1135 Waiver Request

**Sample 1135 Waiver Request**

**Prudent Hospice**  
1234 West Main Street  
Gibsonia PA 15222

**Medicare Number:** 101234590

**Contact person:**  
Ricky Gervais, Administrator  
412 458 8121  
rgervais@prudenthospice.com

**We are seeking a waiver for 418.78c:**  
6) Standard Level of activity. Volunteers must provide day-to-day administrative and/or direct patient care services in an amount that, at a minimum, equals 5 percent of the total patient care hours of all paid hospice employees and contract staff. The hospice must maintain records on the use of volunteers for patient care and administrative services, including the type of services and time worked.

**The waiver is needed because:**  
Due to the global pandemic, stay at home orders, illness and quarantine of many of our volunteers and the geriatric demographic of our volunteer base, we are not deploying volunteers to patient homes nor having them come into our offices. We anticipate that this will be the case for the foreseeable future, rendering us unable to meet the 5% threshold.

**Sincerely,**  
Barbara Ivanko

**Prudent Hospice**

HOSPICE FUNDAMENTALS  
FOR SAMPLE PURPOSES ONLY

### Notes

- Text in RED is what you would fill in with your pertinent information. The information here is for example purposes only.

**HOW:** Send via e mail to  
1135waiver@cms.hhs.gov

**WHEN:** When faced with a regulation with which the hospice cannot reasonably and safely comply, hospices must inform The Centers for Medicare and Medicaid Services (CMS).

**WHY:** CMS will grant these requests to remove barriers to care and ensure that services are available to meet the needs of patients and families. Sometimes CMS issues blanket waivers and specific waivers for certain service providers, other times you must inform them of these needs via a waiver request.

**WHAT:** When the President declares a national emergency, the Health and Human Services (HHS) Secretary is authorized to waive or modify certain Medicare requirements. to ensure that services are available to meet the needs patients and families.

**Examples of these 1135 waivers**

- Conditions of participation or other certification requirements
- Preapproval requirements
- Stark self-referral sanctions
- Performance deadlines and timetables may be adjusted (but not waived).