

### **Background on 1135 waivers:**

Section 1135 waivers enable state Medicaid and Children's Health Insurance Programs (CHIP) to waive certain Medicaid rules in order to meet health care needs during times of disaster and crisis. Section 1135 waivers require *both* a declaration of national emergency or disaster by the president under the [National Emergencies Act](#) or the [Stafford Act](#) *and* a public health emergency determination by the HHS secretary under [Section 319 of the Public Health Service Act](#). Both of those criteria have been met.

CHAD is tracking the waiver applications in both North Dakota and South Dakota. Both are in draft form and awaiting approval by the Centers for Medicare and Medicaid Services (CMS). Once they are approved, the states would still need to make system and process changes to implement the proposed or allowable changes. If any element of either waiver request is of particular interest to your health center, please contact Jessica Gilbertson at [jessica@communityhealthcare.net](mailto:jessica@communityhealthcare.net).

[ND 1135 Waiver Request](#)

[SD 1135 Waiver Request](#)