

General Information Memorandum

ISD-GI 16-70

TO:

ISD Employees

FROM:

Sean Pearson, Deputy Secretary

RE:

Medicaid for Incarcerated Individuals Program (MIIP) Request for Fair Hearing

DATE:

September 29, 2016

This GI provides guidance to the field on the Fair Hearing (FH) procedures for an individual who is covered by Medicaid for Incarcerated Individuals Program (MIIP). MIIP was created in conjunction with Senate Bill 42 (SB42). SB42 affects those incarcerated individuals whose Medicaid (MA) benefits are suspended when the individual is in prison or jail for more than 30 days. For more information regarding SB42, please review MAD IPP 15-07 Implementation of SB42 (Medicaid Coverage for Incarcerated Individuals).

MA FH requests that are covered by MIIP will be handled by the ISD field office and will not be forwarded to MAD. The following procedures must be followed. Please note that if the request has an attached FH request for SNAP, LIHEAP, and/or a Cash Assistance program (CASH), the FH procedure does not change and ISD will follow the pre-established policies and procedures for SNAP, LIHEAP, and/or CASH FH requests.

1. Identify if the FH is related to MIIP

ISD will immediately review case comments, notices to the individual in correspondence (MAD 350), and the Prisoner Match Summary interface to determine if the request is related MIIP and if the MA benefits have been suspended due to the individual being incarcerated for more than 30 days.

a) Case Comments

Medicaid Benefit Suspension
Update: Household member in case
is incarcerated for more than 30
2 07/19/2016 ALSNDSUDLY days, a n otice to client with
Suspension date for Medicaid
benefits is sent to client from
ASPEN

b) Locate the MAD 350 in correspondence

- 1. On Left Navigation, click Correspondence to expand.
- 2. Click View History

The **History Correspondence Detail** page displays.

- 3. Enter a Print Begin Date and Print End Date that encompasses the date the case comment was made.
- 4. Click Search.

Depending Upon The MA Case Action, Specific Correspondence will Be Triggered

• A MAD 350 will generate if an inmate's active Medicaid Eligibility will be suspended due to being incarcerated for more than 30 days.

This notice is about your Medicaid benefits.

The New Mexico Human Services Department (HSD) has been notified that you have been in prison or jail for more than 30 days. HSD is required to suspend the Medicaid benefits of any New Mexicon who is in prison or jail for more than 30 days in accordance with New Mexico Administrative Code (NMAC) 8.200.410.15.

Your Medicaid benefits were suspended on <Date = MM/DD/YY>.

 MAD 350 Medicaid Benefits which got approved after the Individual is incarcerated and suspended subsequently.

Month	Medicaid Category	Renewal Month
September 2014 - August 2015	Full Coverage, MAGI Parent Caretaker (Category 200)	August 2015
September 2014	Full Coverage, MAGI Child (Category 400, 402)	

The New Mexico Human Services Department (HSD) has been notified that you have been in prison or jail for more than 30 days. HSD is required to suspend the Medicaid benefits of any New Mexican who is in prison or jail for more than 30 days in accordance with New Mexico Administrative Code (NMAC) 8:200.410.15.

Your Medicaid benefits were suspended on < Date = MMDD/YY>

MAD 350 Medicaid Benefits (Only) are recertified after the Individual is incarcerated.

Month	Medicaid Category	Renewal Month
September 2014 - August 2015	Full Coverage, MAGI Parent Caretaker (Category 200)	August 2015
September 2014 - August 2015	Full Coverage, MAGI Child (Category 400, 402)	August 2015

The New Mexico Human Services Department (HSD) has been notified that you have been in prison or jail for more than 30 days. HSD is required to suspend the Medicaid benefits of any New Mexico Administrative Code (NMAC) 8 200 410 15.

Your Medicaid benefits were suspended on <Date = MWDD/YY>.

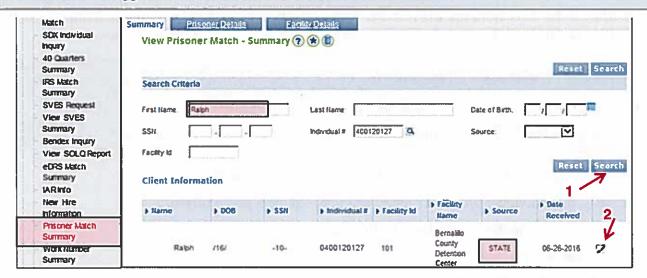
c) Prisoner Match Summary

- 1. On Left Navigation, click Interfaces to expand.
- 2. Click Prisoner Match Summary

The View Prisoner Match - Summary page displays.

