



DEPARTMENT OF CHILDREN
AND FAMILIES
Secretary Eloise Anderson
201 East Washington Avenue, Room G200
P.O. Box 8916
Madison, WI 53708-8916
Telephone: 608-266-8684
Fax: 608-261-6972
www.dcf.wisconsin.gov

DEPARTMENT OF HEALTH SERVICES
Secretary Kitty Rhoades
1 West Wilson Street
P.O. Box 7850
Madison, WI 53707-7850
Telephone: (608) 266-9622
FAX: (608) 266-7882
www.dhs.wisconsin.gov

**State of Wisconsin
Governor Scott Walker**

**TO: Income Maintenance Supervisors
Income Maintenance Lead Workers
Income Maintenance Staff
W-2 Agencies
Workforce Development Boards
Job Center Leads and Managers
Training Staff
Child Care Coordinators**

**FROM: Shawn Smith, Bureau Director
Bureau of Enrollment Policy & Systems
Division of Health Care Access and Accountability**

DHS OPERATIONS MEMO					
No: DHS 14-09					
DATE: 2/3/2014					
FS	<input type="checkbox"/>	MA	<input checked="" type="checkbox"/>	BC+	<input checked="" type="checkbox"/>
SC	<input type="checkbox"/>	CTS	<input type="checkbox"/>	FSET	<input type="checkbox"/>
BC+ Basic	<input type="checkbox"/>	BC+ CORE	<input type="checkbox"/>		
CC	<input type="checkbox"/>	W-2	<input type="checkbox"/>	EA	<input type="checkbox"/>
CF	<input type="checkbox"/>	JAL	<input type="checkbox"/>	JC	<input type="checkbox"/>
RAP	<input type="checkbox"/>	WIA	<input type="checkbox"/>	Other	<input type="checkbox"/> *
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SUBJECT: Presumptive Eligibility Policy Changes and Addition of Qualified Hospitals

CROSS REFERENCE: BadgerCare Plus Handbook Chapters 3.6, 4.3.4, 32 and 40.2
Medicaid Eligibility Handbook Chapters 6.9 and 36.2.2.1

EFFECTIVE DATE: February 1, 2014

PURPOSE:

The purpose of this memo is to announce the changes to the BadgerCare Plus and Medicaid policies on presumptive eligibility (PE) resulting from changes in Federal laws and regulations governing Medicaid.

BACKGROUND:

The federal Patient Protection and Affordable Care Act (PPACA), signed into law in 2010, requires changes in the policies used to determine certain BadgerCare Plus and Medicaid populations as presumptively eligible for services. The required changes include adjustments to non-financial eligibility criteria for existing populations eligible for PE determinations, the addition of new populations eligible for PE determinations, and the expansion of the populations

for which qualified hospitals can make PE determinations. In addition, required changes to income disregards will result in an increase in the income limits for PE. Children, pregnant women and individuals applying for Family Planning Only Services will be allowed an income disregard equal to 5% of the FPL in addition to a conversion factor adjustment equal to 1% of the FPL. Parents, caretakers and childless adults already have the income disregard included in the income limit of 100% of the FPL.

In addition to these federal changes, Benchmark Plan coverage of services will be ending March 31, 2014. All services for PE eligible persons applying on or after February 1, 2014, will be under the BC+ Standard Plan. PE services for pregnant women are still limited to outpatient services. Family Planning PE is still limited to Family Planning and related services.

Note: Wisconsin's PE programs are known by multiple terms: express enrollment, temporary enrollment and presumptive eligibility. In this Operations Memo, all such policy will be collectively referred to as presumptive eligibility (PE).

CHANGES TO EXISTING POPULATIONS ELIGIBLE FOR PRESUMPTIVE ELIGIBILITY:

CHILDREN

Effective February 1, 2014, children who are lawfully present in the United States may be eligible for PE.

The non-financial criteria that children must meet to be determined presumptively eligible for the BC+ Standard Plan are as follows:

1. Under age 19 (Minors under age 18 must apply with a parent/guardian),
2. A Wisconsin resident, **and**
3. A U.S. citizen or lawfully present in the United States (no requirement for the amount of time the person is lawfully present in the U.S.).

Children will continue to be allowed one PE period in a 12-month period.

The following table displays the income limits for PE for children, including the income disregard and the conversion factor:

Age	Income Limit
Child younger than age 1	At or below 306% FPL
Child age 1 through 5	At or below 191% FPL
Child age 6 through 18	At or below 156% FPL

PREGNANT WOMEN

Effective February 1, 2014, pregnant women who are lawfully present in the United States may be eligible for PE. In addition, verification of the pregnancy will no longer be required and women will be allowed only one PE period per pregnancy.

