

LA SPA TN 18-0027 Medicaid Electronic Application – RAI Response

Effective date: November 13, 2018

Question ID	Reference	CMS question to the State	Policy/Regulation	State Response
1	The agency may request a non-applicant’s SSN if clear notice is provided that provision of the non-applicant’s SSN is voluntary. A state agency is required to assist only applicants with applying for an SSN.	The question about whether a person applied for an SSN appears to be mandatory. Please confirm. Individuals who are not seeking coverage should not be required to answer the question.	42 CFR 435.907(e)(3)(i); 42 CFR 435.910(e)(1)	State will move this question and only display if individual is seeking coverage. Proposed date for change is August/September 2019.
2	Applicants may only be asked to provide information necessary to make an eligibility determination	Please confirm whether the address question is required for individuals who are homeless. Those without a fixed address should be required to enter a mailing address (as already included in the next section), but a home address should not be required.	42 CFR 435.907(e)(1)	When an applicant indicates they are homeless, there is system logic built in, that defaults to the regional Medicaid office in closest proximity to the city, state and zip code.
3	Applicants may only be asked to provide information necessary to make an eligibility determination	Please clarify whether the each of the detailed options for marital status is needed for eligibility. For example, the drop-downs ask for single-never married, divorced, and widowed. Does the system use responses to these questions differently?	42 CFR 435.907(e)(1)	The options are a MMIS system requirement. Right now, the State is only using the married indicator.
4	Applicants may only be asked to provide information necessary to	Please clarify how each of the responses in the “living arrangement” drop-down are used. Is there logic behind the	42 CFR 435.907(e)(1)	These are used to differentiate difference in the home and fall out for correction. There is logic behind the responses and is attached to group homes and incarceration, for example.

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	make an eligibility determination	responses to trigger specific questions or influence eligibility?		
5	Applicants may only be asked to provide information necessary to make an eligibility determination	Please clarify how the question about whether a person moved in the last 12 months is used for Medicaid/CHIP?	42 CFR 435.907(e)(1)	This is to verify if Medicaid is being received in another State.
6	States must identify American Indians and Alaska Natives who may be eligible for cost-sharing exemptions and income deductions for Medicaid/CHIP, SEPs and CSRs for QHPs on the Marketplace.	Because race/ethnicity questions are optional, American Indians and Alaska Natives who may be exempt from cost sharing or eligible for special enrollment periods for Marketplace coverage may not identify themselves. Please provide a separate non-optional question that asks about AI/AN status, with explanatory text about how that information will be used. The state also allows exemption for premium based programs. CMS understands that a supplemental form is used to collect this data and that since the form is only invoked for the premium programs, the state will consider updating this in a future release and/or adding help text. Are there any updates available?	42 CFR 447.56, 435.603(e)	The State will add question. Proposed date for change is September/October 2019.
7	The agency must verify citizenship and immigration status through electronic services, and request and	The application does not ask if the individual/applicant is a Naturalized or derived US citizen. This information is needed because these individuals may need to be verified with the	42 CFR 435.956(a) 42 CFR 435.945(b)	The State will make this change. Proposed date for change is October/November 2019.

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	use information relevant to verifying eligibility.	Department of Homeland Security’s SAVE verification system, and may not always be verified with SSA. For this reason, the flow should allow a Naturalized or derived US citizen to provide a Certificate number and alien number, and these individuals do not need to answer the remaining questions under “Citizenship Information.”		
8	The agency must verify citizenship and immigration status through electronic services, and request and use information relevant to verifying eligibility.	The application does not ask if the individual/applicant is attesting to having an eligible immigration status, which is required before requesting immigration status and/or immigration document number. For individuals who do not attest to having an eligible immigration status, the questions under “Citizenship Information” should not appear. However, individuals applying for coverage of an emergency condition only may be in a valid immigration status (i.e., a qualified non-citizen), but not have an eligible status for Medicaid (e.g., a lawful permanent resident in the 5 year bar waiting period).	42 CFR 435.956(a)(2) 42 CFR 435.945(b)	This requires further discussion with CMS to determine how to implement within program guidelines.
9	The agency must verify citizenship and immigration status	There is no question on this screen asking for an individual’s document number. The	42 CFR 435.956(a)(2) 42 CFR 435.945(b)	Currently LaMEDS collects document information based on Document type selected.

