

Health and Human Services (DPHHS)

**HELP and WASP Section 1115
Demonstration
Presentation to Children, Families,
Health and Human Services Interim
Committee**

August 10, 2021



Agenda

1. Background
2. Proposed Waiver Amendment Requests for HELP and WASP
3. Waiver Implementation and Evaluation
4. Timeline and Submission of Public Comment



Objective of Today's Presentation

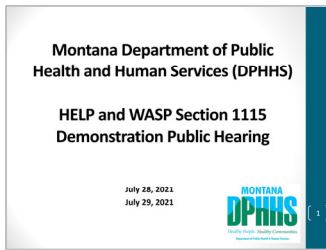


- **Provide an overview of the pending HELP Section 1115 Waiver Request;**
- **Review the HELP Section 1115 Waiver Amendment Request and WASP Section 1115 Wavier Amendment Request**

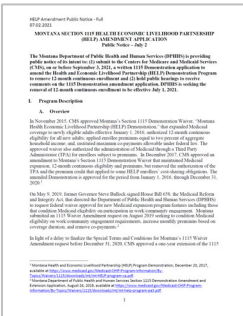
Accessing Montana HELP Materials

Information on Montana HELP Waiver can be found on the DPHHS web page:

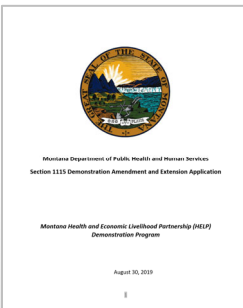
<https://dphhs.mt.gov/helplan/2021medicaidnotice>



This Presentation



The Public Notice

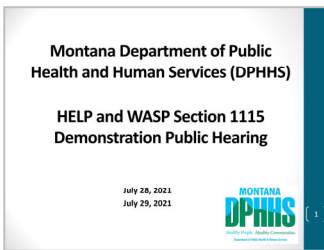


The Montana HELP Waiver Application

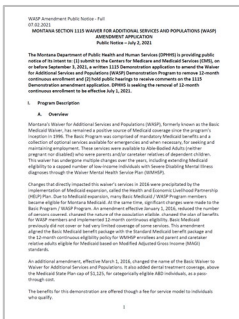
Accessing Montana WASP Materials

Information on Montana WASP Waiver can be found on the DPHHS web page:

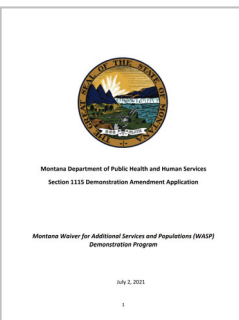
<https://dphhs.mt.gov/montanahealthcareprograms/medicaid/2021waspwaiver>



This Presentation



The Public Notice



The Montana WASP Waiver Application

Submitting Public Comments

The HELP Waiver and WASP Waiver public comment period is currently ongoing. To be considered prior to CMS submission, public comments must be received by 11:59 pm MT on August 31.

Mail. Indicate either “Medicaid HELP Waiver” or “Medicaid WASP Waiver” in the address line

Department of Public Health and Human Services
Director’s Office
PO Box 4210
Helena, MT 59604-4210

Email. Indicate either “Medicaid HELP Waiver” or “Medicaid WASP Waiver” in email’s subject line

dphhscomments@mt.gov

Presentation Order

1. **Background**
2. Proposed Waiver Amendment Requests for HELP and WASP
3. Waiver Implementation and Evaluation
4. Timeline and Submission of Public Comment

Status Update on Removal of 12-Month Continuous Coverage

During the 2021 Legislative Session, Montana passed a budget that explicitly removed funding for 12-month continuous coverage for the HELP Waiver and directed DPHHS to terminate the policy.

- The Budget was signed by Governor Gianforte on May 20, 2021.
- The 1115 Waiver for Additional Services and Populations (WASP) currently provides a 12-month continuous eligibility period for all non-expansion Medicaid-covered individuals whose eligibility is based on MAGI and for all Waiver Mental Health Service Plan (WMHSP) enrollees.
- DPHHS plans to submit identical amendments to the remove 12-month continuous eligibility provision for both the HELP and WASP waivers.
- While the WASP amendment was not directed by HB 2, DPHHS believes it would cause significant additional administrative burden to continue the 12-month continuous eligibility period in one waiver and not the other.

