



Commonwealth of Massachusetts
Executive Office of Health and Human Services
Office of Medicaid
www.mass.gov/masshealth

MassHealth
All Provider Bulletin 302
November 2020

TO: All Providers Participating in MassHealth

FROM: Daniel Tsai, Assistant Secretary for MassHealth

**RE: Hospital-Determined Presumptive Eligibility Updates during COVID-19
Emergency and Permanent Expansion of HPE for CommonHealth Children
and Family Assistance Children**

Introduction

This bulletin supersedes All Provider Bulletin 299, published in July 2020, which summarizes MassHealth's Hospital-Determined Presumptive Eligibility (HPE) process. This bulletin largely restates the requirements described in All Provider Bulletin 299, except it clarifies that:

- 1) All seniors, including seniors seeking institutionalized care, may apply for HPE if they meet the financial eligibility criteria outlined in 130 CMR 519.005(A) during the COVID-19 national emergency period; and
- 2) Effective immediately, individuals may apply for HPE if they are:
 - a) a disabled child with household income up to 300% of the federal poverty level as described in 130 CMR 505.004(F) MassHealth CommonHealth Disabled 18-year-olds;
 - b) a disabled child with household income up to 300% of the federal poverty level as described in 130 CMR 505.004(G) MassHealth CommonHealth Disabled Children Younger than 18 Years Old; or
 - c) a child up to 18 years old described in 130 CMR 505.005(B) MassHealth Family Assistance Eligibility Requirements for Children with Modified Adjusted Gross Income of the MassHealth MAGI Household Greater than 150% and Less than or Equal to 300% of the Federal Poverty Level.

The expansion of HPE to CommonHealth Children and Family Assistance Children is permanent and will extend beyond the COVID-19 national emergency period.

Overview

The Affordable Care Act (ACA) allows qualified hospitals to make presumptive eligibility determinations for immediate, time-limited Medicaid coverage using self-attested information from certain individuals who appear to be eligible for Medicaid coverage, but are unable to complete a full Medicaid application at that time. (See 42 CFR 435.1110; 130 CMR 502.003(H): *Hospital-Determined Presumptive Eligibility*.) Qualified hospitals may include both acute hospitals and psychiatric hospitals. In addition to meeting other requirements, qualified hospitals may make Hospital-Determined Presumptive Eligibility (HPE) determinations for certain individuals if they have notified the Executive Office of Health and Human Services (EOHHS) of their election to make HPE determinations; agreed to make HPE determinations in accordance with federal and state statutes, regulations, policies, and procedures, including training requirements; and signed a

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contract with EOHHS allowing the qualified hospital to make HPE determinations. (See 130 CMR 450.110: *Hospital-Determined Presumptive Eligibility*.)

Once a qualified hospital has contracted with MassHealth to make HPE determinations, its HPE-trained Certified Application Counselors (CACs) may determine whether an individual is eligible for HPE by completing the MassHealth Application for Hospital-Determined Presumptive Eligibility (HPE application) using self-attested information provided by the applicant. The HPE-trained CAC must complete a separate HPE application for each individual seeking HPE coverage. The MassHealth HPE team will process and enter each CAC-approved HPE application into MassHealth's systems. Once the information is entered, providers may view member information on the MassHealth Eligibility Verification System (EVS) the next business day.

Prior to completing and submitting an HPE application, the CAC must

- ensure that the applicant is unable to complete a full Massachusetts Application for Health and Dental Coverage and Help Paying Costs (ACA-3) or Application for Health Coverage for Seniors and People Needing Long-Term-Care Services (SACA-2) at that time;
- determine the applicant's eligibility for HPE;
- explain the HPE application process to the applicant and describe the applicant's rights and responsibilities; and
- assign the applicant to the appropriate MassHealth coverage type.

Once the HPE-trained CAC approves the application, the applicant receives immediate, time-limited MassHealth coverage corresponding to the coverage type assigned by the CAC. The expiration date of the applicant's HPE coverage is described in greater detail later in this bulletin. Qualified hospitals must also offer to assist applicants in completing a full ACA-3 or SACA-2 application to ensure that the applicant will be considered for continued MassHealth coverage beyond the HPE coverage period.

Eligibility

Individuals who belong to any of the three groups that follow may apply for MassHealth benefits via HPE, subject to the limitations described below.

- 1) For the duration of the COVID-19 national emergency period, and effective as of May 15, 2020, all individuals age 65 years or older, including those seeking institutionalized care, that meet the financial eligibility criteria for MassHealth Standard set forth in 130 CMR 519.005(A). Pursuant to 130 CMR 519.005(A), individuals age 65 years or older may qualify for MassHealth Standard if (a) the countable income amount, as defined in 130 CMR 520.009: *Countable-income Amount*, of the individual or couple is less than or equal to 100% of the federal poverty level (FPL); and (b) the countable assets of an individual are \$2,000 or less, and those of a married couple living together are \$3,000 or less. Any senior may qualify for HPE if they meet the standards in 130 CMR 519.005(A), regardless of whether they are in the community, seeking institutional care, or any other MassHealth coverage.
- 2) Effective as of the date of this bulletin, and on a permanent basis, disabled CommonHealth Children up to 300 % of the federal poverty level (as described in 130 CMR 505.004(F) and (G)) or non-disabled Family Assistance Children up to 300% of the Federal Poverty Level (as described in 130 CMR 505.005(B)).
- 3) All individuals described in MassHealth regulations 130 CMR 502.003(H)(1)(a) – (c).