The non-financial criteria that pregnant women must meet to be determined presumptively eligible for pregnancy related outpatient care, including pharmacy services, are as follows:

1. Currently pregnant (verification of pregnancy not required),
2. A Wisconsin resident, **and**
3. A U.S. Citizen or is lawfully present in the United States (no requirement for the amount of time the person is lawfully present in the U.S.).

Pregnant women will only be allowed one PE period per pregnancy. If a pregnant woman already had one PE period for her current pregnancy prior to February 1, 2014, she will not be eligible for another PE period for that same pregnancy.

Effective February 1, 2014, the income limit for PE for pregnant women, including the income disregard and the conversion factor, will be 306% FPL. All pregnant women determined presumptively eligible for prenatal services on or after February 1, 2014, will be eligible under the BC+ Standard Plan for outpatient services.

Note: Pregnant women who are not lawfully present in the United States may be eligible for the BC+ Prenatal Program. See the BadgerCare Plus Handbook Chapter 41 for information about the BC+ Prenatal Program.

FAMILY PLANNING ONLY SERVICES

Effective February 1, 2014, individuals who are lawfully residing in the United States may be eligible for PE for Family Planning Only Services (FPOS). How we determine whether someone is lawfully residing in the United States in order to be eligible for PE for FPOS depends on the age of the individual.

The non-financial criteria that individuals must meet to be determined presumptively eligible for FPOS are as follows:

1. Of childbearing age,
2. Not enrolled in BC+ or receiving other full benefit Medicaid,
3. A Wisconsin resident, **and**
4. One of the following:

For individuals under age 19:

- Lawfully present in the United States (no requirement for the amount of time the person is lawfully present in the U.S.).

For individuals age 19 and older:

- U.S. Citizen;
- Lawfully residing in the United States for at least 5 years;
- Lawfully residing in the United States and a refugee or is seeking asylum;
- From Cuba or Haiti and is lawfully residing in the United States; **or**
- Lawfully residing in the United States under one of the eligible immigration statuses listed in the [BadgerCare Plus Eligibility Handbook Chapter 4.3.4](#).

Individuals will continue to be allowed one PE period for FPOS services in a 12-month period.

Effective February 1, 2014, the income limit for PE for FPOS, including the income disregard and the conversion factor, will be 306% FPL.

NEW POPULATIONS ELIGIBLE FOR PRESUMPTIVE ELIGIBILITY:

PARENTS, CARETAKERS AND CHILDLESS ADULTS

Effective April 1, 2014, childless adults under age 65, parents and caretakers may be presumptively eligible for the BC+ Standard Plan, *if their PE is determined by a qualified hospital* and they:

1. Are a Wisconsin resident,
2. Have assistance group income at or below 100% of the FPL, **and**
3. Are one of the following:
 - A U.S. Citizen;
 - Lawfully residing in the United States for at least 5 years;
 - Lawfully residing in the United States and a refugee or is seeking asylum;
 - Is from Cuba or Haiti and lawfully residing in the United States; **or**
 - Lawfully residing in the United States under one of the eligible immigration statuses listed in the [BadgerCare Plus Eligibility Handbook Chapter 4.3.4](#).

Parents, caretakers and childless adults will be allowed one PE period in a 12-month period.

Once a parent, caretaker or childless adult is determined presumptively eligible for the BC+ Standard Plan, the individual will remain enrolled until the last day of the calendar month after the month in which the presumptive eligibility is granted.

If an application is made for BC+ at the local IM agency by the end of the month following the month in which the individual was determined presumptively eligible, the enrollment period ends the day on which the agency completes processing the BC+ application, regardless of the result of the eligibility determination.

If a BC+ application is not submitted by the end of the month following the month in which the individual was temporarily enrolled, the PE period ends the last day of the month following the month in which the individual was enrolled.

QUALIFIED HOSPITALS:

Only qualified hospitals will be able to determine presumptive eligibility for parents, caretakers and childless adults.

