# Basic Benefits Training: MassHealth and Health Coverage Programs

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#### Health Law Advocates

- Non-profit, public interest law firm
- Free legal services for Mass. residents with low incomes (< 300% FPL)
- Core issues:
  - Overcoming legal barriers to care/coverage in private insurance and public programs
  - Appeals of coverage or service denials
  - Medical debt/collections assistance
  - Immigrants' access to care, genderaffirming care, long-term care, and more!



### MassHealth and Public Coverage Programs

- 1. History of Massachusetts Health Care Reform and MassHealth Overview
- 2. MassHealth Programs
- 3. Other Public Programs Overview
- 4. Immigrant Health Access

#### A (very) brief history of recent Massachusetts health reform

- **≥**2006: Chapter 58
  - Coverage expansion through insurance mandates (individual and employer), insurance subsidies
- ≥2010: Affordable Care Act
  - Coverage expansion on federal level through Medicaid, insurance market reforms, tax credits
  - Implemented fully in 2014
- **≥**2012: Chapter 224
  - Focus on cost and quality
- ≥2020-23: MassHealth COVID flexibilities
- ≥2023-24: MassHealth redeterminations



#### Public Coverage Overview

- **MassHealth** 
  - <u>Comprehensive</u>: Standard, Care Plus, CommonHealth, Family Assistance,
  - Limited: MassHealth Limited
- ► Health Safety Net (HSN)
- CMSP (Children's Medical Security Program)
- **≻**Connector Care
  - ACA Tax Credits + state subsidies



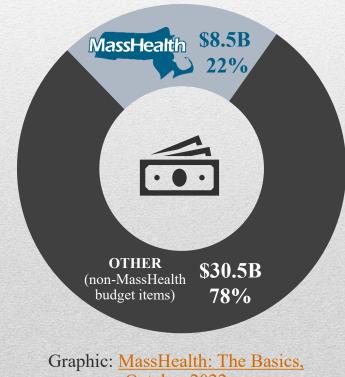
#### MassHealth by the #s

#### MassHealth key #s:

- ~2.12 million members\*
- \$8.5 billion = state \$s
- 22% of state spending



MASSACHUSETTS TOTAL STATE SPENDING NET OF FEDERAL REVENUES (\$39 BILLION), SFY 2022



October 2022

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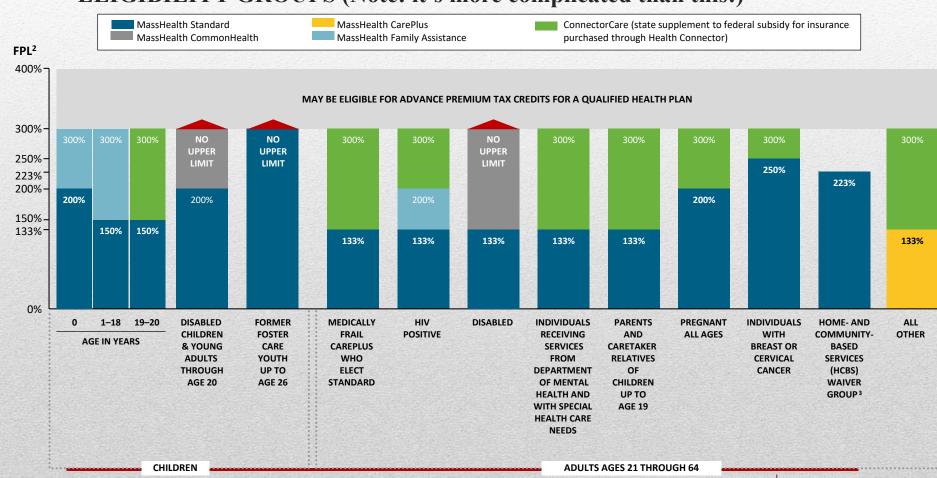
#### MassHealth Overview

- ➤ MassHealth = Medicaid + CHIP
  - State/Federal program
  - Managed care = primary coverage
  - Fee-for-service = secondary coverage
- Eligibility, generally...
  - Children and youth, ages 0-18, <300% FPL
  - Young Adults, ages 19-20, <150% FPL
  - Adults, ages 21-64, <138% FPL,
  - Elderly adults, ages 65+, 100% FPL
  - <u>BUT</u>: many eligibility categories based on disability, immigration status, age, etc.



#### Subsidized Health Coverage

MASSHEALTH INCOME LIMITS VARY FOR DIFFERENT AGES AND ELIGIBILITY GROUPS (Note: it's more complicated than this!)



