

WISCONSIN DEPARTMENT OF HEALTH SERVICES
Division of Health Care Access and Accountability
1 West Wilson Street
Madison, WI 53703

To: BadgerCare Plus Eligibility Handbook Users

From: Shawn Smith, Bureau Director
Bureau of Enrollment Policy and Systems

RE: **BadgerCare Plus Release 14-04**

Release Date: November 20, 2014

Effective Date: November 20, 2014

EFFECTIVE DATE

The following policy additions or changes are effective 11/20/2014 unless otherwise noted. Gray highlighting denotes new text. Text with a strike through it denotes deleted text.

16.1.4 Gap Filling

Due to differences between the eligibility rules used by the Marketplace for Advanced Premium Tax Credits (APTC) and the eligibility rules used when counting income for BC+, ~~a situation may occur in which an assistance group's annual income is too low to qualify for an APTC but their monthly income is above the income limit for BC+~~ the Marketplace may find someone to be below 100% FPL based on their annual income, while BC+ may find someone to be above 100% FPL based on their current monthly income. Because of this difference in eligibility rules, the individual is eligible for neither BC+ nor APTCs. For applicants who fall into this eligibility "gap", the only option is to pay for the full cost of private health insurance through the Marketplace.

Federal regulations require states to enroll such individuals in Medicaid under a policy called "gap filling" based on a monthly equivalent of their expected annual income. Local agencies should contact the DHS CARES Call Center if a member is ineligible for APTCs based on his or her annual income, but ineligible for BC+ based on current monthly income.

The CARES Call Center will confirm whether the individual meets the criteria for gap filling certification. If so, the CARES Call Center will add a case comment to CWW. EM CAPO will then manually certify the member, track his or her individual enrollment outside of CWW, and serve as the point of contact for that member's eligibility under gap filling rules. The EM CAPO will send a notice of decision informing the individual of his or her eligibility and change reporting rules. Changes for that individual will be reported to and processed by the EM CAPO while s/he is eligible under gap filling rules.

The case itself will remain with the consortium, which will manage eligibility for other programs or individuals who may be open as part of that case.

Because the Marketplace considers annual income on a calendar-year basis, the manual gap-filling certification will last until the end of the calendar year. Approximately 45 days prior to the end of the year, members will receive a manual notice from EM CAPO advising them that their eligibility is ending and directing them to return to the Marketplace (or, if appropriate, reapply for BC+). A gap-filling member can also lose eligibility during the certification period if:

- S/he moves out of state; or,
- S/he has expected annual income of more than 100% FPL.

In addition, EM CAPO will end the gap-filling certification if the member has become eligible in another category of BC+ or MA.

16.2 Income Types Not Counted

40. Child Support

Under MAGI rules, do not count child support income. If a household is receiving family support, divide the payment by the number of members in the household. The amount of the payment allocated to the child(ren) is considered child support and is disregarded. Count the amount of the payment allocated to the adult(s) as alimony/spousal support unless the divorce/separation order by the court designates the spousal support payments as being non-taxable. If the spousal support payments are non-taxable, they are exempt under MAGI rules. See Process Help 62.2.6.

16.3.3 Tax Deductions

4. Spousal Support, Alimony or Maintenance The amount paid for court ordered spousal support, alimony or maintenance or payments under Section 73 71 for a current or prior spouse as a result of a legal separation or divorce. Do not deduct more than the court ordered amount. Do not allow any deduction if the court order designates the payments as being non-taxable.

16.5 Other Income

2. Child Support

Under MAGI rules, do not count child support income. If a household is receiving family support, divide the payment by the number of members in the household. The amount of the payment allocated to the child(ren) is considered child support and is disregarded. Count the amount of the payment allocated to the adult(s) as alimony/spousal support unless the divorce/separation order by the court designates the spousal support payments as being non-taxable. If the spousal support payments are non-taxable, they are exempt under MAGI rules.

40.8 FPOS Changes

FPOS eligibility terminates when a member loses non-financial eligibility. Terminate eligibility, using adverse action logic, when she:

2. Is 19 years or over and is no longer cooperating with TPL, ~~MSL~~ Medical Support, or Social Security Number (SSN) requirements.