



Medicaid Watch: State Medicaid and Health Cuts & Expansions

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1901 18th St. NW (3rd Fl.)
Washington, DC 20009

Chief Executive Officer:
William E. Arnold

Phone: (202) 290-2019

Fax: (202) 506-6504

Web: www.tiicann.org

Email: weaids@tiicann.org

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National Snapshot Summary

Cuts or expansions were made or are planned in AL, AZ, CA, CO, CT, DC, FL, GA, HI, ID, IL, IN, IA, KS, KY, LA, ME, MD, MA, MI, MN, MT, NV, NJ, NM, NY, NC, OH, OK, OR, PA, SC, TN, TX, UT, VT, VA, WA, WI & WY

Virtually all states already pay far-too-low fees to MDs, DDSs, hospitals, nursing homes and home & HCB care and now almost all are cutting their rates even more.

Some states have numerical limits on Medicaid Rx's—with very strict & low monthly caps in AL, CA, AR, GA, KY, LA, MS, OK, PA, SC, TN, TX & WV.

More & more states deny adults non-emergency dental care & even dentures.

Over 6,500 are on ADAP waiting lists in AL, FL, GA, ID, LA, MT, NE, NC, SC, UT & VA; other states may have to start waiting lists & make other ADAP cuts.

State Pharm. Asst. Progs. (SPAPs) in AK, IN, NY, PA, SC & WI exclude the disabled; and HI, IL, MD, MO, MT & RI give the disabled lesser coverage

15 of 35 pre-health reform state risk pools do not discount premiums for the poor

Alabama--has no spend down, an aged/disabled level of \$674 (the SSI rate), a parent level of 11%/ 24% if wkg ('11) & an ADAP level of 250%; covers 12 MD visits & hosp days/yr & **only 4 brand Rx's/mo** but has no MSP asset tests. The old legislature (D) cut HIV care \$2 million but raised CHIP's 200% level to 300%. The risk pool once planned low income premium discounts but has no Medicare supplement. There are 2,500 on the HCB waiver waiting list. Gov Bentley (R) & the legislature (both Houses are now R) face a \$700 million Medicaid shortfall, and they had to **cut ADAP's formulary**. The legislature also cut Medicaid's drug budget by \$30 million, but he restored \$7 million of that to retain 4 brand & uncapped generics drug coverage per month. **It now has an ADAP waiting list of 75.**

Alaska---this Title XVI state has no spend down; an aged/disabled level of \$1,036/mo (its SSI/SSP rate), **a parent level of 77/81% if wkg ('11)**, a 300% ADAP level, a risk pool with a Medicare supplement but no low income premium discount & a token SPAP for those under 175% **that excludes the disabled**. Flush with state royalties from high oil prices, Gov Parnell (R) & the legislature (R House; tied Senate) still haven't raised the 175% CHIP level. While he refused US grants to plan an Exchange & better police health premium raises, he requested a \$160 million budget increase---surprisingly, one-third for Medicaid!

Arizona--covers parents **100%/106% if working** and aged & disabled adults under 100%. The CHIP level is 200% & ADAP's is 300%. The legislature (R) killed a program to cover the disabled during the 2 yr Medicare wait and cut MD fees & personal care funds. With a budget short billions, Gov Brewer (R) cut ADAP's formulary, mental health funds & home care, ended hospice care & kept a **CHIP freeze that's cut enrollment to 16,000-- with a waiting list of 100,000 (but hospitals will now contribute \$60 million & the state \$114 million to enroll 19,000 of them.)**. She started new & raised existing co-pays (but the 9th

Thomas P. McCormack
Editor, MEDICAID WATCH

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Circ upheld a US Dist Ct. order barring some co-pays ranging up to \$30), ended the spend down & dropped coverage of physicals, podiatry, most dentistry, dentures, transplants (she later partly relented), medical equip, insulin pumps, hearing aids, coch-lear implants & some prostheses. HHS couldn't stop expiration of a waiver covering 280,000 childless, non-disabled ad-ults. (Yet coverage of everyone under 100% was mandated by a state referendum & a 2nd referendum amended AZ' con-stitution to ban legislative flouting of enacted referenda; so advocates sued to bar the cut --but at first rebuffed, they've re-appealed to the State Supreme Ct). Brewer wanted to close enrollment & let current clients' coverage lapse by attrition, charge the obese & smokers \$50 fees, and cut the parent level to 75%--but CMS denied the last 2 changes under ACA MOE rules. See <http://www.azahcccs.gov/shared/news.aspx#ArizonaSection1115DemonstrationProjectWaiver>

Arkansas--has an aged/disabled level of \$674 (the SSI rate), a parent level of 13%/17% wkg ('11), a **monthly numerical Rx limit** & an insurance subsidy for workers below 200% in small firms. Gov. Beebe & the legislature (both D) covered adult dentistry & passed an unfunded bill to raise CHIP's level from 200 to 250%. The risk pool bars Medicare patients, but once planned low income premium discounts. Beebe may cut the number of covered MD visits & Rx's; cut ADAP's formulary & its income level from 500 to 200%. He needs \$60 million more for the 2012 Medicaid budget to maintain eligibility, services & provider fees. So with CMS consent, he'll begin a gradual, diagnosis-by-diagnosis change of hospital & MD payment systems from fee-for-service to a mixed ACO/DRG-type model.

California-- covers the aged/disabled under 100% (**with a \$230**, not just a \$20, disregard), **parents below 200%** ('11); ADAP's level is 400% & CHIP's is 250%. With a \$19 to \$27 billion deficit, ex-Gov. Schwarzenegger (R) & the legislature (D) raised premiums; capped child dental care at \$1,500-\$1,800/yr; cut podiatry & psychiatric benefits; denied non-emergency care to legal aliens & cut provider fees. A \$2.75 billion cut dropped 3 million adults. He denied ADAP to county jail inmates. **Gov. Brown (D) signed bills cutting "non-life-saving" Rx's covered to 6/mo, MD visits to 7/ yr & MD fees 10%; charging \$3-\$5 Rx, \$50 ER, \$5 MD & \$100- \$200 hospital co-pays & ending adult day health care.** A \$300 million LA Co Health Dpt. deficit may cut patients served 1/4 to 1/2. Courts barred ending adult podiatry, chiropractic & dentistry without CMS consent. **Brown cut \$390 million from CHIP & funds for home, mental health & DD care; is forcing the aged & disabled into managed care; added \$77 million to ADAP; is adding childless, non-disabled legal residents under varying county-set levels up to 200% to US-matched Medicaid** (see <http://www.kff.org/medicaid/8197.cfm> & e-mail adonnelly@projectinform.org for more); **but plans to cut provider fees 10%, which was upheld in the US Supreme Ct**

Colorado--has no spend down. The level for those over 60 is \$699 (their SSI+ SSP rate), but it's only \$674 mo (the SSI-only rate) for younger disabled. ADAP 's level is 400%. The risk pool has low income premium discounts for those below \$50,000 & Medicare supplements. The state set up a formulary, made health plans cover PTSD, anorexia, substance abuse & colorectal screening, but cut ADAP's formulary. The old legislature (D) passed a \$600 million hospital tax for Medicaid, CHIP & the state indigent health program; to boost hospital rates & uncompensated care funds; and to **cover 100,000 more persons by raising all adult levels to 100% (it now covers parents, but the income level for for childless, non-disabled adults was just cut from 100% to only 10%--with a cap of only 10,000 clients)**; applied the mini-COBRA law to small firms; raised CHIP's level from 205 to 250% & widened its psychiatric care; offered Medicaid to the working disabled; covered legal aliens; set a 300% level for nursing home & HCB waivers (with liberal HCB, personal aide & patient autonomy features). Advocates say the 300% FOA level is too low to cover enough disabled children, that premiums are too high & say the state rations how many can be covered. The state cut funds for DD & disabled clients' employment, transport & personal aide pay, **but raised the pregnant woman level from 133 to 185%.** **Gov. Hickenlooper & the Senate (both D) campaigned for more health coverage, but instead made a big cut.** There's a new 1-vote GOP House majority.

Connecticut--a 209(b) state with 2-zone aged/disabled levels (\$786.22 & \$894.61, its SSI/SSP rates for those with over \$400/mo shelter costs & a \$278/mo disregard). Its parent level is **185%/191% working** ('11); ADAP's is 400%; CHIP's is 300% and its risk pool has low income premium discounts for those under 200% & a Medicare supplement. Ex-Gov Rell (R) ended coverage of legal aliens here under 5 years. There's no MSP asset test & SPAP income levels are \$25,100 for 1 & \$33,800 for 2). She limited adult chiropractor, naturopath, psychologist and occu, phys & speech therapy coverage to clinics; but offered hospice care to all Medicaid patients. The legislature (D) covered the working disabled. Rell wanted to force patients into HMOs to fund a skimpy "Charter Oak" insurance plan for parents under 306% & other adults under 310%. Its premiums rose 72% since 1/10 ,with yet another big rise in 9/11; subsidies were also cut, as they were in 2010. It has big co-pays, limited psychiatric care, low caps on Rx's, medical equip & total yearly costs & a \$1 million lifetime cap. **CMS provides matching to give Medicaid to childless, non-disabled adults under 56% who'd been on State Gen Med Asst (keeping its \$150/mo earnings disregard).** The state extended COBRA to 30 mos, and raised QMB's single income level to \$1779.68/ /mo, SLMB's to \$1,961.28 & QI's to \$2091.67 (giving them full Pt D Extra Help too, which allowed

the state to exclude them from the SPAP—while it still offers SPAP coverage to the disabled in the 2 yr Medicare waiting period). Gov Malloy (D) is moving 2,200 from nursing homes into home or HCB care and canceling CHIP & Charter Oak managed care contracts **He cut respite; adult dental & vision benefits and low income clinic funding by \$3.8 million**

Delaware---has no spend down; covers parents under 100%/120% if wkg & all other adults under 100%/110% if wkg; the ADAP level is 500% and those for CHIP & the SPAP are 200%. Gov. Markell & the legislature (both D) operate a state-funded cancer aid program for those under 650% & state-funded medical assistance (more limited than Medicaid) for others under 200%, covered the wkg disabled, **but ended adult vision care and probably speech, phys & occu therapy**

District of Columbia---has parent levels of 200%/207% if wkg, 100% for aged & disabled, 300% for CHIP & 400% for ADAP. DC's own non-federal medical assistance covers others under 200%/211% if wkg. Ex-Mayor Fenty & the Council (both D) covered adult dentistry; raised QMB's level to 300% & dropped its asset test (giving many DC Medicare patients full Pt D Extra Help). But he proposed replacing public mental health clinic care with private contractor services, **revoked DC's only-recently-raised MD fees for dual eligibles & cut home care & funds for the disabled's personal aides.** Mayor Gray (D) extended Medicaid to childless, non-disabled legal residents below 200% with new US health reform matching.