- 3. Enter search criteria such as first name, last name, DOB, SSN etc. in the Summary screen
- Click on Search.

The individual will appear if we have received incarceration information.



5. Click the Edit Pencil with the source STATE to see incarceration information.

The View Prisoner Match - Prisoner Details window displays.

				Reset Cancel + Previous + Continue
PrisonerDetail:	s - MARCD		distress and	
ndwidual#	0400120127	SSN	021-10-8419	
est liame	Ralph	Last Name	Cepeda	
Date of Birth:	03/16/1992	Sex	Male	
Organisation ID :	1	Date Of Confinement	05-11-2016	Release Date Min 15d Min 15d
Offender:	100087763	Status	Pi	Status Date 05/11/2016
Client Altr	eady Released?			
Incarcera	ted?			
O Absconded Comments		O in Prision	O in Jat	
		^		www.corrections.state.nm.us/offenders/intro.html

The individual is still incarcerated if there is not a Release Date and the individual's Status is "IN."

2. Fair Hearings Bureau (FHB) Referral

Once it is determined the FH request is MIIP related and the individual has been incarcerated for more than 30 days, ISD will immediately follow the pre-established steps to create a new FHB Referral in ASPEN.

3. Agency Review Conference (ARC)

Within 10 calendar days from the FH request, ISD will schedule an ARC with the individual. At the ARC, MIIP and SB42 will be discussed as the reason for the suspension of the MA benefits.

Continue to step "4. Proceed with the FH" if:

- At the ARC, the individual wishes to continue with the FH process.
- The individual is a no show to the ARC.

a) Individual has been released from jail or prison

If at the ARC, the individual states they have been released from jail or prison

- 1. From Left Navigation, click Data Collection.
- 2. Click Individual Information.
- 3. Click the Living Arrangements

The Living Arrangement/Domicile - Summary window displays.

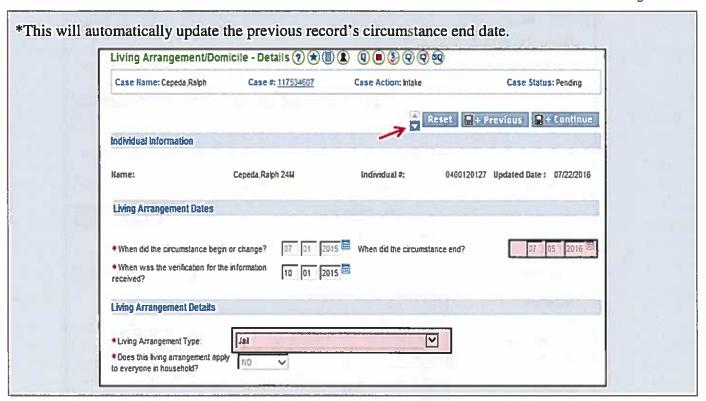
Do not override previous jail or prison record by just changing the Living Arrangement Type

4. Click the Edit Pencil for the incarcerated individual

The Living Arrangement/Domicile - Details window displays.

- Update When did the circumstance begin or change? With the date the individual was released.
- 6. Click the Living Arrangement Type drop-down list and select At Home.
- 7. Click Save+ Continue.





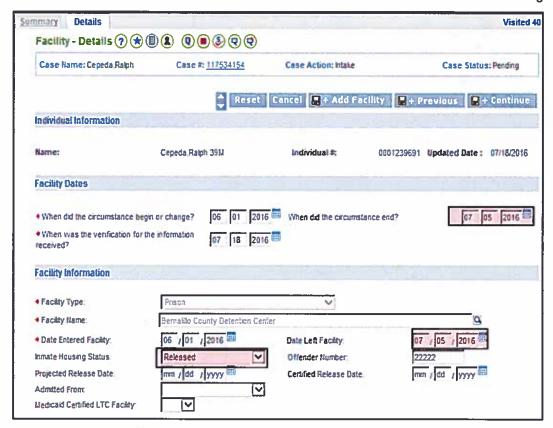
- 8. From Left Navigation, click Data Collection.
- 9. Click Individual Information.
- 10. Click the Facility

The Facility - Summary window displays.

