

Medicaid Adult Expansion Overview May 2016

Executive Summary

During the 2016 General Session of the Utah State Legislature, House Bill 437 passed and was signed into law by Governor Gary Herbert on March 25, 2016. This bill directs the Department of Health (DOH) to expand coverage for parents and to develop criteria for three new eligibility groups of adults without dependent children. DOH must submit a plan to the Centers for Medicare and Medicaid Services (CMS) to modify the current Utah Medicaid program accordingly. It is estimated that 9,000-11,000 adults will be covered through these changes.

1115 Demonstration Waiver Proposal Overview

Utah is seeking to increase Medicaid coverage levels for parents up to 60 percent FPL. In addition, the proposed Demonstration will create three new eligibility groups for adults without dependent children. All adults without dependent children must meet the following eligibility criteria:

- Age 19-64
- U.S. citizen or qualified alien
- Resident of Utah and not in a public institution
- Household income up to five percent FPL
- Ineligible for any other Medicaid program (without a spenddown or MWI premium)

The following, listed by priority, are the criteria for the new eligibility groups targeted by this health coverage improvement plan:

1. **Chronically homeless** – Defined as an individual:
 - 1) Living or residing in a place not meant for human habitation, a safe haven or in an emergency shelter continuously for at least 12 months, or on at least 4 separate occasions in the last 3 years; and has a diagnosable substance use disorder, serious mental illness, developmental disability, post-traumatic stress disorder, cognitive impairments resulting from a brain injury, or chronic illness or disability; or
 - 2) Currently living in supportive housing, but who has previously met the definition of chronically homeless as defined in (1).
2. **Involved in the justice system AND in need of substance use or mental health treatment** – Defined as an individual:
 - 1) Who has successfully completed a behavioral health treatment program while incarcerated in jail or prison (requirements regarding the type and length of qualifying programs will be established in Utah Administrative Code); or

- 2) Discharged from the State Hospital who was admitted to the hospital due to an alleged criminal offense; or
 - 3) Involved in a Drug Court or Mental Health Court. Drug courts require frequent testing and court supervision, and focus upon eliminating drug addiction as a long-term solution to crime. Many drug court participants have co-occurring mental and physical health problems. Mental health courts combine judicial supervision with community health treatment and other support services in order to reduce criminal activity. They seek to address the underlying problems that contribute to criminal behavior.
3. **Needing substance abuse or mental health treatment** – Defined as an individual:
- 1) Receiving General Assistance from DWS, who has been diagnosed with a substance use or mental health disorder. The General Assistance Program provides time limited cash assistance and case management services to adults that have no dependent children. General Assistance customers must verify they have a physical or mental health impairment that prevents them from working; or
 - 2) Discharged from the State Hospital who was civilly committed.

Additional Amendments

In addition, Utah is requesting the following amendments to its existing 1115 waiver:

- Three-year extension of the existing Primary Care Network Demonstration Waiver.
- Waiver of the Medicaid Institutions for Mental Diseases (IMD) exclusion under Section 1905(a)(29)(B) of the Social Security Act to allow for medically necessary Residential Treatment Services for individuals with substance use disorders.
- Implementation of Mental Health Parity and termination of the Early and Periodic Screening, Diagnostic and Treatment (EPSDT) Waiver for the Non-Traditional Medicaid recipients.
- Removal of the High-Risk Pregnant Woman Demonstration group.

Implementation Schedule

The State is required to obtain approval from CMS before implementing the proposed plan. The full 1115 waiver proposal draft is available online at:

<http://health.utah.gov/MedicaidExpansion>.

You may provide comment and feedback on this draft until June 8th. The web site has a form to submit comments and lists dates and times for public hearings. After collecting and responding to public comments, the State will finalize the waiver and submit it to CMS on July 1, 2016. If approved, the State expects to begin enrolling new members on January 1, 2017.