Florida---The legislature (R) got a waiver to move patients (a court order so far lets them opt out) into for-profit managed care; but at first it did so in only 5 counties. **Yet it's still planning to expand the waiver into other counties (starting with the aged & disabled & adding other clients only later; see <http://tinyurl.com/FloridaCHAIN>) even though its request doesn't yet have final CMS approval.** The legislature & Gov Scott (both R) not only want more managed care, they plan to cut MD fees, slash Medicaid costs \$1.8 billion, **make almost all Medicaid patients pay \$10/mo premiums & charge \$100 co-pays for non-emergency ER visits.** The under-funded, often-closed pre-health reform state risk pool has a Medicare supplement but no low income premium discount. The state cut the aged & disabled level from 88% to SSI's \$674/mo rate, except for those in HCB waivers or in Medicare's 2 yr disabled waiting period. The parent level is 20%/59% if wkg ('11). The state covers dentures (but little *other* adult dentistry) & hearing aids. Ex-Gov Crist made private plans cover autism care. Blue Cross & the Dade Co. Health Dept sponsor cheap, but lean, "Miami-Dade Blue" policies with no brand name Rx benefit. Crist dropped hospice care and cut dialysis, mental health & substance abuse funding & MD fees. **There are 19,000 on HCB & home care waiting lists & advocates filed suit to force more home & HCB spending. Yet a GOP-run legislative budget panel refused a \$37 million extra US grant to fund more HCB waiver slots.** Crist raised cigarette taxes \$1 to yield \$1 billion (much for Medicaid), vetoed nursing home & DD care fee cuts & made insurers sell Medigap policies almost as fairly to the disabled as to the aged. Miami's Jackson Mem Hosp again has rising deficits; closed 2 O/P clinics & 2 transplant units; and ended dialysis for 175 indigents (many are illegals). **ADAP cut its formulary & its waiting list is 3,213, but began moving 1,500 of them back on ADAP with new funding. The HIV health insurance premium payment program's waiting list is 260+.** Neither it nor ADAP have asset tests & their income levels remain 400%. Funding shortfalls forced Jx'ville to close 3 public clinics. Scott made a 15% cut in funds for DD facilities & their staffs.

Georgia---Its aged/disabled level is \$674/mo (the SSI rate), its parent level is 28%/50% if wkg ('11), ADAP's is 300% & CHIP's is 235%. **It has a monthly Rx numerical cap .** It dropped CHIP dental surgery & raised its premiums; ended routine adult dental & artificial limb benefits & nursing home spend downs; and narrowed Katie Beckett waiver admission rules. Atlanta's Grady Hosp, with a \$6 million deficit from indigent care costs, closed its dialysis center (but arranged alternate care for all but 22 of its many illegal patients) & 3 of its 9 O/P clinics and cut its free care level to 125 from 250%. Perdue wouldn't raise provider fees & cut ADAP \$1.2 million. MD & DDS fees were cut; he sought more insurance taxes & fines for health costs, closed a mental hosp bldg, cut pregnancy & infant care funds; **imposed ADAP medical criteria (its waiting list is 1,525 new federal funds will move 300 onto ADAP);** and proposed privatizing some men-al health care. **With a \$680 million Medicaid FY 12-13 shortfall, Gov. Deal (R) proposed even more cuts (i.e., ending ad-ult podiatry, vision & emergency dentistry to relieve pain). but the House voted to retain those 3. He still wants to raise adult O/P care co-pays to 15%, their I/P hosp co-pays by 400% and even charge children cost-sharing for the 1st time.**

Hawaii---this 209(b) state gives limited Medicaid waiver care to all adults below 133% (even the childless & non-disabled) but only parents & the aged & disabled under 100% get full Medicaid. Its ADAP level is 400%. It covers the wkg disabled. Ex-Gov. Lingle (R) & the legislature (D) raised CHIP's level to 300% & ended its premiums. She began moving 37,000 aged & disabled into managed care, ended non-emergency adult dentistry and planned cuts for non-pregnant & non-disabled adults. **Gov Abercrombie (D), a long-time health expansion advocate-- who is establishing a voluntary-for-providers Medicaid "medical home model"---still had to cut Medicaid \$25 million for FY '12 & \$50 million for FY '13; and limit non-disabled, non-aged adults to 20 MD visits a year, 10 hospital days a year and 3 outpatient surgeries a year.**

Idaho--is a Title XVI state, with no spend down, an aged/disabled level of \$727 (the SSI/SSP rate), a parent level of 21%/39% if wkg ('11) & a 200% ADAP level. The legislature (R) raised the CHIP level from 150 to 185%; funds a pilot plan for small firm workers under 185%, covered the working disabled & sorted clients into 3 groups: Parents & children; disabled & chronic cases; and the aged. Each may get differing benefits or co-pays but more preventive care. Gov. Otter (R) charges 4% of income premiums to Katie Becket cases. And he may charge all disabled children extra premiums; did cut hospital, MD, rehab facility & DD agency fees (which a court voided temporarily) and occupational & speech therapy & autism care funds; and until very recently had a waiting list of 5. Otter and the legislature plan 2012 Medicaid cuts of \$34 million: more & higher co-pays; lower Rx fees; audiology, vision, podiatry & mental health cuts; limiting adult dental benefits; moving more patients into managed care; and imposing a \$7.5 million hosp & nursing home "assessment"

Illinois--this 209(b) state's aged/disabled level is 100% (with a \$25, not just a \$20, disregard). Its main SPAP excludes the disabled not yet on Medicare, who get only a limited formulary from a 2nd SPAP. Both SPAPs' income levels were to be cut from 235% to 200%--and their co-pays raised--on 9/1/11. The legislature (D) raised the parent level to 185% & accepted a court order to raise pediatric fees. Yet other fees are too low & paid very late, with such a huge unpaid claims backlog that Gov. Quinn {D} may borrow several hundred million dollars; such a loan, with US matching, would fund only a start in paying it down, but still leaves \$1.9 billion in Medicaid bills unpaid. The state earlier raised CHIP's level 200 to 300%. The often-closed state risk pool has a Medicare supplement but no low income premium discount (yet the new, separate US health reform-funded risk pool's premiums are affordable for many under age 40). The state raised the wkg disabled level to 350% & required that Medigap policies be sold as fairly to the disabled as to the aged. The U of Chicago Med Ctr closed its women's & dental clinics & the U of IL at Chicago closed a clinic too. The state gave \$640 million to safety net hospitals, made hospitals give the uninsured discounts & assessed them to attract \$450 million more in US matching. With a \$13 billion deficit, the legislature gave Quinn power to cut the budget; raised the 3% state income tax by 2.25% & also other taxes; required better income verification by applicants; tightened a generics preference rule (and now requires pre-authorization for 17 costly psychiatric drugs), is forcing 1/2 of clients (mostly non-disabled parents & children) into managed care and 40,000 aged & disabled in Chicago's suburbs into it too; and cut Medicaid Rx fees \$42 million.. He denied CHIP to children over 300%; hopes to save \$400 million more with case management for the aged & disabled (38,000 are on HCB waiting lists); found \$30 million more for low income clinics; and gave ADAP enough money to serve 4,500 more clients (but with a \$2,000/mo patient cost cap). A \$1.5 million HIV funding cut means rising ADAP needs can't be met: so the level for new patients was cut from 500 to 300% (but grandfathering- in current clients).

Indiana--this 209(b) state's SPAP (for which a state law passed in 6/11 now seeks US matching to help fund it—but still only as an aged-only waiver) covers those under 150% but excludes the disabled; & has a much-stricter-than-SSI "209(b)" Medicaid disability rule (one must be fatally or incurably ill). The aged/disabled level is \$674 (the SSI rate) & the regular Medicaid parent level is 19%/25% wkg ('11). Gov. Daniels & the legislature (both R) raised CHIP premiums. The pre-health reform state risk pool has a Medicare supplement & a low income premium discount. The ACLU sued to void a once-each-6-yrs denture replacement & re-lining limit (and the legislature is considering a once-every-5-years eyeglasses replacing limit). ADAP (with a 300% level) may soon need a waiting list & 21,000 DD clients are already on a HCB waiver waiting list, but Daniels did raise the CHIP level from 200 to 300%. A waiver he secured from CMS subsidizes coverage for parents below 200% & even has 14,000 slots for the childless, non-disabled under 65 (with 52,000 more of them on a waiting list when he closed enrollment). He opposed the US health reform bill, yet seeks to extend the waiver & then use newly-available US health reform matching to cover all childless non-Medicare adults under 133% by--or even before --2014 (but only if its HSA requirement & more cost-sharing is allowed—which CMS questions, although negotiations continue). Waiver coverage is via HMOs; now has few co-pays, but has no dental, vision or maternity care. Patients must put 2%-5% of income into HSAs, pay near-unaffordable premiums and meet \$1100/yr in cost-sharing. It has \$300,000/yr & \$1 million lifetime coverage caps. Daniels plans to cut hospital, nursing home & other provider fees 5%. The State Supreme Ct rejected a suit to make the state consider more possible impairments in Medicaid disability eligibility determinations. Budget cuts will end or limit adult dental, vision, chiropractic & podiatry coverage; Daniels tightened the mental health Rx formulary and the state got a US judge to dismiss the duggists' suit to block a cut in Rx dispensing fees.