Graphic: MassHealth: The Basics, October 2022

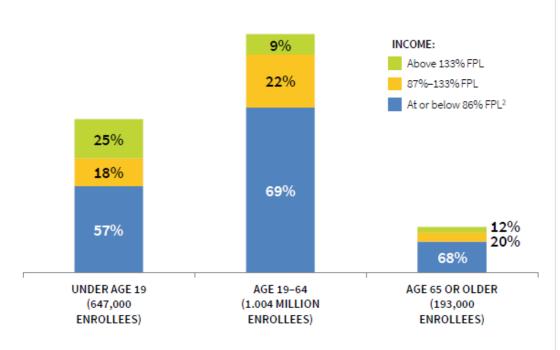
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#### Members by age, income

#### ADULTS ENROLLED IN MASSHEALTH HAVE PARTICULARLY LOW INCOMES — MOST BELOW 86% FPL (\$10,973 FOR AN INDIVIDUAL)

INCOME AS PERCENT OF FEDERAL POVERTY LEVEL (FPL) BY AGE GROUP FOR MASSHEALTH ENROLLEES1



Nearly 70% of adults enrolled in MassHealth have an income below 86% FPL, which in 2020 corresponded to:

- \$10,973 for an individual
- \$14,826 for a family of 2
- \$18,679 for a family of 3
- Because children's eligibility extends farther up the income scale, a larger share of children enrolled in MassHealth live in families with incomes above the federal poverty level.

SOURCE: Manatt Health Strategies, LLC (2019). Faces of MassHealth: Portrait of a Diverse Population. Blue Cross Blue Shield of Massachusetts Foundation.

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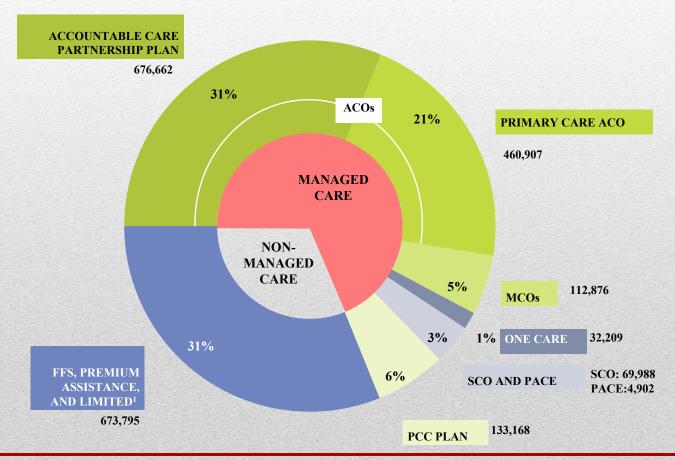


Reflects individuals enrolled in MassHealth as of June 30, 2018. For consistency throughout the slide deck, example incomes are given for FY 2020.

<sup>2 86%</sup> FPL reflects an income eligibility limit that applied to certain MassHealth eligibility categories prior to expansions that have occurred over time. Most enrollees continue to have incomes below this level.

#### Managed Care

69% of MassHealth members are were enrolled in Managed care, more than half in ACOs (SFY 22)





#### **How Medicaid Operates**

- States operate within framework under federal law, subject to federal approval
- Eligibility: mandatory & optional groups
- ➤ Benefits: mandatory & optional services
- Flexibility for states: delivery systems, rates, amount, duration & scope of covered benefits, premiums & cost sharing, etc.
- Federal approval: State plan and waivers approved by CMS
- Federal reimbursement: 50% FMAP in MA



#### Medicaid Laws: Federal

- >Statute: 42 USC § 1396 et seq.
- Regulations: 42 CFR Part 430 et seq.
- Federal agency: Centers for Medicare and Medicaid Services (CMS)
- Federal website: www.Medicaid.gov

#### Medicaid Laws: State

- >Statute: MGL. c. 118E
- Regulations: 130 CMR § 501-610
- State agency: Executive Office Health and Human Services (EOHHS)
- Daily Administration: Office of Medicaid
- Long-term services and supports: Dept. of Elder Affairs and Office of Medicaid
- Website: www.mass.gov/MassHealth



#### Waivers: § 1115 & HCBS

- >42 USC § 1315 (§ 1115 of Soc. Sec. Act)
- > Secretary of HHS can authorize:
  - Fed. reimburse. beyond Medicaid options
  - Waiver of Medicaid statutory provisions
- MassHealth Waiver: Program has operated under 1115 demonstration for most of under 65 population since 1997
- Also, home and community-based services (HCBS) waivers for LTC



#### Counting income: MAGI

- "Modified Adjusted Gross Income"
- > Applies to almost everyone *except*:
  - MassHealth-eligible seniors based on age
  - People eligible for MassHealth based on need for long term care (LTC)
  - People for whom MassHealth does <u>not</u> make an income decision e.g. SSI, TAFDC & EAEDC recipients, kids in DCF custody, etc.



#### MAGI (continued)

- >Uses IRS tax rules for:
  - Household composition (with exceptions)
  - What income counts (with exceptions)
- MAGI income disregard: 5% of family FPL, i.e. 138% instead of 133%
- Lots more MAGI information in online materials

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#### MassHealth Programs

- ➤ MassHealth Standard
  - Comprehensive benefit package
  - Preventive care, outpatient medical services, nursing home and PCA services, prescription drugs, hospitalization.
- ➤ MassHealth Common Health
  - Same as Standard; only for disabled people
- MassHealth Family Assistance
  - Rich, comprehensive benefits incl. 6 mo SNF, but *does not cover*:
    - o Most LTSS, e.g. personal care attendant services, but new pathway!
    - Non-emergency medical transportation (NEMT)
- ➤ MassHealth Care Plus
  - Childless, low-income, able-bodied adults age 21-64
  - Same as Family Assistance (but covers NEMT)
- ➤ <u>MassHealth Limited</u> