



Biden Administration Anticipates Emergency Declaration will Remain in Effect through 2021

January 26, 2021

The current public health emergency (PHE) was [renewed](#) effective January 21, 2021, and will be in effect for 90 days.

On January 22, 2021, the Acting Secretary of Health and Human Services (HHS), Norris Cochran, [issued a letter to Governors](#) indicating that the PHE will likely remain in place for the entirety of 2021.

Additionally, when a decision is made to terminate the declaration or let it expire, HHS will provide states with at least 60 days' notice prior to termination.

The PHE declaration allows the Secretary of HHS to waive or modify certain Medicare, Medicaid, Children's Health Insurance Program, and Health Insurance Portability and Accountability Act Privacy Rule requirements. With the PHE extension, Acting Secretary Cochran said states can also expect the continued use of other emergency authorities, including Public Readiness and Emergency Preparedness Act declarations and emergency use authorizations for diagnostics, treatments and vaccines.

Additionally, the temporary 6.2 percentage point increase in the Medicaid Federal Medical Assistance Percentage included in the Families First Coronavirus Response Act will not expire until the end of the quarter in which the PHE ends.