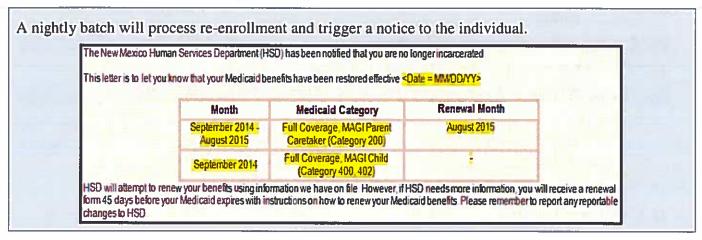
11. Click the Edit Pencil for the incarcerated individual

The Facility - Details window displays.

- 12. Update When did the circumstance end? and Date Left Facility with the same date as *the circumstance end date in the Living Arrangement/Domicile for the jail/prison (in this example it is 7/5/2016 as stated earlier).
- 13. Click the Inmate Housing Status drop-down list and select Released.
- 14. Click Save+ Continue.



15. Enter case comments detailing the outcome of the ARC.



16. The individual may still wish to continue with the FH request. If so continue with step "4. Proceed with the FH." If the individual wishes to withdraw the FH continue with "b) Individual Elects to Withdraw FH Request."

b) Individual Elects to Withdraw FH Request

If at the ARC, the individual elects to withdrawal the MA FH Request:

- 1. Complete the ISD 402 Withdraw of Fair Hearing Request form and forward to the Fair Hearings Bureau (FHB).
- 2. Follow the pre-established steps to withdraw the FH in ASPEN.
- 3. Enter case comments detailing the outcome of the ARC.

4. Proceed with the FH

a) Summary of Evidence (SOE)

- 1. ISD must submit the SOE to all interested parties no less than 10 calendar days prior to the FH.
- 2. ISD must enter the following language supplied by MAD into the ISD 464 Fair Hearing Summary of Evidence form:

4. INFORMATION ON WHICH ISD DECISION IS BASED (INFORMACIÓN SOBRELA CUALISD TOMÓ LA DECISIÓN)
Give pertinent facts and findings that relate to the issue.

Proporcione Información y hechos pertinentes y las conclusiones relacionados a este asunto.

The Department's Summary of Evidence was prepared on MM/DDYR by XXXXXXX. According to our records, the New Mexico Human Services Department (HSD) has been notified that the claimant has been in prison or jail for more than 30 days. HSD is required to suspend the Medicaid benefits of any New Mexican who is in prison or jail for more than 30 days in accordance with the New Mexico Administrative code (NMAC) 8.200.410.15.

While the claimant is in prison or jail, the institution where the claimant is held is responsible for providing necessary healthcare services. The claimant's Medicaid will still cover certain services if the claimant is in an inpatient or residential facility outside the jail or prison for longer than 24 hours and if the services received are Medicaid covered services in accordance with NMAC 8.200.410.15 C. All other Medicaid benefits are suspended until the claimant is released. When the institution where the claimant is held notifies HSD of the claimant's release, the claimant's Medicaid benefits will be reactivated if the claimant is still Medicaid eligible.

Therefore, we respectfully request the ALJ to dismiss this Fair Hearing requested by XXXXX that was initiated < Date>.

6. CITE APPLICABLE ISD MANUAL SECTION(S) (CITE SECCIONES DEL MANUAL DE ISD APLICABLES)

NMAC 8.310.2 General Benefit Description

NMAC 8.352.2 Recipient Hearings

NMAC 8.200.410.15 Medicaid Eligibility-General Recipient Policies

b) Fair Hearing

- 1. ISD must be present at the FH.
- 2. ISD testimony will follow the language supplied on the SOE.
- 3. ISD must request that the Administrative Law Judge (ALJ) dismiss the MA FH request.

If you have any questions regarding this GI, please contact Sara Cordova at 505-827-7268 or Sara.Cordova@state.nm.us.

Attachment:

MAD IPP 15-07



Susana Martinez, Governor Brent Earnest, Secretary Nancy Smith-Leslie, Director

INTERDEPARTMENTAL

MEMORANDUM

MAD IPP: 15-07

DATE: December 10, 2015

TO:

MAD AND ISD STAFF

FROM: WANCY SMITH-LESLIE, DIRECTOR, MEDICAL ASSISTANCE DIVISION (ISD)

THROUGH: MAHESH SITA, BUREAU CHIEF, COMMUNICATION & EDUCATION BUREAU

BY:

HEANELLE LEROUGE, COMMUNICATION & EDUCATION BUREAU

RE:

IMPLEMENTAION OF SB42 (MEDICAID COVERAGE FOR

INCARCERATED INDIVIDUALS)

GERNERAL INFORMAITON

In December 2015, the Medical Assistance Division (MAD) began implementing the provisions outlined in Senate Bill 42 (SB42) that allows incarcerated individuals to maintain their Medicaid eligibility, but suspend their Medicaid benefits while in prison or jail for more than 30 days. SB 42 also allows inmates to apply for Medicaid, become eligible while in prison or jail and have their Medicaid benefits reactivated upon their release.

