

The Affordable Care Act and Juvenile Justice: What's In It for Your Work?

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Training Outline

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- What's new under the ACA
- Medicaid and CHIP
- How to apply
- Application documents and process
- How to keep coverage (renewal)
- Outreach strategies
- Where to go for help

Uninsured Children can get covered!

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Children under 19 who are legally here are eligible for coverage.

- **Medical Assistance covers**
 - Babies under 1- up to 185%
 - Children ages 1 to 19 – up to 133%
- **CHIP covers every child above Medical Assistance**
 - Children up to age 19 under 200% - free
 - Children up to age 19 above 200%- at low cost
 - Children up to age 19 above 300% - full-cost

What's New Under the ACA?

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- New rules for eligibility
 - MAGI
- New process for verification
- New timelines for renewal
- New help to apply and renew
- New resources
- Eligibility for Medicaid changes October 1, 2014
- Marketplace for insurance opens October 1.

What Changes under the ACA?

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- No pre-existing condition exclusion
- No co-pays for preventive services including immunizations
- Coverage available for parents/caretakers with income above 100%
- Help through navigators and certified application counselors
- Special eligibility for foster care youth who have aged out
 - Youth who were in foster care on their 18th birthday are eligible for Medicaid until age 26

What Changes under the ACA?

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- Special eligibility for foster care youth who have aged out
 - **On January 1, 2014, all youth who turned 18 in foster care between 2007 and 2013 will be eligible for Medicaid.**
 - Youth who were in foster care and enrolled in Medicaid on their 18th birthday are eligible for Medicaid until age 26
 - Youth who were in foster care and Medicaid in *any state* (rather than “the” state where the individual is now residing and applying for Medicaid) at age 18 or older if the state’s federal foster care assistance under title IV-E continued beyond that age.

What Changes under the ACA?

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- Special eligibility for foster care youth who have aged out
 - Youth are presumptively eligible for this category of Medicaid and should be automatically enrolled as they age out of foster care
 - Group of youth who have aged out but are still under 26 are eligible for Medicaid in this new category.
 - ✦ Application will ask if in foster care
 - Online only for youth between 18 and 26
 - On paper for each applicant
 - Should result in automatic enrollment

What Changes under the ACA?

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- Special eligibility for foster care youth who have aged out
 - Youth under 21 will receive EPSDT benefits until age 21
 - After age 21, receive the full adult Medicaid benefit package
 - After 26th birthday, adult Medicaid eligibility rules will apply.
 - ✦ Currently able-bodied adults not eligible
 - ✦ May fit a disability category due to physical or behavioral health needs

WHAT DOES NOT CHANGE

Medicaid for children

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- Medicaid is a federal-state entitlement program
 - This means
 - ✦ No limit on the number of people who can enroll
 - ✦ Uses federal and state funds
 - ✦ Federal rules and then state rules
 - Children are entitled to all medically necessary services

CHIP

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- CHIP (Children's Health Insurance Program)
 - NOT an entitlement program
 - When the CHIP funds run out, the program would then start a waiting list (THERE NO WAITING LIST NOW)
 - Uses federal and state funds
 - Federal rules and state rules
- There is a defined benefit package
 - Similar to good employer-based insurance

Interface between Medicaid and CHIP

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- According to the rules:
 - “Any form is a good form” – acceptable as an application or renewal form
 - If child is not eligible for the program (either Medicaid or CHIP), the information, including proof of income, is sent to the other program
 - Known as the “Healthcare Handshake”
 - ✦ But it doesn’t always happen
 - Must be income related, not a failure to provide proof

Temporary Glitch in the Interface

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- As of October 1, Medicaid will use MAGI rules
- CHIP will not use MAGI until January 1.
- CMS will require coordination but we don't know what that will look like
 - Will CHIP accept any over income determination by Medicaid?
 - Will there be an only once bounce rule?

New Option for Health Insurance

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- Federal Marketplace
 - Shop for individual coverage
 - Advanced Premium Tax Credits and Cost Sharing Reductions to offset costs
 - Benefits package covers 10 Essential Health Benefits
 - Available to households above 100% of poverty
 - Cannot be eligible for Medicaid or CHIP
 - ✦ Marketplace will screen for Medicaid/CHIP eligibility

(deep breath)

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NEW RULES

What is MAGI?

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- MAGI stands for Modified Adjusted Gross Income
- MAGI is based on the IRS Income Tax rules
 - For the definition of “household”
 - For countable income
- Applies to non-elderly, non-disabled categories
 - Children, pregnant women, parents, adults under 65
- Substantial impact on eligibility
 - Applying the rules correctly will be a challenge

MAGI – What's Modified?