Iowa--A waiver covers both O/P & emergency I/P care for non-Medicare adults (even if childless & non-disabled) under 200%/250% if wkg at any Iowa public or low income clinic or hospital (but Rx's "to go" & elective I/P hospitalizations are offered only at 2 safety net hospitals in Des Moines & Iowa City). The aged/disabled level is \$674/mo (the SSI rate), the parent level is 28%/ 83% if working ('11) & ADAP's is 200%. The risk pool has a Medicare supplement but no low income premium discount. Medicaid faces a \$600 million shortfall. Ex-Gov. Culver & the old legislature (both D) covered disabled children under 300% via the FOA, raised CHIP's level from 200 to 300% & let children with no dental coverage buy into CHIP dental benefits. The hospitals proposed taxing themselves \$40 million to attract added US matching

funds to raise their rates & meet other costs. ADAP program costs were capped on 9/15/10, and there'd even briefly been a waiting list. **Gov Branstad & the new House (both R) plan to cut Medicaid (such as ending chiropractic coverage, raising co-pays & requiring pre-authorization for more types of care) and the state Senate (still D) even agreed to his budget!**

Kansas---this Title XVI state has an aged/disabled level of \$674/mo (SSI's rate), a parent level of 26%/32% wkg ('11), and 200% CHIP & a 300% ADAP level. Its GOP legislature covered the wkg disabled, offered mini-COBRA rights, and raised CHIP's level to 250%. There are 5,700 on waiting lists for services for phys disabled & DD clients, yet it cut home care funding for the aged & disabled; put 6,000 *more* on waiting lists for HCB & home care; cut MD fees & disabled clients' caregivers' pay, ended welfare for 1,500 awaiting SSA disability awards; denied dentistry to poor women; raised CHIP premiums to \$20/mo; and froze admissions to state mental hospitals. **Gov. Brownback (R) wants even more health cuts: He ordered Aging Dept. employee costs slashed 1/4, cut mental health funds \$25 million, cut the community mental health center budget, proposed ending mental health services for 850 families with troubled children & told his Lt. Gov. to plan Medicaid cuts of \$200 to \$400 million yearly (by measures such as forcing the aged & disabled into managed care).**

Kentucky--- has an aged/disabled level of \$674/mo (the SSI rate), a parent level of 36%/62% if working ('11), a 200% CHIP level & a 300% ADAP level. The legislature (R Sen.; D House) dropped tough, unworkable, nursing home & HCB medical admission rules; **capped Rx's at 4/mo, cut home teaching funds for blind children from \$80,000 to \$10,000/yr**, limited occu, phys & speech therapy, x-rays & MRIs; and raised co-pays. Gov Beshear (D) faces a Medicaid/CHIP deficit of up to \$500 million, yet still enrolled 22,000 more children in CHIP & dropped its \$20/mo premium. ADAP has co-pays & its formulary was cut. After *both* Houses of the legislature spurned his budget for a GOP plan, he successfully line-item vetoed their bill. Now he is implementing his own Medicaid budget plan **to save \$375 million in state funds by moving 560,000 of 820,000 non-L'ville area clients into 3 HMOs by 10/11 (170,000 in the L'ville area are already in an HMO).**

Louisiana---has an aged/disabled level of \$674/mo (the SSI rate), a parent level of 11%/25% wkg ('11) & a 300% ADAP level. The legislature (newly R-House; nominally D-Sen) voted to raise the CHIP 250% level to 300% but can't afford to. Gov Jindal (R) covered the wkg disabled & got CMS to agree to a state refund of only \$266 million of past overpayments. He found \$30 million /yr for clinic funding when US funds weren't renewed & CMS even let him spend \$97.3 million in US Medicaid hosp funds on O/P clinics. He wants to save \$268 million **cutting covered Rx's from 8 to 5 mo** (unless more are "medically justified"); MD & hospital rates and **privatizing community services & HCB waiver care for aged & disabled patients. He plans to put almost all patients into 5 CCOs (but he vetoed the legislature's bill to itself review the CCO contracts in 3 years).** US matching fell \$700 million & 2012's deficit rose to \$1.5 billion (but clause Sen. Landrieu putt in the PPACA—that critics call a "2nd La. Purchase"-- **does provide an extra \$500 million**). FEMA will pay \$478 million to rebuild the N. O. Charity Hosp & the state will add \$300 million but must find \$70-\$100 million/yr more to run it. **Jindal wants a \$62 million cut for LSU's Hospitals** even though he already lacks enough funds to run 4 to 6 LSU & Charity Hospitals. **ADAP's \$11.7 million deficit required shifting \$2 million of other HIV funds to it, but the waiting list is still 475.**

Maine—The state, until now, had these income levels: subsidized insurance, 300% ; the aged & disabled, 100% (**with a \$75, not just a \$20**, disregard for both Medicaid & the MSPs); childless, non-disabled adults, 100% (via a Medicaid waiver); parents, 200%/206% wkg; for regular Medicaid. ADAP, 500%; CHIP, 200%; the SPAP, \$1,604/ mo for 1 & \$2,159/ mo for 2; and 250% for an O/P-only waiver care for HIV+ (even "pre-disabled") patients. There's no risk pool. Adults get dentures but little other dental care. There are no MSP asset tests. QMB's income level is 150%, SLMB's, 170% & QI's, 185%. The state raised cost-sharing for those over 150%, and cut podiatry care & provider fees. Gov LePage & the legislature (*both* R) at first joined Democrats to pay hospitals \$70 million in past-due bills (but then a later re-audit showed that, in fact, the hospitals had been overpaid that same amount) & even to add \$73 million more to the Medicaid budget (for which even more may soon be needed because CMS auditors now suspect the state over-claimed \$150 million in past US matching). **LePage plans to drop 16,000—even with 14,000 more on its waiting list—of the childless, non-disabled from the waiver** (he says it's a voluntary state add-on that needs no HHS approval to be ended & isn't subject to the US' maintenance-of-effort laws), and even to **drop 12,000 parents by cutting their 200% Medicaid income level to 133%.**

Maryland---has an aged/disabled level of only \$674/mo (the SSI rate), a 300% CHIP level & a 500% ADAP level. An appeals court upheld an AARP/Legal Aid suit to widen the state's too-strict nursing home, HCB waiver & at-home care medical qualification & appeal rules. A waiver merged the main SPAP & a state low income O/P clinic program into one O/P-only primary clinic care & Rx program for any non-Medicare adults (even if childless & non-disabled) under 116% (**128% if wkg**). A state-sponsored, Blue Cross-run 2nd SPAP (with a 300% level) covers some Part D donut hole & premium costs, **but seems to exclude the disabled**. The risk pool has low income premium discounts for those under 200%, but no Medicare supplement. Gov O'Malley & the legislature (both D) covered the wkg disabled, **raised the parent level to**

116% for full Medicaid & subsidize insurance for some low paid small firm workers. He cut \$82 million in nursing home, home health aide, private RN & HMO fees and slashed hospital rates to 80% of private plans' He also plans a 2nd expansion of full Medicaid to childless, non-disabled adults under 116% with US health reform matching He again cut providers', HMOs', HCB programs' & the disabled's personal aide fees. He & the nursing homes hope to more than make up their fee cuts with later rate raises funded by a 2% tax they'll pay to use to attract more US matching. **With a \$1.2 billion 2012 deficit, he's considering a \$150-\$264 million hospital "assessment" to attract more matching to use to raise their rates too & for other Medicaid costs.** He's raising child dental fees, carving child dentistry out of HMO contracts & made hospitals give free care to those under 150%. **The legislature called for a \$40 million Medicaid budget cut.**

Massachusetts---In 2006, ex-Gov. Romney (R) & the legislature (D) required all adults to have insurance, subsidized it for those under 300% & boosted the CHIP level from 200 to 300% (a state program started about 1990 offers CHIP-like coverage to children under 400%). In 1997 the the parent & childless disabled Medicaid levels rose to 133% but the childless aged level is still only 100%. The ADAP level is 488% & the SPAP's is 188% (but up to 500% for Pt D patients). Gov. Patrick (D), with a \$2.5 billion 2012 deficit, raised subsidized insurance & Medicaid MD visit & Rx co-pays from \$2 to \$3; raised SPAP cost-sharing; froze MD & hospital fees; and cut public health program funds. The legislature got him to delay cuts in adult day health programs until at least 12/11; grandfathered-in undocumented aliens getting insurance subsidies & Medicaid since before 8/09 to limited benefits; and reduced adults' Medicaid & subsidized insurance dental care to emergency & preventive services and cut covered hospital days to 20/yr. To better control costs, he wants to shift to Accountable Care Organizations (ACOs) to pay for wellness & treatment results rather than fee-for-service rates that now drive costs too high. A legislative reform panel is expected to develop its own payment reform bill by late 2011. CMS approved a waiver add-on to give the Cambridge Health Alliance \$216 million & \$270 million to other hospitals.