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	through electronic services, and request and use information relevant to verifying eligibility.	Department of Homeland Security needs this information in order to verify the individual’s immigration status.		Screen shots for reference are attached in Appendix section of this document.
10	The agency must verify citizenship and immigration status through electronic services.	The question asking for an individual’s “Immigration Grant Date” is confusing to applicants who may not understand what is being requested. Furthermore, it is the Department of Homeland Security that provides the grant date for qualified non-citizens if requested as it may be needed to determine if an individual has met the five year waiting period.	42 CFR 435.956(a)(2)	State to remove “immigration grant date”. Proposed date for change is August/September 2019.
11	The agency must determine if an individual is a veteran described at 8 USC 1613.	This section is missing a question asking “are you, or your spouse or parent, a veteran or an active-duty member of the US military?” This question is needed to determine if the applicant may be exempt from the 5 year waiting period (see also comments to the list of immigration statuses, below at comment 13).	42 CFR 435.956(a)(3) 42 CFR 435.945(b)	State to confirm which veteran information drives exemption from 5-year waiting period in the Business Rules Engine. Is it the drop down value or the veteran information section?  “Are you, or your spouse or parent, a veteran or an active-duty member of the US military?” question is NOT used by the Business Rules Engine. If user answers “Yes” to this question, this drives worker to collect veteran’s information from the applicant during Non-MAGI eligibility determination.

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12	The list of eligible immigration statuses should be comprehensive so an individual can select a status from the dropdown list. The agency must request and use information relevant to verifying eligibility.	Comments to the list of immigration statuses: Please change “Spouse/Child of Battered Alien” to the actual immigration status, which is “Battered spouse, child or parent. Change “Victim of trafficking” to “Victim of trafficking and his/her spouse, child, sibling or parent.” Change “deportation withheld” to “Granted withholding of deportation or removal” Please. Change “Conditional Entry” to “Conditional Entrant” Please remove “Qualified Alien since this is not an immigration status.	42 CFR 435.956(a)(2); 42 CFR 435.945(b)	Screenshots of the current question and dropdown options are attached in the Appendix section of this document. The implementation date for the text changes requested by CMS are planned for August/September 2019.
13	Some of the items on the dropdown list are not eligible immigration statuses and should be removed since applicants may only be asked to provide information necessary to make an eligibility determination	Remove “Undocumented Aliens” from this list of eligible immigration statuses. Please remove all references to veterans or their family members from this list since these are not immigration statuses. See question 11, above for instructions on how to capture this information, and why it is needed on the application. remove “SDX/None/Unknown, since this is not an immigration status	42 CFR 435.907(e)(1) 42 CFR 435.945(b)	Screenshots of the current question and dropdown options are attached in the Appendix section of this document.
14	The list of eligible immigration statuses should be comprehensive so an individual can	The state may wish to remove some of the less common non-immigrant statuses from this list (e.g., Member of the Foreign	42 CFR 435.956(a)(2); 42 CFR 435.945(b)	Screenshots of the current questions and dropdown options are attached in the Appendix section of this document. The state will consider this enhancement

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	select a status from the dropdown list. The agency must request and use information relevant to verifying eligibility	Media, Crewman on Shore leave, International Organization Rep. and Family), and replace them with more commonly used non-immigrant statuses, such as “Individual with Non-immigrant Status, includes worker visas (such as H1, H-2A, H-2B), student visas, U-visa, T-visa, and other visas, and citizens of Micronesia, the Marshall Islands, and Palau; Temporary Protected Status (TPS); Deferred Enforced Departure (DED).”		when revising the immigration status dropdowns in August/September.
15	States that elect the option to provide coverage lawfully residing immigrants must verify the individual meets that definition according to the rules at 1137(d), and must request and use information relevant to verifying eligibility.	Because the state is electing the option to cover lawfully present children under age 19 in Medicaid and CHIP (LA SPAs 19-0009 and 19-0010), the list of eligible statuses should include a complete list of qualified non-citizen and lawfully present non-citizen statuses listed in those SPAs. Please see also the CMS State health Official Letter for a list of lawfully present statuses: <a href="https://downloads.cms.gov/cmsgov/archived-downloads/SMDL/downloads/SHO10006.pdf">https://downloads.cms.gov/cmsgov/archived-downloads/SMDL/downloads/SHO10006.pdf</a>	42 CFR 435.956(a)(2) 42 CFR 435.945(b)	Screenshots of the current question and dropdown options are attached in the Appendix section of this document.