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Adjusted Gross Income
+ foreign income
+ tax exempt interest
+ Social Security benefits
MAGI

New rules for household and income - MAGI

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- Some differences for Medicaid/CHIP and the Marketplace plans
- Some changes in what gets entered on the application form.
 - New questions about tax filing, deductions, offers of employer coverage
- Big changes what counts in the eligibility calculations

New rules for household and income - MAGI

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- For most families in your work
 - Not tax filers, unless EITC (earned income tax credit)
 - Will use non-filer rules for Medicaid and CHIP
 - Complex families
 - ✦ Non-custodial parent
 - ✦ Kinship care
 - ✦ Child or teen mother living with a non-relative

New Household Rules

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MAGI Methodology Differs Significantly from Current Medicaid Rules

- Step-parents and step-siblings count if they file taxes as one household
- Absent parent does not count in household
 - But can claim child as dependent, changing the child's household for premium tax credits

**NOW THAT YOU KNOW
WHO TO COUNT, WE'LL
MOVE ON TO *WHAT* TO
COUNT**

New Income Rules - MAGI

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- Income that is counted:
 - Wages and tips
 - Pensions and annuities
 - Unemployment compensation
 - Income from a business or personal services
 - Dividends and taxable interest
 - Alimony received
 - Rents, royalties
 - Social Security

New Income Rules - MAGI

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- Income that is not counted:
 - TANF
 - SSI
 - Child support
 - Workers Compensation
 - Veterans benefits
 - Gifts
 - Certain Scholarships (tuition only)
 - Certain salary deferrals

New Income Rules - MAGI

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- Some income will no longer count and some income will now count
- What no longer counts: for all
 - Child support
 - Veterans benefits
 - Workers compensation
- What no longer counts: for Medicaid
 - All of the above
 - Plus certain Scholarships and fellowships
 - Certain Native American and Alaskan Native income
- For Medicaid – lump sum income counts only in the month it is received

**NOW THAT YOU KNOW
WHO AND WHAT TO
COUNT, WHAT ARE
THE ELIGIBILITY
LIMITS?**

New Eligibility Levels - MAGI

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Category	New limit
Pregnant women and infants up to age 1	215%
Children ages 1 to 5	157%
Children ages 6 to 18	133%
Parents/caretakers	33%
Select Plan for Women	214%
CHIP (free and low-cost)	314%

RESIDENCY AND IMMIGRATION

Residency

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- Must live in PA - no minimum time requirement but must intend to stay in PA
- Must apply in the County in which you live.
- Fixed or permanent address is not necessary. (Mailing address is, but can use that of friend, family, social service agency or CAO.)

Immigration Status

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- MA: Children under 21 and pregnant women must be a US Citizen or fit into a category of “lawfully present” immigrants
 - No five-year bar for children under 21 or pregnant women
 - Non-pregnant adults must have been in the US for 5 years before they are eligible
 - Now includes nonimmigrant visas (students, etc.)
- CHIP: Children under 19 US Citizen or “lawfully present” immigrants
 - No five year bar

Immigration Status

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- Emergency MA: any immigration status, as long as have an “emergency” condition.
 - Labor and delivery is an emergency condition
 - Must be otherwise eligible
 - Full MA benefit, but limited to time period of emergency condition
 - Emergency Medical Condition = term of art
 - ✦ Life threatening or likely to cause long term harm to health
 - ✦ Now seeing stricter interpretation than previously

Changes in Medicaid - Applying

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- COMPASS will reflect the new rules
 - www.compass.state.pa.us
- New paper application – PA 600 HC
- Federal paper application
 - For Individuals – with financial help
 - For families/households
 - For Individuals who don't want financial help
- Online application through the federal Marketplace
 - www.healthcare.gov – live October 1

APPLYING AND RENEWING

The Health Insurance Marketplace is coming soon

A new way to get affordable coverage launches October 1.

Answer a few questions to learn if you qualify for lower costs.

START NOW



GET IMPORTANT NEWS & UPDATES

Email Address

SIGN UP

Welcome to the Marketplace

Insurance Marketplace
to get coverage that
needs.

1, 2013, you can come here
application and see your plan
meantime, we can help you get

Individuals & Families

Small Business Owners



Why should I use the Marketplace?



Application for Health Coverage & Help Paying Costs (Short Form)



Use this application to see what coverage you qualify for

- Affordable private health insurance plans that offer comprehensive coverage to help you stay well
- A new tax credit that can immediately help pay your premiums for health coverage
- Free or low-cost insurance from Medicaid or the Children's Health Insurance Program (CHIP)



Who can use this application?