Michigan---has a 100% aged/disabled level a parent level of 37%/64% wkg ('11), a 200% CHIP level & a 450% ADAP level. It ended adult hearing aid & chiropractic coverage but has an O/P care-only waiver for childless, non-disabled adults under 35%/45% wkg. The legislature raised co-pays but boosted child wellness, dental & adult preventive fees. The Lansing, Muskegon, Detroit & Flint-area counties offer free or cheap coverage to those under 200% (but, short of funds, Flint's Genessee Co now has a 2 mo waiting period & may close enrollment). With a \$480 million 2012 deficit, the then D, now R) House & Senate (still R) briefly ended adult vision care, but then, 2 years ago, restored adult dental, vision & podiatry (but not hearing aid or chiropractic) care and avoided MD, hospital & most mental health cuts. Gov. Snyder (R) pledged to make no eligibility or regular provider fee cuts *per se*; but cut teaching hospitals \$67 million, general Medicaid agency costs \$21 million, began moving dual eligibles into HMOs and, say advocates, cut home chore aid so much as to undermine de-institutionalization efforts (causing much more in resulting, higher nursing home bills) and dropped 11,000 families from TANF on 10/1/11 (claiming that they'll seamlessly still stay on food stamps & Medicaid). The US- funded, state-run risk pool cut its premiums (\$103 to \$415/mo by age band), but to do so raised deductibles to \$3,000 & co-pays to \$10, \$20, \$50 & \$100. The state is considering replacing an HMO tax—which CMS now says is improper--with a low tax on all claims paid by HMOs and insurers to prevent the loss of \$400 million in state Medicaid funds

Minnesota---this 209(b) state has an aged/disabled level of 100%, a regular Medicaid parent level of 215%/219% if wkg ('11), a CHIP level of 275%, an ADAP level of 300% & a risk pool with low income premium discounts for those under 200% & a Medicare supplement. **With a \$5 billion 2012 deficit**, the state raised Medicaid, CHIP & MinnesotaCare (state-subsidized insurance for parents under 275% & childless, non-disabled adults below 250%) premiums & co-pays and denied Medicaid & CHIP to legal aliens. He capped enrollment in HCB care and tightened medical qualifications & cut paid hours for home aides; cut nursing home & HCB waiver fees; raised some premiums; and ended coverage of speech & occu therapy, audiology & adult dentistry. Gov Dayton (D) expanded US-matched Medicaid to cover previously state-funded Gen. Med. Assist.(GMA) patients under 75% He & the new legislature (R) compromised: He dropped proposed "millionaire", hospital & nursing home taxes & accepted repeal of provider taxes that had been funding Minnesota Care. They funded the 100,000+ GMA & Minnesota Care clients added to Medicaid, dropped their plan to substitute \$240 monthly vouchers for them to buy private insurance instead of Medicaid, but they got \$400 million in provider fee & other cuts

Mississippi---has no spend down. Gov. Barbour (R) cut the aged/disabled level from \$1,000+ to \$724/mo (with a \$50, not just a \$20, disregard) & there are no MSP asset tests. The parent level is 24%/44% wkg ('11), CHIP's is 200% & ADAP's is 400% (which may be cut to 200%). Only 2 brand Rx's/mo & 3 generics/mo are covered (but HIV patients get 5 brand Rx's). Barbour cut phys, speech & occu therapy benefits. An in-person re-application rule limits enrollment; he & the Senate (R) won't drop it, except maybe for LTC, but the House (still nominally D) might. After securing new cigarette & hosp taxes, Barbour proposed DDS, nursing home & hospital (but not MD) fee cuts, as well as patient premiums & bigger

co-pays; proposed a 7% mental health cut, lower mental health center subsidies and closing 4 mental hospitals & 15 mental crisis centers. Some disabled children's parents say the state tightened Katie Becket waiver medical qualification rules

Missouri---is a 209(b) state. Its risk pool has no Medicare supplement but has a low income premium discount. The GOP legislature cut the aged/disabled level from 100 to 85%; ended medical assistance for those awaiting SSA disability awards; cut the 100% parent level to 19%/ 25% wkg ('11); ended adult dental coverage; raised CHIP premiums; denied CHIP to those whose job plans cost under 5% of income; raised & more strictly enforced co-pays; but kept the ADAP & CHIP levels at 300% & raised the SPAP level (it covers only those already on Medicare) to 150%. Blue Cross & a foundation subsidize insurance for KC-area families under \$30,000 The state pays "premium support" for clients' job plan premiums but denies them full secondary Medicaid; restored hospice & wkg disabled coverage (which covers only those with very low SSDI checks); gives birth control & screenings to women under 185%; restored adult vision (except for the aged in nursing homes), hearing aid & podiatry benefits; and let the aged & disabled opt out of HMOs .A court made the state widen notice & hearing rights before closing CHIP cases The state let community health centers & rural clinics presumptively enroll children in Medicaid & CHIP (before, only 4 hospitals could). Growing costs made Gov Nixon (D) drop plans to restore the 100% aged/disabled level & boost outreach. He sought hospital rate cuts of \$139 million & \$32 million in MD & DDS fees and mental health & public clinic funding. The ADAP director cut its formulary in Jan. '10 to cover only anti-retrovirals & Rx's for opportunistic infections--but restored the full formulary in Nov. '10. The state made private plans cover some autism care. CMS said the state is wrongly limiting home health care to the homebound.

Montana---has an aged/disabled level of \$674/mo (the SSI rate), a parent level of 32%/56% if wkg ('11), an ADAP level of 330% & a risk pool with low income premium discounts for those under 150% & a Medicare supplement. The state raised cost-sharing and cut LTC & hospice benefits and access—and also limited aged & disabled MD visits to 10/yr. But Gov Schweitzer (D) & the legislature (R) ended a CHIP waiting list (yet ADAP has one of 9); raised the family asset level; set up a SPAP for aged (but not disabled) Medicare patients under 200%; widened CHIP dental & preventive care; made private plans cover vaccinations & well-child care to age 7; and raised CHIP's level to 250%, but sign-ups are slow Schweitzer agreed to the legislature's 6% provider fee cut (it also voted to "study privatizing Medicaid administration"), but proposed that the state insurance Exchange be run under the PPACA's "Co-Op" provisions.

Nebraska---is a Title XVI state with a one house, "non-partisan", but conservative legislature. Its aged/disabled level is 100%, its parent level is 47%/58% if wkg ('11) & ADAP's is 200%. It ended Medicaid for many parents who chose to get off welfare to work, yet the state Supreme Ct forbade denying Medicaid to those who fail to meet work mandates. The risk pool has a Medicare supplement but no low income premium discount. Gov. Heineman (R) raised CHIP's 185% level to 200%. With a \$340 million 2012 deficit, the latest budget cuts non-primary care Medicaid & CHIP payments 5% (\$68 million), raised co-pays & may limit dental care to \$1,000/yr, hearing aids to 1 ea 4 yrs, eyeglasses to 1 ea 2 yrs & adults to 12 chiropractic visits & 60 occu, speech & phys therapy sessions/yr. ADAP's formulary was cut & it has a waiting list of 9. But the legislature's reconsidering its exclusion of pregnant aliens from Medicaid after 1,500+ untreated cases resulted in needless, costly premature births or stillborns. It did widen school health services. Heineman proposed denying Medicaid to clients who don't meet work requirements he'll establish. The legislature overrode his veto of the nursing homes' plan to tax themselves enough to attract more US matching with which to then raise their rates.

Nevada—a Title XVI state with no spend down; its disabled level is \$674/mo (the SSI-only rate), but the aged-only level is \$710.40 (their own higher SSI/SSP rate); its parent level is 25%/88% wkg ('11); its CHIP level is 200%; its ADAP level is 400%. It subsidizes insurance for parents under 200% working in participating small firms & covers the wkg disabled Its SPAP, with a 225% level, covers the disabled & even offers a vision benefit; but the state raised CHIP premiums. The state capped CHIP dental care at \$600/yr; ended Medicaid adult dental & vision care, CHIP orthodontia; tightened SNF, ICF, HCB waiver & home care medical eligibility rules; and cut pregnancy coverage, hospital rates (closing the U of NV at LV Hosp's dialysis & oncology units), HCB waiver fees & attendant payments for the disabled; non-emergency transport, hospital neonatal, HCB waiver and pediatric specialist fees. It set up a formulary for antipsychotic, anticonvulsant & diabetic Rx's. Gov Sandoval (R) proposed a \$200 million cut in the current budget & a \$500 million cut in the 2013-14 budget--reducing Rx benefits \$104 million (offering no details yet), cutting O/P mental health care \$60 million & other provider fees by 15% to 43%. But the legislature's (D) relevant committees & the State Supreme Ct rejected \$88 million in nursing home, hospital & MD fee cuts and some hospitals & Democrats proposed more & higher business taxes instead

New Hampshire---a 209(b) state; its risk pool has no Medicare supplement but has low income premium discounts for those under 250%. Its aged/disabled level is \$674 (the SSI rate, with a disregard of just \$13, not \$20/mo). The parent level is 39%/49% wkg ('11); the CHIP & ADAP levels are 300%. It has a much-stricter-than-SSI "209(b)" Medicaid

disability rule (inability to work for *over 4 years*) & doesn't cover hospices. Gov. Lynch (D) & the legislature (R) shifted nursing home costs to counties, but ended a DD care waiting list—yet will make more cuts in provider fees. The legislature voted to move more patients into HMOs; slashed \$1 million to fund case managers for the aged & disabled in board & care group homes; and even diverted to other budget accounts \$230 million in bed taxes that had yielded sufficient funds to attract enough added US matching to meet hospital shortfalls due to uncompensated care & low Medicaid rates

