



Eligibility Operations Memo 20-10
May 15, 2020

TO: MassHealth Eligibility Operations Staff

FROM: Heather Rossi, Deputy Policy Director for Eligibility

RE: **Hospital-Determined Presumptive Eligibility (HPE) Flexibilities during COVID-19 Emergency**

Summary

This memo, which supersedes Eligibility Operations Memo 20-07 published on March 20, 2020, summarizes MassHealth's Hospital-Determined Presumptive Eligibility (HPE) process. This publication largely restates the requirements laid out in Eligibility Operations Memo 20-07, but also allows, effective immediately and continuing for the duration of the COVID-19 outbreak national emergency, all individuals meeting the eligibility criteria for MassHealth Standard set forth in 130 CMR 519.005(A), to apply for MassHealth benefits via HPE.

Overview of HPE

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.

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.

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 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 memo. 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.

The MassHealth HPE team located at the Charlestown MassHealth Enrollment Center (MEC) will enter each approved HPE application into MA21, including protecting the application with an HPE aid category benefit by entering an Eligibility Start Date and an End Protect Date. The team will also maintain the HPE database. HPE application information may be viewed on MyWorkspace by accessing the "Special Project 7" envelope category.

Once the information is entered in MA21, providers may view member information on the MassHealth Eligibility Verification System (EVS) the next business day.

HPE Eligibility

Effective immediately and continuing for the duration of the COVID-19 outbreak national emergency, the following people are eligible to apply for MassHealth benefits via HPE:

- (1) all individuals meeting the financial eligibility criteria for MassHealth Standard set forth in 130 CMR 519.005(A). Pursuant to 130 CMR 519.005(A), non-institutionalized 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.
- (2) all individuals described in 130 CMR 502.003(H)(1)(a) – (c).

All individuals listed above may apply for MassHealth benefits via HPE even if that individual has received MassHealth benefits via HPE or were enrolled in MassHealth Standard, MassHealth CommonHealth, MassHealth CarePlus, or MassHealth Family Assistance within the previous 12 months.

Eligibility for HPE is based on the applicant's self-attested responses to a limited set of questions set forth 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 the Charlestown MEC 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 applications are subject to customary matching, verification, and MassHealth requirements.

If possible, individuals should complete a full ACA-3 or SACA-2 application at the time that they seek MassHealth coverage, but may instead apply for MassHealth benefits via HPE when necessary. If MassHealth receives a full ACA-3 or SACA-2 application and an HPE

application for the same individual on the same day, only the full ACA-3 or SACA-2 application will be processed.

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 his or her existing MassHealth benefit, if applicable. No new coverage under HPE will be entered into MA21 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.

HPE Coverage Duration

Members determined eligible through HPE may receive MassHealth Standard, MassHealth CarePlus, or MassHealth Family Assistance. 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: *Coverage Types* 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.

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 day; 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 April 25, 2020, then that is the first day of the HPE coverage period. The HPE coverage will end on May 30, 2020, if the individual has not submitted a full application by that date. If the individual submits a full MassHealth application by May 30, 2020, then the HPE coverage will continue until MassHealth makes an eligibility determination on the full application.

Eligibility for individuals determined eligible for HPE during the COVID-19 outbreak national emergency are subject to the eligibility protection rules set forth in Eligibility Operations Memo 20-09.

MassHealth staff will extend an HPE benefit upon a member's request if the member has filed a full ACA-3 or SACA-2 application. MassHealth staff can access the protection in an "HPE" benefit through MA21 and can check My Workspace to see if a full ACA-3 or SACA-2 application has been filed. If the HPE member has submitted a full ACA-3 or SACA-2 application, MassHealth staff must access MA21 and extend the HPE coverage end-date until the receive date of the full application. This will provide the member with coverage and allow extra time for MassHealth to process the full ACA-3 or SACA-2 application that

had been received before the coverage end date of HPE eligibility. However, if a full application has not been submitted, HPE members should be advised to do so if they want to keep their benefits to continue beyond their current eligibility period.

Managed care enrollment is not available to members determined eligible through HPE. HPE is not available for individuals applying for Home and Community-Based Waivers, Program of All-inclusive Care for the Elderly (PACE), or nursing facility care. Those needing such services must apply using the SACA-2.

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.

HPE Notices

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 applicants approved through HPE a confirmation approval letter on MassHealth letterhead. 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 are directed to use the letter from the hospital or MassHealth as proof of coverage.

Program Eligibility Monitoring

MEC staff will run systematic queries against HIX to determine if HPE-approved members have submitted a full ACA-3 or SACA-2 application. If so, and if the full application is approved, MEC staff will extend the HPE coverage end date until the start date of the full MassHealth benefit.

IMPORTANT: MEC staff who receive information that a full ACA-3 or SACA-2 application was submitted for HPE members, must notify the MassHealth HPE team by sending an email to the MassHealth HPE team to confirm that a full application has been submitted for the HPE member.

Questions

If you have questions about this memo, please have your MEC designee contact the Policy Hotline.