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EXECUTIVE COMMISSIONER

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**To:** Eligibility Services – Regional Directors  
Program Managers  
Eligibility Services Supervisors  
Regional Attorneys  
Hearings Officers

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**Subject:** **1. Suspension and Reinstatement of TP 44 and Termination of Medicaid or Children's Health Insurance Program (CHIP) Eligibility of Certain Children Placed in a Juvenile Facility**  
**2. Transition from Medicaid for Pregnant Women (TP 40)**

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Bulletins are sent to supervisors and other regional managers. Supervisors must share this information with all eligibility staff. Please ensure that copies are provided to staff that do not have access to e-mail. If you have any questions regarding the policy information in this bulletin, follow regional procedures. Active bulletins are posted on the Texas Works Handbook (TWH) website at <http://www.dads.state.tx.us/handbooks/TexasWorks/>.

## **1. Suspension and Reinstatement of TP 44 and Termination of Medicaid or Children's Health Insurance Program (CHIP) Eligibility of Certain Children Placed in a Juvenile Facility**

### **Background**

In an effort to improve continuity of health care coverage for children residing in a juvenile facility, the 84<sup>th</sup> Texas Legislature, Regular Session, 2015, passed House Bill 839, requiring the Health and Human Services Commission (HHSC) (to the extent allowed by federal law) to suspend Medicaid or Children's Health Insurance Program (CHIP) eligibility for a child placed in a juvenile facility and to reinstate Medicaid or CHIP eligibility no later than 48 hours after HHSC receives notification of the child's release from the facility. Following the child's release, the child remains eligible for the remainder of the certification period for which the child was originally certified.

To comply with federal regulations, HHSC will deny CHIP coverage upon notification of a child's placement in a facility and will reinstate Medicaid eligibility only if there are months remaining on the child's original Medicaid certification period at the time the child is released from a facility.

The Texas Juvenile Justice Department (TJJD) and the Juvenile Probation Departments (JPDs) are responsible for the placement of a child in a juvenile facility. HB 839 gives the agencies the option to report the placement of a child in a juvenile facility. The Centralized Benefit Service staff process these EDGs.

### **Current Policy and Process**

A child's Medicaid or Children's Health Insurance Program (CHIP) eligibility is denied when HHSC receives notification that the child has been placed in a juvenile facility based on cutoff rules.

The Texas Juvenile Justice Department (TJJD) and Juvenile Probation Departments (JPDs) notify the Centralized Benefit Services (CBS) staff weekly of children in a juvenile facility who are scheduled for release or who have been released from a juvenile facility.

Upon release, CBS staff add the child to an existing case if the child has a sibling receiving Medicaid or CHIP. CBS staff send the household an application if the child cannot be added to an existing case and process any applications received from the household up to 14 calendar days after the child's release. CBS routes to the local office for processing any applications received on the 15<sup>th</sup> calendar day or later after the child's release.

### **New Policy and Process**

#### *Notification of Placement in a Juvenile Facility*

#### Notified by TJJD or JPD

When notified by TJJD or JPD that a child has been placed in a juvenile facility, TIERS automatically:

- Suspends the child's Medicaid eligibility effective the day after HHSC receives the notification if the child is certified for MA - Children 6-18 (Type Program [TP] 44);
- Terminates the child's CHIP eligibility effective the day after HHSC receives the notification if the child is certified for CHIP; or
- Terminates the child's Medicaid eligibility using existing policy (TWH A-2344.1, Form TF0001 Required [Adequate Notice]) if the child is certified on a Medicaid type other than TP 44; and
- Removes the child from other Eligibility Determination Groups (EDGs) in which the child is included.

**Exception:** Children certified on a Supplemental Security Income (SSI) or Department of Family and Protective Services (DFPS) TOA are not terminated nor reinstated by HHSC.

TIERS automatically populates case comments upon suspension of a child's TP 44 eligibility or denial of their CHIP eligibility. Additionally, the **EDG**, **Individual Inquiry**, and **Eligibility Summary** pages are updated to indicate when a child's TP 44 eligibility has been suspended.

Notified by Other Source

For reports of placement in a juvenile facility received from a source other than TJJD or JPD, advisors must follow existing policy (TWH B-631, Actions on Changes, and D-1433.2, Child Leaves the Home).