New Jersey---has an aged/disabled level of 100%; a 500% ADAP level & SPAP levels of \$31,850 for 1 & \$36,791 for 2. A new waiver covers up to 70,000 childless, *non*-disabled adults with income under \$140/ mo. The legislature earlier raised the parent level to 200% & ended CHIP premiums for those below 200%. The state cut hospital charity & teaching funds, raised SPAP co-pays & cut its formulary. Christie sought to drop coverage of *legal* aliens, township indigent care funding & expanded coverage of parents (*but he later relented on the parent cut*). The legislature opposes his \$3 adult daycare co-pay proposal and ending state Part D wraparound & co-pay aid. He still rejects US birth control, obstetrics and cervical & breast cancer screening funds and vetoed a family planning bill. He plans to meet a \$10+ billion deficit by higher cost-sharing & cutting nursing home fees; and seeks a second “comprehensive” waiver to “save” \$300 million (Google “New Jersey Concept Paper” for details; yet note that the proposed cut in the parent level has since been dropped) He plans \$240 million in savings by forcing the rest of the aged & disabled (many are still in fee-for-service coverage) into managed care plans (including even their Rx, home health, adult day health care & personal attendant services) and cuts of \$8 million to women's health (*but not ADAP*) ---plus \$9 million in mental health & \$5 million in legal aid cuts

New Mexico—has *no* spend down, but has a risk pool *with* a Medicare supplement & low income premium discounts for those under 400%. Its aged/disabled level is only \$674/mo (the SSI rate), its parent level is 29%/67% if wkg ('11), CHIP's is 235% & ADAP's is 400%. A waiver—which is again closed to new individual applicants, but *not* to small employer groups--subsidizes insurance of *any* adult (even if childless or non-disabled) under 200%/250% if wkg. The state won't take disability-based Medicaid-only applications from those whose disability isn't yet been approved by SSA---no matter how much they need medical care. With a Medicaid shortfall of \$300 million+, the state may end adult dental, vision, hearing aid & hospice coverage; slash phys, occu & speech therapy; cut mental health & substance abuse care & fees; and may cut some Rx benefits & HCB waiver care. Gov. Martinez's (R) health cuts are likely to be even deeper, and she hired--without legislative (still D) consent or appropriation--2 consulting firms to advise how to cut Medicaid. And the Medicaid agency discovered a shortage of \$100 million to pay overdue Medicaid bills & asked the legislature to make it up

New York---has a waiver for parents & couples (even if childless) under 150%, and childless (even *non*-disabled) single adults under 65 below 100%---but the level's only \$761/mo for childless *aged* singles. ADAP's level is 431% & CHIP's is 400%. The state subsidizes insurance for workers under 250%, but it caps Rx's at \$3,000/yr. The legislature (D House; R Sen) *excludes* the disabled from EPIC (NY's SPAP; it has a 350%+ level); raised Rx & MD co-pays (but caps them at \$200/yr); adopted a flexible formulary; and covers assisted living, chore aide & adult day care. Counties pay ½ of state Medicaid costs (but their increases are capped at 3.5%/yr). NY lets providers deny services to those who don't meet co-pays; funded HIV day health care; covered colon & prostate cancer patients & the wkg disabled below 250%; required hospital discounts for those under 300% & banned taking debtors' homes; and required mental health parity. Even with a \$12+ billion 2012 deficit, ex-Gov. Paterson (D) started a discount Rx plan for the disabled, raised *all* Medicaid asset levels (\$13,050 for 1, \$19,200 for 2, etc), ended MSP & SPAP asset tests and extended COBRA to 36 mos. But he signed a bill with \$775 million in health cuts, aimed at saving \$300 million more in each future year. Short \$316 million, NYC's public hospitals plan to cut child mental health & Rx benefits and close some clinics. NYC proposed to end a school dental program, cut its HIV services \$17 million & de-funded a health insurance advocacy office and its Mayor wants to cut 182 school nurse jobs. Gov Cuomo (D) & the legislature passed \$1 to \$2.8 billion in Medicaid & EPIC cuts, will *force* all Medicaid patients--even nursing home & HCB waiver patients, if CMS agrees--into HMOs; and tightened drug formularies for some diagnoses. A summary of the *many, very complex cuts* is in “Medicaid & EPIC Cutbacks.” at <http://www.selfhelp.net/> And mind-boggling, *very* detailed sets of charts set forth the new income & asset eligibility levels & disregards, by family size, for most of the various health assistance programs at www.newyorkhealthaccess.org

North Carolina---covers the wkg disabled, but allows only 8 Rx's/mo (plus another 3 or more on an exception basis). Its aged/disabled level is 100%; its parent level is 36%/49% if wkg ('11) & its CHIP level is 200%. Its aged-only SPAP was suspended in 2010. The legislature (R) created a 2nd SPAP just for ADAP clients on Medicare under 175% but *ineligible* for Pt D *full* Extra Help & passed limited mental health parity. It has a pre-health reform state risk pool that *excludes* Medicare patients, requires pre-authorization & has a \$250 co-pay for “specialty” Rx's & a \$100,000/yr out-of-pocket cap but *has* low income premium discounts. Gov Perdue (D) set up a preferred Rx list, later adding some psychiatric Rx's to it); proposed closing 50 mental hosp beds & cutting MD, hosp, personal aide, maternal care & community mental health

funds. The state cut audiology & hospice care and limits speech, occu & phys therapy visits to 3/yr; ADAP was cut \$3 million, has a formulary limiting coverage to Tier 1 Rx's & an income level cut from 300 to 125%. The budget ends Medicaid's HIV case manager program & coverage of community-based rehab care and many child dental X-rays & sealants; limits breast surgery; and requires prior approval of X-rays, MRIs, MRAs, PET scans, ultra-sounds & even some EPSDT services. The state later found \$14.1 million more for ADAP, cutting its waiting list to 95 (but it may now require pre-authorization for Medicaid's HIV Rx's). The hospitals got the legislature to tax them \$200 million/yr to attract more US matching to raise their rates (even though they may have earlier over-charged Medicaid \$50 million+) & meet other health costs; but, with a \$358 million budget cut, the state will limit or end coverage of adult insulin, eyeglasses, dentistry, podiatry & chiropractic care. It seeks a waiver to give personal care services to board & care residents; and state plan amendments to better co-ordinate mental & primary care, pay coordinators incentives to cut hospital readmissions & ER visits, and consolidate community programs for children & disabled adults (including mental health & HIV care) into fuller coordinated care. **CMS now says that the state's placement of thousands of de-institutionalized mentally ill in board & care homes is improper and their costs are un-matchable—creating still another huge state Medicaid funding crisis.**

North Dakota---this 209(b) state has a risk pool *with* a Medicare supplement but *no* low income premium discount. Its aged/disabled level is \$750, its parent level is 34%/59% if wkg ('11) but ADAP's level was cut from 400 to 300%. It covered disabled children under **only 200%** via the FOA, boosted CHIP's level to 150% & raised the medically needy/spend down level to \$750 for 1 person/mo. But the legislature (R) refused to *again* raise CHIP's level (to 200%), **cut ADAP's formulary, capped enrollment & yearly costs & limited patient access to Fuzeon.** Gov Dalrymple (R) plans even more cuts

Ohio---this 209(b) state has a parent level of 90%, a 200% CHIP level, but cut the ADAP level from 500 to 300% (briefly triggering a waiting list & potentially denying eligibility to 861 more with CD4 counts over 500 if those counts haven't ever fallen below 200). Ohio cut its secondary fees for dual eligibles & medical assistance for those awaiting SSA disability awards; moved most patients into HMOs (some with too few specialists); but required private insurance mental health parity. **Its aged & disabled level is only \$589/mo (the US' very lowest).** The state covered disabled children under 500% via the FOA; cut nursing home fees (but the legislature then partially restored them & boosted home care benefits); cut Rx fees & community mental health funds; and required Rx co-pays & a generics preference rule; but restored adult dental & vision care. It told nursing homes to pay for their own patients' phys therapy, wheelchairs & medical equipment. The state moved 592 from waiting lists into HCB waivers & imposed \$718 million in fees on hospitals to be used to get more matching & raise rates; and applied mini-COBRA rights to small firms. **Gov Kasich & the legislature (both R) plan a \$1.4 billion 2 yr Medicaid cut: moving disabled children, the mentally ill, nursing home & HCB waiver patients, dual eligibles & finally all aged & disabled into managed care; cutting nursing home fees \$360 to \$470 million (claiming they'll spend \$55.6 million more on HCB care, even as they plan deep cuts in the total FY '12 LTC budget); hosp rates \$478 million, managed care \$58 million & psychiatric care \$135 million. He found \$5 million more for ADAP, ending its waiting list.**

Oklahoma---this 209(b) state's aged/disabled level is \$716 (the SSI/SSP rate). The parent level is 37% & 53% wkg ('11) & ADAP's is 200%. It doesn't cover hospices, but did cover the breast & cervical cancer & wkg disabled groups & subsidized insurance for students, the unemployed & small firm workers under 200%. The legislature (R) later cut the insurance premiums & eased eligibility but also cut its benefits; covers assisted living & raised the CHIP level from 185 to 300%. **Gov Fallin (R) may drop pregnant women's dentistry, durable medical equip & nebulizers; cut dialysis, diabetic supply, hospital, MD & nursing home fees; raised some co-pays; seeks to limit ER visits to 3/yr; cut mental health care; closed 200 mental hospital beds; cut covered brand Rx's from 3 to 2/mo & ended speech, occu & phys therapy benefits.**