Single adults who:

- Aren't offered health coverage from their employer
- Don't have any dependents and can't be claimed as a dependent on someone else's tax return

NOTE: If any of the following apply, you need to fill out a different form to make sure you get the most benefits possible:

- You're married or have dependent children.
- You were in the foster care system, and you're under age 26.
- You have items that can be deducted from your income. If your only deduction is student loan interest, you **can** use this form.
- You're American Indian or Alaska Native.



Apply faster online

Apply faster online at [HealthCare.gov](https://www.healthcare.gov).



What you may need to apply

- Your Social Security number (or document number if you're a legal immigrant)
- Employer and income information (for example, from paystubs, W-2 forms, or wage and tax statements)



Why do we ask for this information?

We ask about income and other information to let you know what coverage you qualify for and if you can get any help paying for it.

STEP 1 Tell us about yourself.

(We need one adult in the family to be the contact person for your application.)

1. First name, Middle name, Last name, & Suffix			
2. Home address (Leave blank if you don't have one.)			3. Apartment or suite number
4. City	5. State	6. ZIP code	7. County
8. Mailing address (if different from home address)			9. Apartment or suite number
10. City	11. State	12. ZIP code	13. County
14. Phone number () -		15. Other phone number () -	
16. Do you want to get information about this application by email? <input type="checkbox"/> Yes <input type="checkbox"/> No			
Email address: _____			
17. Preferred spoken or written language (if not English)			

STEP 2 Tell us about your family.

Who do you need to include on this application?

Tell us about all the family members who live with you. If you file taxes, we need to know about everyone on your tax return. (You don't need to file taxes to get health coverage).

DO Include:

- Yourself
- Your spouse
- Your children under 21 who live with you
- Your unmarried partner who needs health coverage
- Anyone you include on your tax return, even if they

You DON'T have to include:

- Your unmarried partner who doesn't need health coverage
- Your unmarried partner's children
- Your parents who live with you, but file their own tax return (if you're over 21)

New methods for Verification

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Must rely on electronic verification as primary source

- Federal data hub for citizenship, immigration, Social Security, wages, tax information
- DPW will not have access to all of it BUT must use electronic verification where it can

Changes in Medicaid - Renewal

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- Renewal of coverage – once a year
 - Based on electronic data sources as the primary means
 - Agency will send a pre-populated form with available information to the head of household. If no corrections, will automatically renew coverage
 - Eliminates six-month reporting, unless client reports substantial change in circumstances (income, household, residence, etc.)

INSURANCE THROUGH THE MARKETPLACE

Insurance through the Marketplace

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- Similar to Medicaid
 - Same, single streamlined application
 - Same web site and phone number
 - Uses MAGI income and household size
 - Electronic data sources
 - Provides Essential Health Benefits
 - Renewal once a year

Insurance through the Marketplace

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- Differences
 - Income tax credit and subsidies available
 - Reconciliation at tax time
 - ✦ So if not filing a tax return now, will have to in 2015 for 2014
 - ✦ May owe money back to IRS if subsidy was overpaid
 - Four levels of cost sharing
 - ✦ Bronze, Silver, Gold and Platinum
 - ✦ Subsidies and tax credits only for silver (70%)
 - Able to compare and choose from an array of plans
 - Real-time enrollment

Special Situations

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- Children with disabilities
 - Special categories in Medicaid
 - Must be determined disabled based on Social Security criteria for children
 - If receive SSI, then Medicaid eligible
 - If family income is too high for SSI, then only the child's income is counted for Medicaid

MAGI rules do not apply

If family applies through Marketplace, will need to ask Medicaid to review disabled child's status, if not receiving cash through SSI

OUTREACH – WHAT CAN YOU DO?

Outreach Strategies

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- What does this mean for your work?

You can do a little or you can do a lot

Outreach Strategies

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- A little:
 - Provide information on health insurance in waiting areas
 - Provide information on local assistors
List at localhelp.healthcare.gov
look up by zip code

Outreach Strategies

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- A little bit more:
 - Screen for insurance at intake/Refer to local assistors
 - ✦ Add a question to intake forms?
 - ✦ Add a question to interviews?
 - Screen for insurance at intake/Refer internally
 - ✦ Specialist within the agency?

Outreach Strategies

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- A lot:
 - 100% Pledge – all children will have insurance
 - Outreach to other agencies
 - ✦ Partner with local application assistors
 - ✦ Partner with health care providers
 - Outreach to public
 - ✦ Public events
 - ✦ Create an enrollment “day”
 - Application assistance
 - ✦ Become a Certified Application Counselor
 - ✦ Marketplace.cms.gov

Where to go for help

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PA Health Law Project

Ann Bacharach – 215-625-3596

Helpline – 1-800-274-3258

- For advice on applying, enrolling, renewal, obtaining services
- For clients who need a lawyer to represent them at hearings and appeals