

## H1N1 - Requesting an 1135 Waiver (CMS Message 200910-44) ([GEN](#))

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The Secretary of Health and Human Services has invoked her waiver authority under Section 1135 of the Social Security Act. This allows for the waiver or modification of certain Medicare, Medicaid, and Children's Health Insurance Program (CHIP) requirements to ensure that sufficient health care items and services are available to meet the needs of individuals enrolled in Social Security Act programs in the emergency area and for the time periods covered by the 1135 authority.

Requests by providers to operate under the flexibilities afforded by the waiver should be sent to the state survey agency or CMS regional office. Please visit our website for a detailed paper outlining the 1135 waiver process (<http://www.cms.hhs.gov/H1N1/Downloads/RequestingAWaiver101.pdf>).

Further information on the 1135 Waiver process can be found at: <http://www.cms.hhs.gov/H1N1/>