



STATE OF NEW HAMPSHIRE
OFFICE OF THE GOVERNOR

CHRISTOPHER T. SUNUNU
Governor

March 30, 2020

The Honorable Alex Azar
Secretary
United States Department of Health and Human Services
200 Independence Avenue, SW
Washington, DC 20201

The Honorable Seema Verma
Administrator
Centers for Medicare and Medicaid Services
7500 Security Blvd.
Baltimore, MD 21244

Re. New Hampshire Section 1135 Waiver Request

Dear Secretary Azar and Administrator Verma,

I am writing to you with an urgent request to issue a waiver based on Section 1135 of the Social Security Act. This waiver would allow Neuro-Rehab Associates, Inc, d/b/a Northeast Rehabilitation Hospital Network (30-3026) ("NRHN"), the largest freestanding rehabilitation hospital network in the State of New Hampshire, to admit and care for non-rehabilitation patients in its facilities.

As the public health emergency preparation and response scenarios have developed in our community, it has become clear that our hospitals need additional relief from certain CMS rules and regulations in order to meet the demands of all Medicare, Medicaid and other beneficiaries seeking care. NRHN's rehabilitation hospitals are taking an active role with their host hospitals and strategic hospital partners in providing additional and capable surge capacity to care for patients with acute medical needs who require continued care in an acute hospital.

Specifically, I ask that you consider the following the following waivers for non-rehabilitation patients being treated at NRHN during this national emergency:

- 1. Waiver of all rehabilitation specific requirements at 42 C.F.R. § 412.29 (excluded payment rules) for all non-rehabilitation patients being cared for by the NRHN hospitals during this national emergency.**
- 2. Waiver of the IRF coverage requirements at 42 C.F.R. § 412.622 for all non-rehabilitation patients admitted to an NRHN hospital during this national emergency.**

3. **Waiver of all IRF-PAI or other IRF QRP requirements for the non-rehabilitation patients being treated in an NRHN hospital during this national emergency.**

Thank you for consideration of my request.



Chris Sununu
Governor of New Hampshire