Since July 1, 2015, the MAD has been working to implement the requirements of SB42 and has completed the following:

- Promulgated necessary rule changes;
- Identified necessary upgrades and changes to Information Systems; and
- Collaborated with various state and local detention facilities.

MAD will implement SB 42 in a phased approach with all adult and juvenile county detention center facilities across New Mexico. The initial rollout of this initiative included New Mexico Corrections Department (NMCD), Children, Youth and Families Department (CYFD); and the Metropolitan detention Center in Albuquerque. MAD will use a manual process during this initial phase while ASPEN and OmniCaid systems are being upgraded. MAD staff will manually track inmate bookings and release dates from these three entities to ensure inmates' Medicaid benefits are suspended when the inmate is in prison or jail for more than 30 days, in accordance with 8.200.410.15 NMAC, and their Medicaid benefits are turned on when released from prison or jail. As the rollout of SB 42 moves forward, MAD will bring in additional adult and juvenile county detention centers, including the New Mexico Department of Health (NMDOH).

All applications submitted by adult and juvenile county detention facilities, NMCD, CYFD and NMDOH will be routed to the MAD Central Office. MAD will process all applications that are associated to a case and that have a Medicaid only category. If any of these applications have active Medicaid cases with cash or SNAP benefits, the cases will be transferred to an ISD office to process.

Listed below are the steps detailing the manual implementation of SB 42:

Medicaid application process and procedures for Presumptive Eligibility Determiners (PEDs) in jails and prisons.

- 1. PED will access NM Medicaid Portal to check and verify if an inmate is enrolled into Medicaid.
- 2. PED will access YESNM-PE to submit the Medicaid application if an inmate is not enrolled into Medicaid.
- 3. PED will enter the inmate's residential and mailing address or the jail or prison facility address on the Medicaid application:
 - a. The inmate's residential address will be used if the inmate is projected to be released in less than 30 days or not known, **PE can be granted**.
 - b. The county jail or prison facility's address will also be used for the authorized representative and facility name if inmate's projected release date is more than 30 days PE should not be granted.
- 4. PED will select "Prison or Jail" or "living in this home" for "where does this person live" and enter the inmate's release date in the "Anticipated Release Date" field if applicable.
 - a. If an inmate is getting released within 30 days the PED will select "living in this home" for the field "where does this person live" and <u>may grant PE</u>.
 - b. If inmates release date is greater than 30 days PED will select "Prison or Jail" for the field "where does this person live" and may not grant PE.
- 5. PED will indicate the inmate's MCO choice. (Reminder: Native American applicant is not required to select an MCO.)
- 6. PED will enter the inmate's booking date and any other information that may be beneficial when determining eligibility in the "Additional Information" field.
- 7. PED will grant PE for any inmate released within 30 days or if the release date is not known. If an inmates release date is greater than 30 days, PE may not be granted.
- 8. PED will submit the Medicaid application for the inmate to HSD for an on-going Medicaid determination.

HSD/MAD Processing Unit (Release Date Less than 30 days stand-alone Medicaid categories ASPEN Procedures.

MAD will process the application for the inmate population as if the inmate was out in the community. Medicaid benefits will not be suspended until the inmate has been incarcerated for more than 30 days.

ASPEN Procedures

- 1. Application is received and registered in ASPEN by the MAD Central Office.
- 2. Processor will verify all information on the application is correct and accurate, such as the

- inmate's citizenship, residency, and income.
- 3. Processor will verify inmate's release date is less than 30 days and that the correct address listed on the application was used (inmate's residential address should be used).
- 4. Input MCO choice when applicable. (Reminder: Native American applicant is not required to select an MCO.)
- 5. Run EDBC (Eligibility Determination and Benefit Calculation).
- 6. Certify Eligibility Determination in ASPEN.
- 7. Processor will document notes in "Case Comments" field.

OmniCaid Procedures

1. Approved ASPEN COE and MCO choice will interface into OmniCaid. If the application is denied, no action is necessary in OmniCaid.

HSD/MAD Processing Unit (Release Date is Greater than 30 days) ASPEN Procedures.

If the application submitted has a release date greater than 30 days and if the applicant is approved for Medicaid eligibility, HSD will suspend the client's Centennial Care benefits while the inmate is incarcerated.