**DPHHS understands that it is required to maintain continuous Medicaid coverage during the public health emergency as a condition of receiving a temporary 6.2 percent Federal Medical Assistance Program (FMAP) increase under the Families First Response Act.*

Limitations to Removing Continuous Coverage Requirements Under the Families First Coronavirus Response Act (FFCRA)

DPHHS is federally required to maintain continuous Medicaid coverage during the federal PHE as a condition of receiving the temporary Federal Medical Assistance Percentage (FMAP) increase under the FFCRA.

- As a condition of receiving a temporary 6.2 percent FMAP increase, states are required to maintain Medicaid coverage for enrollees through the end of the month in which the federal PHE ends.
 - The Biden Administration has signaled to states that the federal PHE is likely to be extended through December 31, 2021, if not longer.
- Continuous coverage requirements apply to individuals enrolled in Medicaid as of March 18, 2020, or who were determined eligible on or after that date.

Summary of Montana's Pending Health and Economic Livelihood Partnership (HELP) Extension and Amendment 1115 Waiver Request

- In May 2019, **HB 658 reauthorized** Medicaid expansion and required new program changes to the HELP Program (e.g., work/community engagement requirements and premium increases).
- To effectuate those changes, in August 2019, **DPHHS submitted a Section 1115 Extension and Amendment Waiver Request that is currently pending** at CMS.
- In December 2020, CMS approved a **one-year extension** of the 1115 waiver which is now slated to expire on **December 31, 2021**.
- Based on CMS' withdrawal of other states' 1115 waivers with work/community engagement requirements, CMS has communicated to DPHHS that a **five-year extension of the Medicaid expansion waiver will not include work/community engagement requirements (premium increases in HB 658 were tied to work requirements)**.
- DPHHS expects to receive **formal guidance from CMS in the fall of 2021** with a final approved waiver amendment and extension **prior to December 31, 2021**.

Summary of Montana's Current WASP Demonstration

- Montana's WASP Demonstration, formally known as the Basic Medicaid Waiver, has remained a positive source of Medicaid coverage since the program's inception in 1996.
- The WASP offers Standard Medicaid benefits to:
 - Individuals age 18 or older with SDMI who are otherwise ineligible for Medicaid benefits and either:
 - Have income 0-138% of the FPL and are eligible for or enrolled in Medicare; or
 - Have income 139-150% of the FPL regardless of Medicare status (they can be covered or not covered by Medicare and be eligible).
- The WASP Demonstration was extended by CMS in 2018 and is now effective January 1, 2018 through December 31, 2022.

Background On Section 1115 Waiver Authority

- Under Section 1115 of the federal Social Security Act, the Secretary of Health and Human Services has authority to approve a state's request to waive compliance with provisions of federal Medicaid law
- An 1115 Waiver must be:
 - ✓ An experimental, pilot or demonstration project;
 - ✓ Likely to assist in promoting the objectives of the Medicaid program;
 - ✓ Budget neutral to the federal government; and
 - ✓ Limited in duration to the extent and period necessary to carry out the demonstration
- States must provide a public process for notice and comment on proposed demonstration applications and extensions

Agenda

1. Background
- 2. Proposed Waiver Amendment Requests for HELP and WASP**
3. Waiver Implementation and Evaluation
4. Timeline and Submission of Public Comment

Amendment Eligible Populations

This amendment request will affect the current populations served under the HELP and WASP Waivers.

HELP Waiver

- The amendment request will affect the New Adult Group with income between 0 and 138% of the Federal Poverty Line (FPL).

WASP Waiver

- The amendment request will affect the current populations served by the WASP Program, including:
 - Covered individuals aged 18 or older with SDMI who are otherwise ineligible for Medicaid benefits and either:
 - Have income 0–138% of the FPL and are eligible for or enrolled in Medicare;
or
 - Have income 139–150% of the FPL regardless of Medicare status (they can be covered or not covered by Medicare and be eligible).
 - Parents and Other Caretaker Relatives whose eligibility is based on section 1931 or 1925 of the Social Security Act and have income 0–24% FPL.

Delivery System and Benefits

This amendment request does not propose any changes to the Medicaid health care delivery system nor benefits for Demonstration enrollees for either waiver.

