



COMMONWEALTH of VIRGINIA

M. Norman Oliver, MD, MA
State Health Commissioner

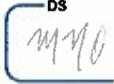
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April 16, 2020

DECISION MEMORANDUM

TO: Daniel Carey, MD
Secretary of Health and Human Resources

FROM: M. Norman Oliver, MD, MA
State Health Commissioner  ^{DS}

SUBJECT: Waiver of Regulatory Provisions Pursuant to Executive Order 51 – Provisional Credentialing of Providers

PURPOSE

To recommend waiver of certain regulatory provisions pursuant to Executive Order 51, specifically the adoption of the licensing and credentialing exemptions recommended by the National Committee for Quality Assurance (NCQA) to temporarily expand the effective period for provisional credentialing from 60 days as stated in the *Certificate of Quality Assurance of Managed Care Health Insurance Plan Licensees* (Regulations) at 12VAC5-408-170 to 180 days.

BACKGROUND

The Regulations, at 12VAC5-408-170(A), require the managed care health insurance plan (MCHIP) licensee to establish and maintain a comprehensive credentialing verification program to ensure its providers meet the minimum standards of professional licensure or certification. The Regulations further allow the MCHIP licensee to grant provisional credentialing for providers who have completed their residency or fellowship requirements for their specialty area within 12 months prior to the credentialing decision (12VAC5-408-170(B)). Provisionally credentialed providers may remain so for up to 60 calendar days (12VAC5-408-170(C)).

On March 11, 2020, the World Health Organization declared COVID-19 a pandemic. On March 12, 2020, Governor Northam declared a state of emergency for the Commonwealth of Virginia, in which he authorized “the heads of executive branch agencies, on behalf of their regulatory boards as appropriate, and with the concurrence of their Cabinet Secretary, to waive any state requirement or regulation...” The number of COVID-19 positive patients are increasing rapidly, both nationally and in the Commonwealth. The number of COVID-19 positive patients are projected to peak in