ASPEN Procedures

- 1. Application or file is received at the MAD Central Office.
- 2. Inmate's case is located in ASPEN.
- 3. Processor will confirm the Authorized Representative information and correctional facility name and address is added as the Case Management Agency for the client.
- 4. Processor will indicate that the individual is "living in a prison or Jail."
- 5. Processor will verify all information on the application is correct and accurate, such as the inmate's citizenship, residency, and income.
 - a. If an inmate is on a case in which other household members are receiving Medicaid, he/she will <u>NOT</u> be excluded from the household if he/she is expected to file a tax return or be claimed as a tax dependent. (Follow tax filer rules)
 - b. If an inmate is on a case in which other household members are receiving Medicaid, he/she <u>WILL BE</u> excluded from that household if he/she is not filing taxes or will not be claimed as a tax dependent. (Per NMAC 8.291.430.13)
 - c. If an inmate is on a case in which other household members are receiving SNAP and/or CASH benefits, then this case must be referred to ISD for processing.
- 6. Run EDBC (Eligibility Determination and Benefit Calculation).
- 7. ASPEN will show the denial because of the incarceration that is identified by the "Living in a Prison Vail" field.
- 8. MAD Processing Unit will create an Exception Summary (Override) to approve the inmate's Medicaid and add notes to "Override Reason" field. (NOTE: Please ensure there is a begin and end date for the override. Also note that the end date of the override is the date of approval plus 11 to act as a recertification end date.)
- 9. Run EDBC (Eligibility Determination and Benefit Calculation) again.
- 10. Certify Medicaid approval in ASPEN and suppress NOCA. Generate a manual notice using the ISD 201, you will need to copy and paste the prepopulated language supplied by MAD into the ISD 201.
- 11. Processor will document notes in "Case Comments" field.

OmniCaid Procedure

- 1. Once the inmate's Medicaid application is approved in ASPEN, MAD staff will access OmniCaid and manually enter the 054/3 category of eligibility/fed match (COE/FM) span which acts as the "Incarceration Indicator" which will suspend the Medicaid managed care benefits for the client while incarcerated.
- 2. The 054/3 "Incarceration Indicator" will be entered after 30 days of the booking date and the release date will be entered 30 days before the actual projected release date. (if the booking date is prior to 1/01/2014 the 54/3 span will be entered in as 1/01/2014)

Example I:

- Inmate booking date 07/15/2015
- The 054/3 "Incarceration Indicator" will be entered with an effective date of 8/15/2015
- Medicaid benefits, including any managed care enrollment will suspend effective 8/31/2015 Example II:
 - Inmate booking date 4/05/2012
 - Application submitted on 11/01/2015 and approved effective 11/01/2015 for COE100
 - The 054/3 "Incarceration Indicator" will be entered with an effective date of 1/01/2014

Example III:

- Inmate's projected release date: 12/15/2015
- The 054/3 "Incarceration Indicator" end date: 11/15/2015 (30 days prior to projected release date)
- Medicaid benefits, including any managed care enrollment will be reactivated on: 12/1/2015

HSD/MAD Processing Unit (Inmate with Existing Medicaid - Stand alone) ASPEN Procedures

ITD Functions

- 1. The jail or prison facility will submit a manual file listing inmates with Medicaid eligibility to HSD/MAD.
- 2. This file will provide facility's address to update the inmate's authorized representative screen using the facility as the case management agency.
- 3. This file will provide inmate's information, including, first name, last name, SSN, DOB, booking date, projected release date (if known), gender, facility issued #, offender #, legal status, legal status start date, facility name, facility address, facility city, facility state, facility zip code, facility contact info, and facility phone number.
- 4. If the inmate is projected to be released within the next 30 days, then the county jail facility must provide HSD/MAD the inmate's new address, including residential and mailing addresses.

ASPEN Procedures

- 1. Application or files is received at the MAD Central Office.
- 2. Inmate's case is located in ASPEN.
- 3. Processor will confirm the Authorized Representative information and correctional facility name and address is added as the Case Management Agency for the client.
- 4. Processor will indicate that the individual is "living in a prison."
- 5. Processor will verify all information on the application is correct and accurate, such as the inmate's citizenship, residency, and income.

- a. If an inmate is on a case in which other household members are receiving Medicaid, he/she will NOT be excluded from the household if he/she is expected to file a tax return or be claimed as a tax dependent. (Follow tax filer rules)
- b. If an inmate is on a case in which other household members are receiving Medicaid, he/she WILL BE excluded from that household if he/she is not filing taxes or will not be claimed as a tax dependent. (Per NMAC 8.291.430.13)
- c. If an inmate is on a case in which other household members are receiving SNAP and/or CASH benefits, then this case must be referred to ISD for processing.
- 6. Run EDBC (Eligibility Determination and Benefit Calculation).
- 7. ASPEN will show the denial because of the incarceration that is identified by the "Living in a Prison" field.
- 8. MAD Processing Unit will create an Exception Summary (Override) to approve the inmate's Medicaid and add notes to "Override Reason" field. (NOTE: Please ensure there is a begin and end date for the override. Also note that the end date of the override is the date of approval plus 11 to act as a recertification end date.)
- 9. Run EDBC (Eligibility Determination and Benefit Calculation) again.
- 10. Certify Medicaid approval in ASPEN and suppress NOCA. Generate a manual notice using the ISD 201, you will need to copy and paste the prepopulated language supplied by MAD into the ISD 201.
- 11. Processor will document notes in "Case Comments" field.

OmniCaid Procedure

- 1. Once the inmate's Medicaid application is approved in ASPEN, MAD staff will access OmniCaid and manually enter 054/3, the "Incarceration Indicator" which will suspend the Centennial Care benefits for the client while incarcerated.
- 2. The 054/3 "Incarceration Indicator" will be entered after 30 days of the booking date and the release date will be entered 30 days before the actual projected release date. (if the booking date is greater than 1/01/2014 the 54/3 span will be entered in as 1/01/2014)

Example I:

- Inmate booking date 07/15/2015
- The 054/3 "Incarceration Indicator" will be entered with an effective date of 8/15/2015
- Centennial Care benefit will be suspend effective 8/31/2015

Example II:

- Inmate booking date 4/05/2012
- Application submitted on 11/01/2015 and approved effective 11/01/2015 for COE100
- The 054/3 "Incarceration Indicator" will be entered with an effective date of 1/01/2014

Example III: • Inmate's projected release date: 12/15/2015

- The 054/3 "Incarceration Indicator" end date: 11/15/2015 (30 days prior to projected release
- Centennial Care benefits will be reactivated on: 12/1/2015

HSD/MAD Processing Unit (Re-Activating Medicaid Enrollment and Benefits) ASPEN Procedures.

ITD Functions

- 1. The jail or prison facility will submit a manual file listing inmates with Medicaid eligibility to HSD/MAD.
- 2. This file will provide inmate's information, including, first name, last name, SSN, DOB, booking date, projected release date (if known), gender, facility issued #, offender #, legal status, legal status start date, facility name, facility address, facility city, facility state, facility zip code, facility contact info and facility phone number.
- 3. If the inmate is projected to be released within the next 30 days, then the county jail facility must provide HSD/MAD the inmate's new address, including residential and mailing addresses

ASPEN Procedures

- 1. File is received by HSD/MAD.
- 2. Inmate's case is found in ASPEN.
- 3. Update all ASPEN data collection:
 - a. Processor will end date Case Management Agency.
 - b. Processor will update the inmate's new residential and mailing address (only if a standalone Medicaid).
 - c. Processor will update case to reflect "living in home" field.
 - d. Update any other pertinent information provided by the county jail facility.
 - e. End date the override which should be the last day of the current month (NOTE: do not deleted or trash can!) and run EDBC (Eligibility Determination and Benefit Calculation).
- 4. If you are content with the results, certify Medicaid changes in ASPEN (NOTE: Suppress NOCA).
- 5. Processor will document notes in "Case Comments" field.

OmniCaid Procedures

1. Once the inmate's case has been certified in ASPEN, MAD staff will access OmniCaid and manually enter the COE/FM of 054/3 with an end date that is 30 days prior to the projected release date (if not already entered or release date has changed).

Example I:

- Inmate's projected release date: 12/15/2015
- The 054/3 "Incarceration Indicator" end date: 11/15/2015 (30 days prior to projected release date)
- Medicaid benefits including managed care enrollment will be reactivated on: 12/1/2015

The ISD office CD or designee should notify MAD Central program staff JulieChristie Valdez at JulieC. Valdez@state.nm.us once a day by 4pm with all the inmate applications approved. This will allow MAD to manually enter the "incarcerated individual indicator" 54/3 or end date the 54/3 in OmniCaid.

Please address questions concerning this IPP to Jeanelle. Lerouge@state.nm.us or call (505) 827-7713.