HELP and WASP Waivers

- **The State does not propose any changes to the Medicaid health care delivery system.**
- Demonstration enrollees will continue to receive services through the State's fee-for-service delivery system.
- Demonstration enrollees will continue to receive the same benefits as they currently receive; for HELP enrollees, through the Alternative Benefit Plan, and for WASP enrollees, the standard Medicaid benefits
- **The State does not propose any changes to benefits for Demonstration enrollees.**

Cost Sharing

This amendment request does not propose any changes to Medicaid cost-sharing structures for either waiver.

HELP Waiver

- Montana currently does not apply cost sharing to any of its Medicaid members and therefore **no cost sharing will be imposed under this 1115 amendment request.**
- All monthly premiums will be consistent with the HELP 1115 Waiver and Cost Sharing State Plan.

WASP Waiver

- Cost sharing was removed from the Medicaid program as of January 1, 2020 and therefore **no cost sharing will be imposed under this 1115 amendment request.**
- This amendment will remove references to cost sharing and copayments that were in the previously approved waiver.

Enrollment Projections and Annual Expenditures: HELP

- Montana is assuming that discontinuation of continuous eligibility policies for Medicaid expansion adults will have an estimated loss of 2.6% in coverage or change in eligibility group.
- Using the 2020 member months, Montana forecasts 29,083 fewer Medicaid expansion coverage months under the proposed amendment.
- The loss in coverage months will result in an estimated reduction of waiver expenditures of \$22,212,722 ($29,083 \times 763.77 = 22,212,722$).

Enrollment Projections and Annual Expenditures: WASP

- Montana is assuming that discontinuation of continuous eligibility policies for the WASP population will have an estimated loss of 2.6% in coverage or change in eligibility group.
- Using the 2020 member months, Montana forecasts 5,183 fewer WASP coverage months under the proposed amendment.
- The loss in coverage months will result in an estimated total state general fund savings of \$941,130 for State Fiscal Year (SFY) 2022 and a savings of \$953,258 for SFY 2023.

Goals and Objectives: HELP and WASP

This amendment request does not propose any changes to or add additional goals or objectives for either waiver.

HELP Waiver

- This amendment request is **seeking to remove § 1115(a)(2) expenditure authority for 12-month continuous enrollment** and does not propose any future additional goals of the HELP Demonstration Program beyond what is proposed in the August 2019 1115 HELP Waiver Amendment and Extension Request.

WASP Waiver

- This amendment request is **seeking to remove § 1115(a)(2) expenditure authority for 12-month continuous enrollment** and does not propose any future additional goals of the WASP Demonstration Program.

Legal Authorities: HELP and WASP

This amendment request is seeking to remove § 1115(a)(2) expenditure authority for 12-month continuous enrollment and does not propose any additional waiver and expenditure authority changes for either waiver.

HELP Waiver

- This amendment request is seeking to remove § 1115(a)(2) expenditure authority for 12-month continuous enrollment and **does not propose any additional waiver and expenditure authority changes to the HELP Demonstration Program** beyond what is proposed in the August 2019 1115 HELP Waiver Amendment and Extension Request.