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16	Applicants may only be asked to provide information necessary to make an eligibility determination	It appears that applicants are asked whether they are “aged” in the section on disability status in a question asking what type of condition a person has. It is likely that individuals may not consider themselves as having a condition if they are aged. Additionally, the application would have collected each applicant’s age earlier on. Are questions about aged individuals needed in this section at all?	42 CFR 435.907(e)(1)	Aged is defaulted based on date of birth.  Yes, these options are used to identify duplicate coverage and/or TPL.
17	Applicants may only be asked to provide information necessary to make an eligibility determination	If an individual has attested to having a disability, would it appear that they are asked a follow-up question about other potential disabilities. If this question is only used as a screening tool for non-MAGI, are the follow-up questions about additional disabilities required?	42 CFR 435.907(e)(1)	The follow-up questions are conditionally mandatory. The State will implement an enhancement to make them optional in September/October 2019.
18	Applicants may only be asked to provide information necessary to make an eligibility determination	Detailed information about offers of employer sponsored health coverage is not needed for individuals potentially eligible for Medicaid/CHIP. Please clarify whether the questions in this section, beyond those needed for TPL, are asked of all applicants or only those screened as potentially eligible for APTC? The state indicated that this data is needed to determine if an	42 CFR 435.907(e)(1)	This question is for the Louisiana Health Insurance Premium Payment Program (LaHIPP).

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		<p>individual is eligible under the Family Opportunity Act program and also is used for the HIPP program, referral process. In order to meet the dynamic functionality requirement, these questions should only be asked of applicants who appear to be eligible under the Family Opportunity Act program. The state indicated that they could add questions to screen for FOA program, and therefore be able to show ESC questions dynamically.</p>		
19	<p>Applicants may only be asked to provide information necessary to make an eligibility determination</p>	<p>Please clarify how the “out-of-state” options in the other coverage drop-down menu are used. Are they used to identify potential residency inconsistencies or duplicate coverage?</p>	42 CFR 435.907(e)(1)	<p>These options are used to identify duplicate coverage and/or TPL.</p> <p>State to add text. Proposed date for the change is August/September 2019.</p>
20	<p>Applicants may only be asked to provide information necessary to make an eligibility determination</p>	<p>Income Types-</p> <ol style="list-style-type: none"> <li>1. SSI and VA Benefits are non-taxable income not counted in determining Medicaid/CHIP MAGI-based income. Non-taxable Social Security benefits are counted in determining Medicaid/CHIP MAGI-based income.</li> <li>2. The state may only ask for income types that are countable under MAGI, which generally are</li> </ol>	42 CFR 435.907(e)(1)	<p>State will make non-taxable income types dynamic to non-MAGI applicants.</p> <p>Proposed date for the change is August/September 2019.</p>



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		just taxable income as well as non-taxable Social Security, foreign earned income and non-taxable interest.		
21	Applicants may only be asked to provide information necessary to make an eligibility determination	Per 42 CFR 435.907 (e) (1), applicants may only be asked to provide information necessary to make an eligibility determination for MAGI, unless the individual answers yes to one of the non-MAGI screening questions. If so, the additional questions must still be optional to permit applicants to receive a determination while they provide additional information. Please confirm that these questions are only asked of individuals who are potentially eligible for Medicaid on a non-MAGI basis and that applicants can complete and submit the application without answering these questions?	42 CFR 435.907(e)(1)	<p>CMS requests that the State make all resource questions non-mandatory until after the MAGI determination is made.</p> <p>The State is concerned about increased workload to gather the data. These fields only appear if the applicant indicated they were aged, blind, or disabled. In Louisiana, only nine percent of Non-MAGI populations are eligible and enrolled in MAGI Medicaid. If the resourcing questions are made optional, approximately 91 percent of the Non-MAGI Medicaid population may require additional follow-up from workers to provide resource information to be determined eligible for Medicaid.</p>
22	Please provide updated screenshots showing the help text that is provided to applicants.	In including questions about managed care enrollment as part of the application, we also recommend that the state provide clear notice to applicants as follows: That the plan selection will not be utilized if the applicant is determined eligible for coverage through the Health Insurance	42 CFR 438.10	The State will add text. Proposed date for the change is August/September 2019.

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		<p>Marketplace, and the applicant will need to enter a new plan selection process if that occurs. We understand that clarifying text will be considered for a future release.</p> <p>The state confirmed that if an applicant does not select a plan in the initial application process, eligible individuals who do not select a plan will be automatically enrolled and that this information is part of help text.</p>		
23	General	<p>CMS understands that Louisiana will start using IRS to verification income for Medicaid/CHIP and will update this language to ask for consent to use the data at renewal for Medicaid and CHIP as well as for the FFE. If accurate, please clarify when this change will be implemented.</p>	42 CFR435.916	<p>The State will ensure that this is implemented with federal tax information (FTI) in May 2019.</p>

## APPENDIX

When the Document Type selected is “Employment Authorization” following additional details are requested from client:

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### CITIZENSHIP INFORMATION

\* Is this person a U.S. citizen or U.S. national?