Oregon---this Title XVI state's risk pool has no Medicare supplement but *has* low income premium discounts for those under 185%. Income levels are \$674/mo for aged & disabled (the SSI rate), 32%/40% if wkg for parents ('11), 185% for subsidized insurance for non-Medicare adults (with enrollment closed) & 200% for ADAP. An anti-tax referendum cut eligibility & adult dentistry and ended adult vision care. The OR Health Plan expansion waiver--with limited Medicaid for non-Medicare adults under 201%--again froze enrollment. ADAP has cost-sharing. Ex-Gov Kitzhaber & the legislature (both then D) took the FOA option & passed insurer & hospital taxes--later upheld in a referendum that raised taxes on the rich too--to cover 80,000 more children & 35,00 more adults, raise CHIP's level to 300%, & offer more home care--yet he later had to end home care for 100s of cases. Gov Kitzhaber & the Senate (both D) & a now-tied House cut provider fees 16-19%. He signed a bill to use capitated "coordinated care organizations", which he says will save \$200 million in 2012

Pennsylvania---has an aged/disabled level of 100%, a parent level of 26%/46% if wkg ('11) & an ADAP level of 337%. Ex- Gov. Rendell (D) covered the wkg disabled, raised the SPAP level (to \$23,500 for 1 & \$31,500 for 2), but **still**

excluded the disabled). Gov Corbett & the new legislature (both R) chose to limit adult dentistry (e.g., dropping root canal coverage) & Rx's to 6/mo (with an exception process), impose co-pays on disabled children over 200% , cut mental & women's health care & **ended the Adult Basic program--even with 40,000 patients on it & 496,000 more on its waiting list.** But case record reviews suggest that nearly 1/2 of those dropped may be eligible for Medicaid, according to Community Legal Services of Phila. 2012's deficit is \$4 billion. Phila. city clinics now must bill \$5-\$20 a visit. **Rendell priced the premiums as low as \$283/mo for those under 200% in PA's US health reform-funded risk pool, but HHS refused his plea to waive the US risk pools' 6 months-with-no-coverage rule even for terminated, and still-uncovered, AdultBasic patients**

Rhode Island--has these income levels: aged/disabled, 100%, **parents, 175% (181% wkg)**, CHIP, 250% & ADAP, **400%**. The state covers the wkg disabled & its **limited formulary SPAP** covers the aged **but only those disabled over age 55** (with levels of \$37,167 for 1 & \$42,476 for 2). Ex-Gov Carcieri (R) required free & discount hospital care for those under 200% & 300% and banned taking debtors' homes. Big deficits (\$107 million in 2011) moved him to get a waiver with extra up-front US funds; in exchange it requires shifting 12% of nursing home cases to cheaper home care & caps future US funds. The legislature (D) raised adult daycare co-pays; dropped coverage of legal alien children.& ended child-care workers' insurance. Gov. Chaffee (I) is expected to have a moderate health policy & **may attempt to end the waiver.**

South Carolina--has no spend down. Its aged/disabled level is 100% & its parent levels are 50%/93% if wkg ('11). **It cut ADAP's level to 300%**. Its risk pool has a Medicare supplement but no low income premium discount. The legislature (R) limited Rx's to 4/mo & raised CHIP's level to 200%. The SPAP has a 200% level **but excludes the disabled**. The state cut mental health benefits, closed an HIV program to new clients & slashed home health, hospital & nursing home fees; passed private plan mental health parity; ended SPAP payments for drugs not covered by Pt D, cut SPAP funds & **ended state ADAP funding--dropping 200 patients. It may drop 200 more (even with a waiting list of 65), cut home, personal aide & HCB care (the last 3 face court suits) & covered Rx's from 8 to 7/mo, required a generics "fail first" rule for mental health, oncology & HIV patients before they can get brand Rx's & de-funded cancer screening.** Gov. Haley (R) planned to end hospice coverage (but relented) but did cut speech & occu therapy sessions from 225 to 75/yr. With a \$200 million deficit rising to \$1 billion she hopes to save \$200 million with "public-private care provider partnerships", \$18.5 million by reducing low weight births, favoring HCB care over nursing homes, ending adult vision & dental care, raising co-pays and reducing C-sections & hospital readmissions. **She will cut hospital, MD and & DDS rates by \$300 million**

South Dakota--has no spend down. Its aged/disabled level is \$674/mo (the SSI rate), **its parent level is 52%, wkg or not ('11) & ADAP's is 300%**. Rejecting a call for expansion, the legislature (R) refused to raise the pregnant women & CHIP levels to 250% or increase provider fees, and ended adult dental coverage. Gov. Daugaard (R) said he'd make \$30 million in Medicaid cuts (with 10% lower provider fees), but the legislature restored \$12.5 million to soften the provider fee cuts

Tennessee—The legislature (R) set the aged/disabled level at \$674/mo (the SSI rate), **parents' at 70%/127% if wkg ('11) & ADAP's at 300%**. Except for the pregnant, children & HIV+ patients, MD visits were cut to 10/yr, hosp days to 20/yr & **Rx's to 2 brand drugs + 3 generics/mo, except for some grave conditions.** There's a 250% CHIP level, a pre-health reform state risk pool (with no Medicare supplement but with a premium discount for those below 250%), a SPAP (**with a waiting list & low benefits cap**) for up to 5 generics/mo for non-Medicare clients under 250% & subsidized barebones insurance for non-Medicare adults under \$55,000 (**enrollment is closed**). CHIP uses Medicaid Rx rules, but also covers diabetic items & more psychiatric Rx's. Home care & medical equip benefits were cut, with big mental health cuts & a \$500 million hosp rate cut—forcing Nashville Gen Hosp to deny non-emergency care to poor illegals. The state deferred caps on MD visits, transportation & transplant care, but **kept a \$10,000/yearly benefits cap**; limited occu, speech & phys therapy; and capped X-ray & lab usage & ADAP costs. A court voided its 1987 order grandfathering-in 150,000 ex-SSI recipients to Medicaid & almost all then lost coverage (see "Daniels Case" at www.tnjustice.org). **Gov Haslam (R) favors more cuts--like ending coverage of C-sections, hemophilia, detox, acne & some sedatives & may start an ADAP waiting list. The state re-opened its spend down program--limited to the first 2,500 callers--starting 9/12/11 (see www.tnjustice.org for details)**

Texas—has a risk pool with a Medicare supplement & but no low income premium discount. The aged/disabled level is \$674/mo (the SSI rate), the parent level is 12%/26% wkg ('11) & the ADAP & CHIP levels are 200%. Gov. Perry & the legislature (both R) dropped CHIP prostheses, phys therapy & private duty nursing; raised CHIP cost-sharing; cut Medicaid home health & ended adult chiropractic & podiatry care; are moving more patients into HMOs; but restored Medicaid vision & hearing aid coverage and CHIP dentistry (Medicaid covers *limited* adult dentistry); and required some mental health parity in private plans. It has a SPAP for HIV clients. A court required improved EPSDT & child health with higher MD & DDS fees (yet Perry still plans 10% rate cuts). The 2011-12 deficit is \$27 billion. The legislature cut the Children with Special Health Needs program & a cystic fibrosis aid program for *all* ages by \$3.5 million (even with 950 children

on a waiting list); wouldn't fund 13,000 needed HCB waiver slots or \$19 million that ADAP needs and even authorized cutting its income level from 200 to 125% if necessary. It left \$4.8 billion of the Medicaid budget unfunded after early 2013, when it must either find more money or make *big* Medicaid cuts—and *even* authorized transferring \$19 million from its skimpy budget to ADAP's even worse budget needs. The state now seeks a waiver to capitate Rx benefits via managed care—and, if approved, **it will drop its prior monthly 3 Rx limit & even fund additional low income clinics.**

Utah—is a Title XVI state with a risk pool that *has* a low income premium discount, but *no* Medicare supplement. Its aged/disabled level is now 100%, its parent level is 38% 44% if wkg ('11) & CHIP's is 200%. A waiver (now closed to new patients) gives limited O/P—but not I/P--care, with *big* co-pays, to non-Medicare adults (even if childless & non-disabled) under 150%. The legislature (R) ended coverage of podiatry, audiology, speech therapy, chiropractic, some wheelchairs, and adult eyeglasses & dentistry; cut hospital & DDS fees 25%; but subsidizes insurance for workers under 150% in small firms. Gov. Herbert (R) restored child & pregnant women's dental care & some phys & occu therapy—but then cut DDS fees again (without CMS consent); and cut its ADAP formulary & income level to 250% (dropping 52 clients) & closed enrollment to new patients--so again there's an ADAP waiting list (of 13 so far); cut the disabled level from 100 to 74%, slashed school health funds & the pregnant women's asset level; and even dropped the spend down. Herbert signed a bill to force Medicaid patients to "work" for their benefits, and he & key legislators seek a waiver to cut eligibility, run Medicaid with ACOs (some advocates say they're just sub-par, "gussied up" HMOs), raise co-pays & charge \$40/mo premiums

Vermont—Its levels are: aged/disabled (2 zones) 101% & 110%; parents, 185%/191% if wkg ('11); childless, non-disabled adults, 150% /160% wkg; CHIP, 300%; ADAP, 200% & the SPAP, 175%. There are no MSP asset tests. Others under 300% get state subsidized insurance. Dentures aren't covered & there's a \$495/yr adult dental care cost cap. A waiver, in return for more US funds, moves patients into HMOs and favors home & HCB care over nursing homes—but also caps future US matching funds. Ex-Gov. Douglas (R) signed a bill requiring more private plan autism coverage & raised SPAP co-pays. Gov Shumlin & the legislature (both D) passed a law to establish a state universal coverage health insurance plan

