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Medi-Cal Guidance Relating to Non-Urgent, Non-Essential or Elective Procedures Relative to the 2019-Novel Coronavirus (COVID-19)

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As the COVID-19 situation continues to evolve, the Department of Health Care Services (DHCS) continues to closely monitor and assess appropriate next steps as well as release guidance to ensure the safety of Medi-Cal beneficiaries, Medi-Cal providers, and California communities in general.

On March 18, 2020, the Centers for Medicare and Medicaid Services (CMS) issued [guidance](#) titled, “CMS Adult Elective Surgery and Procedure Recommendations: Limit all non-essential planned surgeries and procedures, including dental, until further notice”. In its guidance, CMS announced that all elective surgeries, non-essential medical, surgical, and dental procedures should be delayed during the COVID-19 situation. Further, while CMS indicated that this framework should be implemented immediately, CMS also recognized that numerous factors – including but not limited to those identified in the list below – should be considered prior to making the decision to proceed with non-essential surgeries and procedures during the COVID-19 situation, and that those decisions should be made at the local level by the clinician, patient, hospital, and state and local health departments.

- Patient risk factors, including age and health status
- Availability of beds, especially intensive care unit (ICU) beds
- Availability of key health care personnel
- Availability and preservation of ventilators and critical personal protective equipment (PPE)
- Urgency and nature of the procedure.

DHCS – in collaboration with its federal partners at CMS – believes that this framework will help providers to focus on addressing more urgent cases and preserve critical resources, including PPE, needed for the COVID-19 response. To that end, DHCS recognizes and appreciates that every Medi-Cal beneficiary’s medical needs are unique. As a result, it is important that before postponing procedures, Medi-Cal providers and their care team make individualized, clinically appropriate decisions for their patients that are based on medical necessity, and ensure that some procedures – including but not limited to all acute emergency procedures, procedures necessary due to acute, debilitating symptoms, pregnancy-related services, labor and delivery, organ

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transplantation, dialysis, cancer treatments, neurosurgery, trauma, cardiac treatment and limb threatening vascular surgery – continue to be made available to Medi-Cal beneficiaries during these unprecedented times.

Further, DHCS encourages Medi-Cal providers to have open and collaborative conversations with their patients prior to postponing non-urgent, nonessential or elective procedure(s), and consider whether the procedure(s) can be postponed without negatively affecting the patient's health. Lastly, whenever clinically appropriate and practicable based upon the individual patient's needs, Medi-Cal providers should utilize telehealth and/or telephonic/virtual communications as additional modalities of providing Medi-Cal covered benefits or services. Additional guidance on Medi-Cal's telehealth and virtual/telephonic communication policy relative to COVID-19 is available on the [website](#). In addition, detailed policy guidance is outlined in DHCS' "[Medicine: Telehealth Section](#)" of the Medi-Cal Provider Manual, as well as recently released guidance relative to telehealth and other virtual/telephonic communication modalities, which is available on [DHCS' COVID-19 Response website](#).

In addition, relative to DHCS' [March 16, 2020](#), and [March 19, 2020](#), Section 1135 Waiver requests, to the extent Medi-Cal providers decide to delay non-urgent, non-essential or elective procedures relative to COVID-19, DHCS has requested additional flexibilities relative to any limitations for elective procedures and informed consent timeline requirements, including, but not necessarily limited to, those identified in Title 42 of the Code of Federal Regulations Section 441.253, to enable Medi-Cal providers to postpone elective procedures to prioritize COVID-19 response activities. DHCS will be issuing additional guidance to its Medi-Cal providers upon approval of these flexibilities in its Section 1135 Waiver.