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During the COVID-19 national emergency period, an individual described above may apply for MassHealth benefits via HPE even if that individual has received MassHealth benefits via HPE or was enrolled in MassHealth Standard, MassHealth CommonHealth, MassHealth CarePlus, or MassHealth Family Assistance within the previous 12 months. An individual cannot obtain coverage through HPE more than twice within a 12-month period. Eligibility for HPE is based on the applicant's self-attested responses to a limited set of questions in the HPE application. These include questions about household income, household size, pregnancy status, parent or caretaker relative status, immigration status, Massachusetts residency status, and assets, if applicable. When assessing whether an applicant qualifies for HPE, neither the qualified hospital nor MassHealth will perform any matching or verifications. To retain coverage after the expiration of the HPE period, applicants must submit a full application before the HPE coverage end date. The full ACA-3 and SACA-2 application are subject to customary matching, verification, and MassHealth requirements.

HPE is not available for individuals applying for Home and Community-Based Waivers, Program of All-inclusive Care for the Elderly (PACE) or Long Term Care coverage types. Those needing such services must apply for MassHealth benefits using the SACA-2.

Only individuals who are unable to complete a full ACA-3 or SACA-2 application at the time that they seek MassHealth coverage may apply for MassHealth benefits via HPE. If MassHealth receives a full ACA-3 or SACA-2 application and an HPE application for the same individual on the same day, MassHealth will process only the full ACA-3 or SACA-2 application.

If a qualified hospital erroneously approves HPE eligibility for an individual who is ineligible to apply for MassHealth benefits via HPE, MassHealth's HPE team will notify the hospital. The hospital will be instructed to correct its mistake by contacting the applicant and explaining to the individual that they do not meet MassHealth HPE eligibility criteria. Such an individual will remain in the existing MassHealth benefit, if applicable. No new coverage under HPE will be entered into MassHealth's eligibility systems based on the hospital's mistake. Services rendered to applicants erroneously approved by an HPE-trained CAC will not be paid for using HPE.

HPE determinations cannot be appealed. Applicants who are not eligible for HPE benefits should complete the full ACA-3 or SACA-2 application.

Payment for Services Provided to Members Determined Eligible through HPE

Providers who deliver services to MassHealth members determined eligible through HPE will be paid according to MassHealth fee-for-service rules for medically necessary covered services, if they submit claims for such services in compliance with all applicable administrative and billing and program requirements.

Members determined eligible through HPE may receive MassHealth Standard, MassHealth CarePlus, MassHealth CommonHealth or MassHealth Family Assistance as described above. Any services that are available fee-for-service for these coverage types are available to members determined eligible through HPE. (See 130 CMR 450.105 for a complete list of covered services by coverage type.) Individuals with HPE will not be assessed a premium. Premium assistance is not awarded during the presumptive eligibility period.

Managed care enrollment is not available to members determined eligible through HPE.

HPE coverage will not be retroactively terminated, even if the eligibility determination on the full application results in the member not being eligible for continued MassHealth coverage.

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HPE Coverage Duration

Generally, HPE coverage starts on the day that the qualified hospital makes the presumptive eligibility determination, and ends on the last day of the month following the month that HPE was approved if a full application has not been submitted by that date; or, if a full application has been submitted by that date, then the HPE coverage ends on the date a determination is made based on the full application.

For example, if an applicant is determined to be eligible for coverage through HPE on November 25, 2020, then that is the first day of the HPE coverage period. The HPE coverage will end on December 31, 2020, if the individual has not submitted a full application by that date. If the individual submits a full MassHealth application by December 31, 2020, then the HPE coverage will continue until MassHealth makes an eligibility determination on the full application.

Please note that pursuant to federal guidance, applicants who obtained benefits through HPE are ineligible for the coverage protection rules set forth in Eligibility Operations Memo 20-09. For individuals who received an HPE approval prior to the COVID-19 emergency or on or after June 30, 2020, their HPE benefit will end under standard HPE rules described in the previous paragraph. A member's HPE end date will vary depending on whether the member has submitted a full application and whether MassHealth has made a determination on that application. Therefore, it is important for providers to check EVS every day they provide services, and every day of an inpatient hospital stay, to determine a members' eligibility.

Proof of HPE Coverage

Applicants approved for coverage through HPE will receive an approval notice from the qualified hospital when the qualified hospital makes the HPE eligibility determination. The approval notice will include the HPE approval as well as the qualified hospital's name and contact information. In many cases, the approval notice provided by the qualified hospital will not include a member ID due to the lag time in getting the approval information into MassHealth systems.

MassHealth will also mail a confirmation approval letter on MassHealth letterhead to applicants who have been approved through HPE. This letter will contain the member ID.

Either the letter from the qualified hospital or the letter from MassHealth may be used as proof of coverage. Providers will also be able to verify coverage in EVS, once established. The EVS message for coverage determined through HPE will reflect fee-for-service coverage in MassHealth Standard, Family Assistance, or CarePlus.

No member ID cards will be provided for coverage determined through HPE. Members may use the letter from the hospital or MassHealth as proof of coverage.

MassHealth Website

This bulletin is available on the [MassHealth Provider Bulletins](#) web page.

To sign up to receive email alerts when MassHealth issues new bulletins and transmittal letters, send a blank email to join-masshealth-provider-pubs@listserv.state.ma.us. No text in the body or subject line is needed.

Questions

If you have any questions about the information in this bulletin, please contact MassHealth as applicable for your provider type.

Dental Services

Phone: (800) 207-5019; TTY: (800) 466-7566

Long-Term Services and Supports

Phone: (844) 368-5184 (toll-free)

Email: support@masshealthltss.com

Portal: MassHealthLTSS.com

Mail: MassHealth LTSS, P.O. Box 159108, Boston, MA 02215

Fax: (888) 832-3006

All Other Provider Types

Phone: (800) 841-2900; TTY: (800) 497-4648

Email: providersupport@mahealth.net

Fax: (617) 988-8974