Virginia---this 209(b) state's parent level is 25/31% if wkg ('11), CHIP's is 175% & ADAP's is 400%. It covers the wkg disabled. Gov McDonnell & the House (both R) ignored gentler Senate (tied) approaches to cut provider fees & mental health, substance abuse & community care funds, lower the \$2,200/mo HCB waiver income level to \$1,685, even with a waiting list of 6,000 (but \$30 million more was later found for HCB care); cut CHIP's level from 200 to 175% (which will turn away 28,000 children) and the aged/disabled level from 80 to 75%. Some mental health, Hep C & a few other Rx's were cut from ADAP's formulary & it closed enrollment (except to pregnant women, children & those being treated for opportunistic infections). ADAP's waiting list is 1,078. A SPAP covers premiums & cost-sharing for HIV+ Pt D clients under 400%. The legislature over-rode McDonnell's veto to make large firms' health plans cover some autism care

Washington--its risk pool *has* a supplement open to some, but not all, on Medicare. Its aged/disabled level is \$720 (the SSI/SSP rate), its parent level is 37%/74% if wkg ('11) & ADAP's remains 300%. Gov. Gregoire & the legislature (both D) passed mental health parity. Budget cuts forced her to end CHIP for 27,000 undocumented children. The state raised BasicHealth (subsidized insurance for non-Medicare adults under 200%, **with a waiting list of 150,000**) premiums & co-pays, forcing 60,000 off the rolls; ended medical assistance for 21,000 disabled; cut DSH payments & nursing home fees; and limited non-emergent ER visits, Rx, DME, imaging, denture, diabetic items, personal aide, home care, adult daycare, maternity & infant casework & incontinence benefits and cut druggist, pediatric MD, HMO & day health center fees. **It dropped adult hearing aids, podiatry, eyeglasses, dentistry, & colorectal cancer screening. Three non-HIV Rx's were removed from ADAP's formulary & cost-sharing is required of those over 100% or not on Medicare or Medicaid. CMS pays matching for BasicHealth & "Disability Lifeline" medical assistance, but the state cut 17,000 off BasicHealth** for being illegals, over 65, or having income over 133% The legislature cut Medicaid's provider pay budget \$4 billion, over hospital & home care worker opposition. Gregoire signed a nursing home tax, with proceeds to be used to attract more matching to bolster their rates & other costs; and seeks a CMS waiver to use a Medicaid "individual per cap payment": See <http://www.wsha.org/files/83/StatesSubmissiontoCMMI.pdf>

West Virginia---has an aged/disabled level of \$674/mo (the SSI rate), a parent level of 17%/33% if wkg ('11) & a 250% ADAP level. **It covers only 4 brand Rx's/mo (plus 6 generics).** Its state risk pool has *no* Medicare supplement but low income premium discounts were authorized. It denies all adult dental care but extraction & pain emergencies & didn't properly adopt nursing home & HCB medical admission rules (which *still* impede access). The legislature (D) started an Rx aid plan (via low income clinics) for non-Medicare adults under 200%. CMS is trying, over state objections, to halt a waiver that offers clients more mental health care & Rx's--but only if they sign "personal responsibility" pledges. It had plan-

ned to put the disabled, parents & children into managed care that some say cuts care access. Gov Tomblin (D) & the legislature raised CHIP's level to 300% & passed a hospital tax with proceeds to be used to attract more Medicaid matching

Wisconsin---has an aged/disabled level of \$757.78/mo (the SSI/SSP rate), a 300% ADAP level & a 240% SPAP level (it **excludes the disabled**). The risk pool *has* a Medicare supplement & premium discounts for those under \$33,000. Ex-Gov Doyle & the old legislature (both D) raised the CHIP (to 300%) & parent (to 200%) levels and started a "Basic Care" plan for non-Medicare childless adults under 200%, but its caseload soon outgrew funding. **Gov Walker & the new legislature (both R) plan \$3 billion in Medicaid cuts, including dropping the 67,000 already on Basic Care. He also plans to freeze enrollment of the aged & disabled and in a "Family Care" nursing home alternative program and some other aged & disabled programs, cut the 200% parent level to 133%, impose premiums and more & bigger co-pays, "adjust" payments for kidney care/dialysis and Rx fees and drop those --including children under age 26--who haven't enrolled in their parents' or their own job's adequate, affordable insurance . Yet even GOP legislators spurned his plan to cut SPAP coverage**

Wyoming--has *no* spend down, an aged/disabled level of \$699 (the SSI/SSP rate), a parent level of 39%/52% wkg ('11) & a 200% CHIP level. Its SPAP covers non-Medicare clients below 100%. The legislature (R) widened CHIP dental, vision & mental health benefits. Ex-Gov Freudenthal (D) *added* a state risk pool low income premium discount for those under 250% (it already had a Medicare supplement). The state planned to cut provider fees \$25 million, the DD & HCB budget \$3.6 million (freezing-in a waiting list) & dialysis aid by \$250,000. **ADAP's 332% income level & formulary were cut Its enrollment was capped (but its waiting list is still 0) & client cost-sharing was imposed. Gov Mead (R) plans more cuts**

SOURCES AND RESOURCES:

Email sherry.barber@ssa.gov for "State Asst. Progs. For SSI Recips., **1/11**" (the latest update) on state Medicaid eligibility rules for SSI & SSP recipients, their 1/11 living-independently-in-the-community SSP amounts & Sec. 1616, 1634 & 209(b) arrangements.

For the 48 states & DC, 2011's federal poverty level (FPL) is \$10,890 yearly (\$907.50 monthly) for one plus \$3820 yearly (\$318.33 monthly) for each additional person; see the Asst Sec. for Plan. & Eval. pages at www.dhhs.gov for earlier yrs' FPLs and AK's & HI's separate FPLs. The 2012 SSI rates (not including any state supplements, or SSPs) will be \$698/mo for 1& \$1,048/mo for 2.

For state parent & childless non-disabled adult income levels see "Holding Steady: Looking Ahead.. 50-State Survey of Elig. Rules..[for Parents & Childless Non-Dis Adults] 2010-11" [pub.#8132, Tables B, 4 & 5], "Medicaid..[& MSP] ..Elig..[Levels] ..for..Elder[s]&..Disab[led] 2009-10 .."[pub #8048, Tables 1 & 6] in the Medicaid pages at www.kff.org. and <http://www.kff.org/medicaid/upload/8105.pdf> for more detailed 2010-11 aged/disabled eligibility data (App. A4a). A later 10/2011 edition fails to specify the exact amounts of further changes in states' aged, disabled, parent, childless adults' or children's levels.

See "State General Assistance Programs. 2011" at www.cbpp.org for a survey, charts and even a list of their general assistance cash welfare income levels ---and, in many states, even their general **medical assistance**.

"Medicaid Expansion Now..[Can]..Save..States Money" shows how states can add to their health budgets by *now* getting regular Medicaid matching rates for 100% state-funded care of childless, non-disabled adults under 133% & "Explaining: Benefits & Cost-Sharing..States Can Set For [New]..[Eligibles].." (8/9/10) at www.kff.org . For CMS rules on covering new clients see State Med Dir Ltr #10-005, "New Options.. Under Med.." (4/10/10) & State Med Dir Ltr #10-013 (7/2/10) on required "Fam, Plan. , Benchmark, [mental health & Rx] Coverage" at www.cms.gov

"Medicaid Coverage & ..[Costs]..in Health Reform.." at www.kff.org projects the numbers of new Medicaid patients & states' tiny share of their costs starting in 2014 (only 0% to 10%). See under "pubs." at www.ppic.org "Expanding MediCal; Profiles of Potential New Users" (8/11), questioning if previously-uncovered new patients will really cost any more than non-disabled parents do now; also Google "Health Service Among the Previously Uninsured", in Health Economics (8/24/11), for roughly similar findings for prior uninsured first getting Medicare at age 65.

"The OR Health Experiment.." (7/7/11) at www.nber.org finds that, among those seeking Medicaid, a comparison of those who get it vs. those who don't shows those who do get it enjoy **much better health & access to care**.

"Net Effects of the [PPACA] on State Budgets" at www.firstfocus.net sees state savings of \$40.6 to \$131.7 billion/yr from health reform in 2014-19. The Act & regulations provide a **90% US match** to set up & improve Medicaid & Exchange eligibility & enrollment systems and a **permanent 75% US match** to run them (the old Medicaid match for eligibility, management & claims-payment work was only 50%). ****Except for**

TANF's or Food Stamps' extra or unrelated costs, both funding streams are also available until 12/15 for their own administrative & eligibility costs too (see <http://www.fns.usda.gov/snap/rules/Memo/2011/081011.pdf>)**

"PPACA's State Savings [and] Costs.." (7/13/11) at www.urban.org under "health" in "publications" sees state savings of \$92-\$129 billion from 2014 to 2019 & \$12-\$19 billion/yr afterward

See "Medicaid's Role in..Health..Exchanges.." at www.manatthealthsolutions.com; "10 Considerations for States in Linking Medicaid & Health Ins.. Exchanges" at www.chcs.org and Google [Consumer Reports](#) for its paper suggesting public enrollment stations for expanded Medicaid & subsidized Exchange insurance access.

The PPACA "Maximiz[es]..[Primary MD].. Medicaid Rates to Medicare Levels [to get more of them to take Medicaid].." & "Leveraging the Medicaid Primary Care Rate Increase" (both at www.chcs.org). They note that the US will pay 100% of added primary care fee costs in 2014-19. New HHS rules make later state provider pay cuts harder & more difficult (Fed. Reg., 5/ 5/11); see "NHLP Breaks Down Crucial Provider Pay Reg." at www.healthlaw.org

www.kff.org/medicaidbenefits/ lists state chiropractor, podiatry, eyeglasses, optometry, hearing aid, hospice, psychologist, prosthetics, home health, medical equip, dental, Rx's, OTC & first aid items & phys, occu & speech therapy coverage.