When a household reports a child living in the household who TJJD/JPD reported as placed in a juvenile facility and there are no case comments indicating the child has been released from juvenile placement or the child's Living Arrangement Type on the **Living Arrangement/Domicile Details** page lists Juvenile Placement, staff should consider household composition questionable. When this occurs:

- During the child's TP 44 suspension period, the case is Other pending and TIERS generates an alert that triggers the Task List Manager task Alert 862, Review Living Arrangement, for CBS staff to verify with TJJD/JPD if the child has been released. CBS staff dispose the EDG.
- After the child's original certification period has ended and TIERS has removed the suspension indicator from the **EDG, Individual, and Eligibility Summary** pages, the advisor must request verification the child is living in the household.

*Notification of Release from Juvenile Placement*

Upon notification from TJJD or JPD of a child's release from juvenile placement, HHSC automatically reinstates the child's TP 44 eligibility effective the date of their release (if there are months remaining on their original certification period). The child is also automatically added back to any associated active TANF, SNAP, Medicaid, CHIP, or Medicaid for the Elderly and People with Disabilities (ME) EDGs if the individual is a required member of the household.

The child's Medicaid eligibility is reinstated even if the case in which the child was originally certified is denied or if the child is released to a different household.

| If the child is released to the same household and the EDG is... | Then...   |
|--|---|
| Active   | the child's TP 44 eligibility is reinstated to the same EDG.  |
| Denied   | the child's TP 44 eligibility is reinstated for the remainder of the child's original certification period on the same EDG. |

| If the child is released to a different household...  | Then...   |
|---|---|
| With an existing denied case  | The child's TP 44 eligibility is reinstated for the remainder of the original certification period on a new EDG.          |
| Without an existing case  | The child's TP 44 eligibility is reinstated for the remainder of the child's original certification period on a new case. |
| For individuals released to a different household, any changes to the child's circumstances should be addressed at the next scheduled renewal. Children released to a different |   |

household may not administratively renew.

| If the child is released as an independent child with...   | Then...   |
|--|---|
| An existing denied case  | Then child's TP 44 eligibility is reinstated on a new EDG.  |
| Without an existing case   | The child's TP 44 eligibility is reinstated for the remainder of the child's original certification period on a new case. |
| For individuals released as an independent child, any changes to the child's circumstances should be addressed at the next scheduled renewal. Children released to a different household may not administratively renew. |   |

**Notes:**

- Renewals for these EDGs follow current policies and procedures.
- The reinstated child's siblings must submit an application and cannot be added to the reinstated child's case if the case was newly created or was denied at reinstatement.
- TIERS automatically populates case comments upon reinstatement of a child's TP 44 eligibility or when a child not eligible for reinstatement is added to an existing case on which the released child has a sibling certified for Children's Medicaid or CHIP.
- The **EDG and Individual Inquiry (Individual - Medicaid History and Individual - Medicaid Summary)** pages are updated to indicate when a child's TP 44 eligibility has been reinstated.

**Correspondence Updates**

TIERS generates Form TF0001, Notice of Case Action, to notify a household of a child's:

- TP 44 eligibility suspension or CHIP termination due to the child's placement in a juvenile facility; or
- TP 44 reinstatement upon the child's release from juvenile placement.

TIERS populates the TF0001 with new verbiage in the "Notes" box under the "Who can get health care benefits" section explaining that the child's TP 44 eligibility has been suspended or reinstated, or that the child's CHIP eligibility has been terminated.

**Automation**

Automation changes to TIERS occur with implementation of Release 97.

These changes include:

- The **TJJD/JPD Placement** and **TJJD/JPD Release** are new Logical Units of Work (LUWs) under Interfaces within the Left Navigation Bar. HHSC receive notification from TJJD/JPD of a child's placement in or release from a juvenile via the new LUWs. HHSC staff (other than CBS) have read only access to the LUWs.
- The **EDG, Individual Inquiry, and Eligibility Summary** pages are updated to indicate when a child's TP 44 eligibility has been suspended. When the child's original certification period has ended and is no longer eligible for reinstatement, TIERS removes

the suspension indicator. The **EDG and Individual Inquiry (Individual - Medicaid History and Individual - Medicaid Summary)** pages are also updated to indicate when a child's TP 44 eligibility has been reinstated.