Hospitals are currently eligible to make PE determinations for children, pregnant women, and for individuals applying for FPOS. Due to provisions in PPACA, qualified hospitals will be allowed to make PE determinations for the additional BadgerCare Plus and Medicaid populations described above, effective April 1, 2014. Any Medicaid-enrolled hospital that agrees to the PE determination process and meets standards set forth by DHS will be considered a qualified hospital. Qualified hospitals will be expected to assist PE applicants with the completion of the full Medicaid and BadgerCare Plus application at the time that they are applying for PE. The completion of the full Medicaid and BadgerCare Plus application does not influence the determination of the applicant's eligibility for PE. Starting in calendar year 2015,

hospitals that fall short of an established submission rate for a completed Medicaid and BadgerCare Plus application may be subject to corrective action and ultimate disqualification for up to two years. The performance expectation for this measure will be established in 2015, based on the ratio of PE applications to full Medicaid and BadgerCare Plus submissions.

Effective April 1, 2014, qualified hospitals will be allowed to make PE determinations for the following populations:

- Pregnant women.
- Children under age 19.
- Individuals applying for the FPOS benefit plan.
- Childless adults under age 65.
- Parents and other caretakers.
- Women under age 65 with breast or cervical cancer.

PE for women under age 65 with breast or cervical cancer is part of Wisconsin Well Woman Medicaid. EM CAPO will continue to process all enrollments for full Wisconsin Well Woman Medicaid.

Qualified hospitals will be allowed to make PE determinations for patients who are inmates of certain public correctional institutions.

Inmates of Non-State Public Correctional Institutions

Qualified hospitals will be allowed to make PE determinations for patients who are inmates of public correctional institutions that are not state correctional facilities (e.g., county jails) as long as those patients are expected to remain in the hospital for 24 hours or more. The PE determination process for these patients will be the same as for other patients.

Inmates of State Correctional Institutions

Qualified hospitals will not be allowed to make PE determinations for patients who are inmates of state correctional institutions. A list of state correctional facilities can be found in the [Medicaid Eligibility Handbook Chapter 6.9.4](#). Information on full Medicaid or BadgerCare Plus eligibility for inmates of state correctional institutions can be found in the [Medicaid Eligibility Handbook Chapter 6.9](#) and the [BadgerCare Plus Handbook Chapter 3.6](#).

Qualified hospitals will be able to complete PE determinations for all eligible populations through the ForwardHealth portal until ACCESS for Partners and Providers (APP) is modified to handle PE determinations for the new populations. Qualified hospitals, along with other providers enrolled to make PE determinations, have the option to continue to complete PE determinations through APP for children and pregnant women following the existing process or using the paper forms for pregnant women and individuals requesting FPOS. Enrolled partners will continue to complete PE determinations for children through APP following the existing process.

CHANGES TO MEDICAL STATUS CODES FOR EXTENDING PE:

If a presumptively eligible individual submits a full Medicaid and BadgerCare Plus application and the IM agency is unable to finish processing the application by the end of the individual's PE period, the IM worker must extend the PE period for an additional calendar month. Prior to the last date of the presumptive eligibility period, the worker must complete a paper

Medicaid/BadgerCare Plus Certification form (F-10110, former DES 3070) and send to the fiscal agent or extend the PE eligibility through the manual certification process in the ForwardHealth portal (www.forwardhealth.wi.gov).

There are new medical status codes effective February 1, 2014. When extending a PE certification for a month after January 2014, use the following medical status codes:

Med Stat	Population
9J	Children under age 1 with assistance group income above 200% FPL and at or below 306% FPL
7Q	Children under age 1 with assistance group income above 133% FPL and at or below 200% FPL
EC	Children under age 1 with assistance group income at or below 133% FPL
7S	Children age 1 through 5 with assistance group income above 156% FPL and at or below 191% FPL
BU	Children age 1 through 18 with assistance group income at or below 156% FPL
9E	Pregnant women with assistance group income above 200% FPL and at or below 306% FPL
BV	Pregnant women with assistance group income at or below 200% FPL
PP	Parents and caretakers*
PN	Childless adults*

***Note:** The medical status codes PP and PN are not effective until April 1, 2014.

CARES:

The presumptive eligibility application process remains outside of CARES so there are no changes to CARES.

APP was updated February 3, 2014, to reflect the changes for PE for children and pregnant women.

CONTACTS:

BEPS CARES Information & Problem Resolution Center

*Program Categories – FS – FoodShare, MA – Medicaid, BC+ – BadgerCare Plus, SC – Senior Care, CTS – Caretaker Supplement, CC – Child Care, W-2 – Wisconsin Works, FSET – FoodShare Employment and Training, BC+ Core – BadgerCare Plus Core, CF – Children First, EA – Emergency Assistance, JAL – Job Access Loan, JC - Job Center Programs, RAP – Refugee Assistance Program, WIA – Workforce Investment Act, Other EP – Other Employment Programs.

DHS/DHCAA/BEPS/RW