



Background & Update on Medicaid Coverage and the Public Health Emergency

Background:

Since the beginning of the COVID-19 Public Health Emergency (PHE) in March 2020, most clients enrolled in Medicaid could not be terminated from coverage. The only grounds for termination during the state of emergency are for clients who move out of state or voluntarily withdraw.

States were provided with increased federal funding in exchange for this moratorium on terminations. As a result, tens of thousands of Floridians who are not technically eligible for Medicaid have maintained coverage.

For example, under normal Medicaid rules, clients who receive Medicaid because they are a low-income parent lose eligibility when they no longer have a(ny) minor child(ren). Thus, if the parent(s)' youngest child turned 18 during the PHE, the parent(s) are no longer eligible for Medicaid coverage as a low-income parent but DCF has maintained coverage. Similarly, parents who enrolled in Medicaid during the PHE after she/he lost their job but who have since gone back to work have stayed on Medicaid even though they no longer qualify as a low-income parent.

The federal government (CMS) issued guidance to states in December 2020 regarding how to return to pre-pandemic eligibility and enrollment. Among other things, the guidance expected states to keep a list of individuals who appeared ineligible under their current coverage category and whom the state had kept on Medicaid due to the PHE moratorium on terminations.

Current status:

Over the past 2 months, Florida's Department of Children and Families (DCF) began sending PHE-related notices to individuals who have been "kept on Medicaid" even though they appeared to no longer be eligible. The notices said that while the individual's case had been reviewed and they are no longer eligible, their Medicaid coverage will continue until the federal government determines that the PHE is over. The notices also state that the individual must continue to report all changes to their household circumstances.

The Florida Health Justice Project (FHJP), along with the Florida Policy Institute (FPI), is working with DCF to help ensure that clients understand what will happen after the PHE ends. This includes the fact that DCF will be looking at every case to see if clients who appear to be ineligible under their current category of coverage, e.g. low income parents who no longer have a(ny) minor children, are eligible for a different type of Medicaid based on current information.

There are several different groups of people who may be eligible for Medicaid, including children, parents and caretakers of minor children, pregnant women, new mothers, individuals 65 and older and people determined to be disabled by the Social Security Administration.

On August 13, 2021, CMS issued updated guidance¹, which, among other things, extended the time states have to complete an evaluation of individuals identified as not Medicaid eligible from six to twelve months.

Next steps:

Over the next months, and prior to the end of the PHE, FHJP will be providing outreach materials to the various groups who are most likely to be adversely impacted by the end of the PHE. FHJP will also provide training for advocates on Medicaid eligibility and how to advise and assist clients who receive a termination notice after the PHE ends.

In the meantime, it is important to encourage clients to complete their annual redeterminations and to report any changes in their household, such as income, or who lives in the home and to do this by updating information on their ACCESS account.

It is also important to encourage clients who are able to do so to create an online account. Among other things, there is less risk of notices being lost in the mail during this critical period.

Finally, if you have any clients who have either been terminated from Medicaid and/or received a PHE-related notice and have questions about their eligibility after the PHE ends, please contact the Florida Health Justice Project at this email address: ortiz@floridahealthjustice.org.

For questions, please contact Miriam Harmatz, harmatz@floridahealthjustice.org. 8.20.21.

¹ <https://www.medicaid.gov/federal-policy-guidance/downloads/sho-21-002.pdf>