The "2011 National ADAP Monitoring Report (Module 1)" at www.nastad.org lists state income & asset eligibility levels in Table 13, application procedures in Table 14 & any prior authorization rules for special or costly drugs in Table 15. Its "(Module 2)" has a "Glossary" and charts & tables on states' coverage of often-co-morbid Hepatitis B & C Rx's and care. State ADAP formularies weren't compiled in this year's "Report" but procedures to get costly or unusual Rx's are cited. See the "ADAP Watch" at www.nastad.org on state waiting lists. For current & back issues of the "ADAP Pill Box" see www.ADAPAdvocacyAssociation.org

Medicaid and HIV: A National Analysis (document #8218 at www.kff.org) examines enrollment & spending patterns for HIV patients on Medicaid, including demographics, eligibility, services & geographic distribution. It also compares HIV Medicaid patients to other non-HIV Medicaid patients, as well as to the whole US HIV+ population (on or off Medicaid). Although HIV Medicaid enrollees are than 1 % of all Medicaid patients, almost half of HIV patients get Medicaid care. Most (74%) became eligible by being found disabled Per capita spending for HIV Medicaid patients is almost 5 times more than for others on Medicaid; this reflects the high cost of their care, especially drug costs (which alone are 31% of their costs). Other Medicaid eligibles' drug costs are only 7% of their total medical expenses.

See "Pharm. Benefits [in] State [Medicaid]" at www.npcnow.org on formularies, fees, prior auth, prescribing/dispensing limits & co-pays. JCoburn@hdadvocates.org has a chart on how Rx maker PAPs mesh with Pt D. States can cover Pt-D-excluded Rx's with their own funds: see which do so at www.medicareadvocacy.org (12/1/05 report at "News" icon). "Implementation of Medicare Pt D & Non-Rx Med. Spending.." in jama.ama-assn.org (7/27/11) finds Pt D cuts patients' other health costs \$1,200/yr

"Medicaid Managed Care Trends" ('09) on Medicaid's research & demonstration pages at www.cms.gov reports that over 70% of its patients are already enrolled—often mandatorily--in private managed care plans (so far mostly non-disabled parents & children); but most states now plan to enroll (again, often mandatorily) the previously mostly-exempt aged & disabled too). See "CA's Shift to Managed Care Doesn't Save [Costs] or Improve.. Outcomes .." (10/05), finding it raises costs 17% over fee-for-service at www.rwjf.org under "pubs. & research"; a summary of cost studies in "Managed Care Explained" (5/31/11) at www.stateline.org, "Assessing.. Financial Health of Med. Managed Care & [Its]..Quality" at www.cmwf.org, "The Evolution of Managed Care in Medicaid" (6/11) at www.macpac.gov . "A Profile of Medicaid Managed Care..in 2010:..A 50 State Survey" at www.kff.org (doc. # 8220) & "Has...Shift to Managed Care [Cut].. [Expenses]..?" at www.nber.org (saying savings depend on states' baseline fees). For a critique of Medicaid HMO failings, quality, low fees & ways to improve them, see 7/27/11 editorial at www.staradvertiser.com. The National Committee for Quality Assurance's latest rankings & performance measures for 99 Medicaid HMOs in 30 states & DC are at www.consumerreports.org/cro/promos/health/medicaid.htm ; it will soon publish similar state Medicaid ACO evaluations as well.

"Implementing ..Health Reform: A 5-Part Strategy [To] Reach..the..Uninsured" (5/11), under "publications" at www.ui.urban.org offers the states quick & simple ways to enroll the uninsured .

See "Indiv..Models of LTC" at www.statehealthfacts.org for state coverage of HCB waivers, home health, personal aides. Email lsmetanka@nccnhr.org for latest state Personal Needs Allowances (PNAs) for those in SNF, ICFs & licensed, SSI-funded board & care homes. See a "Medicaid HCB..Data Update: 2011" & a "Money Follows the Person Snapshot, 2010" at www.kff.org. For a thorough overview of state long term care programs, policies & performance, see the AARP's www.longtermcarecard.org (9/11) and Steve Gold's Information Bulletin #245 (11/20/11) at <http://www.stevegoldada.com> on states' progress in moving nursing home patients into home and community-based care instead (also see stevegoldadablogspot.com/ for an archive of his Bulletins.

The PPACA's "Community First Choice" state plan option can give states a 6% higher match for personal attendant costs & the "Balance Incentives Payment Program" can give them \$3 billion more (to raise their match 2% to 5%) to

plan such services; see <http://www.ncoacrossroads.org/library.htm?mode=view&did=60715&lid=45723&wf=45724> and email cuelo@healthlaw.org for details. But see *State Med. Dir. Ltr. # 11-009 of 8/15/11* at www.cms.gov, saying states can change HCB waivers--or even discontinue expiring waivers--if their eligibility changes don't violate the MOE rules.

Additional incentives available to states to expand Home and Community-Based Services (HCBS) under the Affordable Care Act are described in a Kaiser background paper at <http://www.kff.org/medicaid/upload/8241.pdf>.

See www.naschip.org on the pre-health reform state risk pools & order "Compr. Health Ins. for High Risk Indivs: .. State-by-State..." on funding, eligibility, benefits, Medicare supplements, premiums & low income discounts. The site www.pcip.gov shows if new federal health reform-funded pools are state- or federally-run; the latter's premiums & cost-sharing are surprisingly affordable, especially for those under 40; and premiums in US-run (and some state-run) pools have been even further discounted

See the "Directory of..[the 27]..State Kidney Programs" with contact, eligibility & benefit data under "publications" at <http://som.missouri.edu/MOKP/>. The FL, MI, NJ & TX health depts. also have epilepsy and/or hemophilia assistance programs.

See the "Friday Updates" & the "State Medicaid Reform Tracker" monthly (for state-by-state reports on a wide range of mostly non-eligibility Medicaid news) at www.NASUAD.org and <http://www.statereform.org/states> on state health reform activities.

See <http://ccf.georgetown.edu/index/cms-file-system-action?file=policy/waivers/Section-1115-Comprehensive-Demos-chart-10-11.pdf> for lists on the status of CMS' Section 1115 "Comprehensive Demonstrations" (including waivers, etc.) as of 10/3/11; it also lists about 20 Section 1115 Family Planning "Demonstrations" and waivers..

The National Health Law Program (NHeLP) has a summary of cost sharing studies which show—surprise!-- that starting or increasing low income patients' cost sharing in health plans always & inevitably prevents or deters their access to necessary medical care. See http://healthlaw.org/images/stories/medicaiddefense/2011_08_02_NheLP%20Cost%20Sharing%20Summary.pdf.

***Check US Senator Michael Bennet's website for an 82-page "Guide To Grants For States, Public Agencies and Other State-Level Organizations Available Under the Patient Protection and Affordable Care Act" (the PPACA health reform law)*.**

CMS, HHS & the IRS each issued proposed regulations on state eligibility & enrollment for Medicaid; Exchange health insurance policies (with income-based subsidies); and small businesses' access to & tax credits for, state Exchange-based employee group policies on 8/17/11 in the Federal Register (www.FederalRegister.gov). The Consumer Operated & Oriented Plan (Co-Op) Proposed Rule (with comments due 9/16/11) was published in the Federal Register on 7/20/11. The comments of the National Health Law Program, or NHeLP, on the above-proposed health reform regulations (and a policy question) are at www.healthlaw.org: Medicaid Program; Eligibility Changes Under the ACA of 2010; Exchange Health Insurance Policies & Subsidies; Comments on CMS Request for Information Regarding State Flexibility to Establish a Basic Health Program; and the Employers' Health Insurance Premium Tax Credit.

The Consortium for Citizens with Disabilities' (www.c-c-d.org) comments on the HHS/CMS proposed regulations on Medicaid eligibility & other PPACA subjects are listed, can be read & downloaded under "What's New" on its main website page and its Health Task Force page, along with comments on other proposed PPACA regulations.

Families USA (www.familiesusa.org) has an issue brief, A Closer Look: Simplifying Enrollment & Eligibility with Modified Adjusted Gross Income (MAGI), which explains the benefits of aligning the income-counting rules with MAGI.

*****A still-little-known, poorly-photocopied 1997 CMS policy issuance to its regional offices (but more clearly readable in a 1998 Region IV policy re-statement) is at <http://www.ncauditor.net/EPWeb/Reports/Performance/PER-2010-7260.pdf>. It allows federal Medicaid matching for otherwise-eligible penal inmates' inpatient care at non-penal hospitals and even SNFs & ICFs. The long-standing, statutory Medicaid ban on matching for inmate medical care in penal institutions & their own clinics--and also for non-overnight care at non-penal clinics, emergency rooms & physicians' offices-- remains in force however. Currently, only a minority of inmates—even if they're otherwise financially eligible---would be covered by this exception unless they're under 22, over 65, disabled or pregnant. But starting in January, 2014 almost all inmates (since almost all have incomes under 133% FPL) would qualify under this exception for overnight stays in non-penal hospitals, SNFs or ICFs. dstrugarfritsch@Healthmanagement.com (517-282-2124) provides paid consultant services to state Medicaid agencies and others on this issue and has details. No CMS central office staff who wrote the initial policy memo seem to remain at work there, but the CMS Region IV staff who re-issued the policy virtually word-for-word are still employed there: Jackie.Glaze@cms.hhs.gov (404-562-7417) and Elaine.Elmore@cms.hhs.gov (404-562-7408) *****