**Note:** Even though the TP 44 eligibility is suspended, the **Individual Medicaid History and Individual - Medicaid Summary** pages show an *Eligibility Begin Date* and an *Eligibility End Date* for the individual.

- TIERS automatically populates case comments upon suspension, denial, or reinstatement of eligibility and when adding a child released from juvenile placement to an EDG with the following verbiage:
  - Suspension of TP 44 or denial of a CHIP EDG: *"IN047 - Mass Update System Action for: Individual removed from household due to juvenile placement."*
  - Reinstatement of TP 44 EDG: *"IN048 - Mass Update System Action for: Individual released from juvenile placement has been added to the household."*
  - Reinstatement of a child to a previously denied or terminated case or a created case: *"Reinstatement date set to the individual's release date from juvenile placement."*
  - Adding a child not eligible for reinstatement: *"IN049 - Mass Update System Action for: Individual added to household released from juvenile placement."*
- TIERS displays the following verbiage on the **Notice Reasons Eligibility Summary** page when an individual's TP 44 eligibility is reinstated: *"(Name of child's) health care benefits have been reinstated because their living arrangement changed"*

### **Task List Manager (TLM) Tasks**

For CCC staff, TIERS triggers the following alert that creates a TLM task:

*Alert 865 - Validate Results for Associated EDGs, Individual Released from Juvenile Placement*

When a child is released and reinstated to or added to a case with an associated TANF, SNAP, or ME EDG in which the child must be included, a task is created notifying CCC staff. CCC staff must review the TANF and SNAP EDBC results for accuracy to ensure that supplements are requested for the correct months and then dispose the EDG(s). Those with ME EDGs are routed to the appropriate staff to review and dispose.

### **Effective Date**

The TJJD and JPDs may begin notifying HHSC of the placement of children effective September 1, 2016.

### **Handbook**

Updates to the Texas Works Handbook are scheduled for the January 2017 revision.

### **Training**

Web-based training on HB 839 is titled: R97-5 HB 839 Reinstatement of Medicaid. A training broadcast will be sent with further details.

## 2. Transition from Medicaid for Pregnant Women (TP 40)

### Background

When eligibility ends for an individual receiving Medicaid for Pregnant Women (TP 40) prior to the end of the original certification period, the individual must reapply to be determined eligible for another type of assistance. To streamline health coverage for pregnant women whose eligibility is terminated prior to the end of their certification period, eligibility for a different type of assistance will now be automatically determined once their Medicaid for Pregnant Women coverage ends.

### Current Policy

As described in TWH A-825, Medicaid Termination, if the pregnancy terminates early, Medicaid coverage for the individual receiving Medicaid for Pregnant Women may end prior to the original certification period. Medicaid coverage for pregnant women ends on the last day of the second month of post-partum coverage following the month the pregnancy ends. If Medicaid for Pregnant Women eligibility ends, the individual must reapply to determine potential eligibility for another type of assistance.

### New Policy

An individual whose Medicaid for Pregnant Women coverage ends prior to the end of the certification period, and their case has not initiated a renewal, may be determined eligible for another type of assistance using current case information without a new application. In addition to the coverage ending prior to the certification period, the TP 40 EDG must have been terminated for a reason other than the individual:

- Voluntarily withdrawing;
- Dying;
- Moving from Texas;
- Receiving benefits in another group; or
- Failing to provide postponed verification.

**Note:** TIERS does not generate Alert 824, Pregnancy Ending Test MAGI, in this situation.

If an individual meets the criteria, TIERS automatically determines eligibility for another type of assistance. If eligible, the individual receives a new certification period. The new certification period begins after the two months post-partum coverage on Medicaid for Pregnant Women coverage ends.

**Note:** Consistent with current policy, if the individual is determined eligible for Medicaid for Parent and Caretaker Relatives (TP 08), an interview is required.

### Forms

There are no changes to forms.

### **Automation**

If an individual on Medicaid for Pregnant Women is terminated before the end of the certification period, and their case is not in **Review Required** status, TIERS re-runs the MAGI cascade to determine potential eligibility using current case information. The new EDG is pended as needed for the new potential type of assistance.

### **Effective Date**

Changes are effective with implementation of Release 97.

### **Handbook**

Updates to the Texas Works Handbook are scheduled for the January 2017 revision.

### **Training**

Web-based training is titled: Transition from Medicaid for Women Receiving TP 40. A training broadcast will be sent with further details.