WASP Waiver

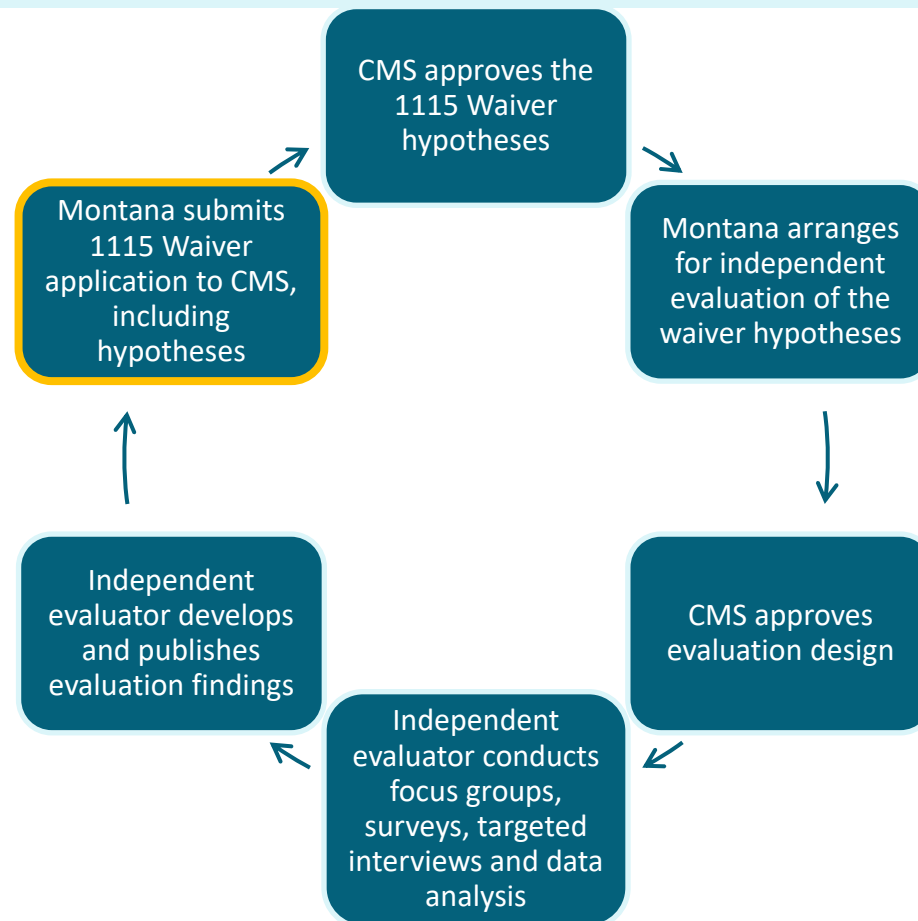
- This amendment request is seeking to remove § 1115(a)(2) expenditure authority for 12-month continuous enrollment and **does not propose any additional waiver and expenditure authority changes to the WASP Demonstration Program.**

Presentation Order

1. Background
2. Proposed Waiver Amendment Requests for HELP and WASP
- 3. Waiver Implementation and Evaluation**
4. Timeline and Submission of Public Comment

Waiver Application Evaluation Cycle

For each approved 1115 Waiver, Montana is required to arrange for an independent evaluation of the waiver's objectives and hypotheses that it wants to test.



Evaluations and Monitoring: HELP and WASP

This amendment request does not propose any changes to or add additional hypotheses for either waiver.

HELP Waiver

- This amendment request is seeking to remove § 1115(a)(2) expenditure authority for 12-month continuous enrollment and **does not propose any additional hypotheses to the HELP Demonstration Program** beyond what is proposed in the August 2019 1115 HELP Waiver Amendment and Extension Request.

WASP Waiver

- This amendment request is seeking to remove § 1115(a)(2) expenditure authority for 12-month continuous enrollment and **does not propose any additional hypotheses to the WASP Demonstration Program.**

Agenda

1. Background
2. Proposed Waiver Amendment Requests for HELP and WASP
3. Waiver Implementation and Evaluation
- 4. Timeline and Submission of Public Comments**

Timeline & Next Steps:

Milestones	Proposed Timeline
<i>Conduct 60-day State public comment</i>	<i>July 3 – August 31, 2021</i>
Public Hearing (1 of 2)	July 28, 2021 (10:00 AM – 12:00 PM MT)
Public Hearing (2 of 2)	July 29, 2021 (1:00 PM – 3:00 PM MT)
Mail Tribal Consultation Letter	July 2, 2021
Review public comments and finalize documents for CMS submission	August– September 2021
<i>Submit HELP/WASP Waiver Amendments</i>	<i>By September 3, 2021</i>
CMS conducts federal 30-day public comment period	October 2021
Negotiations with CMS	November- December 2021
<i>Effective date of HELP/WASP Waiver Amendments</i>	<i>July 1, 2021</i>

Ways To Provide Public Comments

Submit public comments by email, regular mail, or in-person
until 11:59 pm on August 31.

A hard copy of the draft waiver application and public notice documents are available
at the DPHHS Director's Office, 111 North Sanders St, Room 301, Helena, MT.

By Phone	(406) 444-2584
By Email	dphhscomments@mt.gov
By Regular Mail	Medicaid HELP Amendment <i>or</i> Medicaid WASP Amendment Director's Office PO Box 4210 Helena, MT 59604-4210
In Person	Public Hearings