\* Immigration Status:

\* Document Type:

\* Date of Entry:

Immigration Grant Date:

\* Expiration Date:

\* Alien Number:

\* Card Number:

Is the person's name that is listed above the same name that appears on their document?

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**When the Document Type selected is “Machine Readable Immigration Visa” following additional details are requested from client**

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**CITIZENSHIP INFORMATION**

\* Is this person a U.S. citizen or U.S. national?

\* Immigration Status:  \* Document Type:

\* Date of Entry:  \* Passport or Document Number:

Immigration Grant Date:  \* Country of Issuance:

\* Alien Number:

Is the person's name that is listed above the same name that appears on their document?

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**Immigration Status Drop-Down Values in LaMEDs Self-Service Portal**

The screenshot shows a web browser window with the following elements:

- Browser Address Bar:** <https://sspweb.uat.ee.la.gov/auat/selfservice/selfserviceController?id=0.217>
- Browser Tabs:** [EE-46527] EEMEDS-SC001 on ... LA E&E - Self Service Portal
- Form Sections:**
  - LIVING ARRANGEMENT:** \* What is this person's living arrangement? (Dropdown menu)
  - RELOCATION INFORMATION:** Has this person moved to Louisiana in the last 12 months? (Form field)
  - CITIZENSHIP INFORMATION:**
    - \* Is this person a U.S. citizen or U.S. national? (Form field)
    - \* Immigration Status: (Dropdown menu)
    - \* Date of Entry: (Form field)
    - Immigration Grant Date: (Form field)
  - ETHNICITY:** If this person is of Hispanic, Latino, or Spanish origin:
    - Puerto Rican
    - Cuban
    - Chicano/a
- Open Dropdown Menu (Immigration Status):**
  - American Indian's born in Canada (50%+)
  - Spouse/Child of Battered Alien
  - Current spouse of a veteran
  - Lawful Permanent Resident
  - Amerasian Immigrant
  - Parolee
  - Victim of Trafficking
  - Undocumented Aliens
  - Un Married child of a veteran
  - Asylee
  - Cuban/Haitian Entrant
  - Active duty member of the U.S. Armed Forces
  - Un Married child of an active duty member of USAF
  - Un remarried widow of a veteran
  - Deportation Withheld
  - Current spouse of an active duty member of USAF
  - Refugee
  - SDX None/Unknown
  - Conditional Entry
  - Afghani / Iraqi Special Immigrant
  - Honorably discharged Veteran
  - Qualified Alien
  - Foreign Diplomat and Diplomat Families
  - Visitors / Tourists
  - Crewman on Shore Leave
  - Foreign Student
  - International Organization Rep. and Family
  - Temporary Worker
  - Member of Foreign Media
  - Other Non-Immigrant

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The screenshot shows a web browser window with the URL <https://sspweb.uat.ee.la.gov/auat/selfservice/selfserviceController?id=0.217>. The browser tabs include 'Certificate error', '[EE-46527] EEMEDS-SC001 on ...', and 'LA E&E - Self Service Portal'. The application interface has a dark blue sidebar on the left and a main content area. The content area is divided into sections: 'LIVING ARRANGEMENT' with a dropdown menu; 'RELOCATION INFORMATION' with a question 'Has this person moved to Louisiana in the la'; 'CITIZENSHIP INFORMATION' with questions 'Is this person a U.S. citizen or U.S. national', 'Immigration Status:', and 'Date of Entry:', and an 'Immigration Grant Date:' field; and 'ETHNICITY' with checkboxes for 'Puerto Rican', 'Cuban', and 'Chicano/a'. A dropdown menu is open over the 'CITIZENSHIP INFORMATION' section, listing various immigration statuses such as 'Enrolled member of an Indian Tribe', 'American Indian's born in Canada (50%+)', 'Spouse/Child of Battered Alien', 'Current spouse of a veteran', 'Lawful Permanent Resident', 'Amerasian Immigrant', 'Parolee', 'Victim of Trafficking', 'Undocumented Aliens', 'Un Married child of a veteran', 'Asylee', 'Cuban/Haitian Entrant', 'Active duty member of the U.S. Armed Forces', 'Un Married child of an active duty member of USAF', 'Un remarried widow of a veteran', 'Deportation Withheld', 'Current spouse of an active duty member of USAF', 'Refugee', 'SDX None/Unknown', 'Conditional Entry', 'Afghani / Iraqi Special Immigrant', 'Honorably discharged Veteran', 'Qualified Alien', 'Foreign Diplomat and Diplomat Families', 'Visitors / Tourists', 'Crewman on Shore Leave', 'Foreign Student', 'International Organization Rep. and Family', and 'Temporary Worker'. The Windows taskbar at the bottom shows the time as 7:44 PM on 3/12/2019.