



Submitted via email to angela.pridgeon@myflfamilies.com

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Re: Comments Regarding DCF's Notice of Eligibility Review, Interim Contact Letters (ICP and non ICP)

Dear Angela,

Thank you again for sharing the new Interim Contact Letters for ICP and non-ICP cases ([AE 35](#) and [AE 25](#)) in April. Thank you also for considering the comments and concerns we raised about those new forms in an email on April 24, 2023.

Now that we have seen the first month of redetermination data which shows a high number of procedural terminations, we are wondering whether some of the issues we flagged may be contributing to the difficulty beneficiaries are having in completing renewals. For this reason, we are taking the opportunity to reiterate those concerns in a more formal comment letter.

The questions/concerns we raised in our April 24, 2023 email include the following:

AE25 Interim Contact Notice = Non ICP cases

· Question # 2

We are concerned that the form is requesting SSN and citizenship for people who have moved out of the home. Not only is that irrelevant to the redetermination, it is our understanding that this should not be requested because the state already has it. CMS's January 27, 2023 SHO states that a "form that requests . . . Social Security Number, citizenship or immigration status would not satisfy the [federal renewal] requirement. Such information is only

needed once and, thus, would not be needed to renew eligibility." ([SHO 23-002](#), p. 8 n.20).

With regard to new household members, requesting SSN and immigration or citizenship status would be appropriate. However, the form only asks if the person is a "U.S. Citizen." This is inappropriate phrasing for the question and could have a chilling effect on immigrants with a qualified immigrant status.

We suggest amending question # 2 to specify that it only applies to people who moved in since the last review. Also, instead of asking if the person is a US citizen, we suggest changing that question to request immigration status. This change is important in order to avoid deterring immigrant families from completing the process.

- Question # 4:

It appears that the information requested exceeds the "limited scope of what is required for redetermination." For example, budgeting income for MFAM does not include, e.g. rent, utilities, child care, etc. See ESS Ch 2430.0000. Requiring submission of this information will cause confusion and delay. We suggest deleting this question.

- Question # 5:

Again, for family related households this exceeds information needed for redetermination, and we suggest deleting it.

- Question # 6:

Assets are not part of the eligibility determination or redetermination for family related households. Again, requiring submission of this information will cause unnecessary confusion and delay for households on family-related Medicaid.

We understand that assets are relevant to SSI related redeterminations. But there either needs to be a separate form sent to those recipients, or a clear explanation on this form specifying that questions related to assets only apply to people receiving Medicaid based on age or disability.

Alternatively, if it is possible to eliminate the asset questions that are only relevant to SSI-related groups from this form and add that group to the ICP form, AE 35, that would also resolve the problem of inappropriately asking about assets for people trying to renew their family-related Medicaid.

- **AE35 Interim Contact Notice = ICP cases**

- Question # 2:

Asking for SSN and Citizenship status of spouse or dependents currently living at home is irrelevant to the recipient's redetermination and should be deleted per CMS' recent SHO.

- Question # 3:

Why ask about dependent income? It is our understanding that dependents are not considered part of the household and their income is not deemed. We suggest reference to "dependents" be deleted from this question.

- Question # 5:

Why does the form require ICP individuals to list all household expenses? This information exceeds the "limited scope of what is required for redetermination" for ICP related cases. We understand that ESS Chapter 2440.0800 "Exploring Management" pertains to some SSI-related groups (e.g., MEDS AD) both at application stage and during the review if there are questions about expenses exceeding income. However, for ICP, the provision only applies "in the one year prior to their application for assistance." Requiring submission of this information will cause confusion and risk delay in recertifying eligibility for an extremely vulnerable population.

Thank you for considering these comments/suggestions, and for the hard work by you and others at DCF throughout this unwinding process.

Sincerely,

Miriam Harmatz

Miriam Harmatz
Advocacy Director and Founder
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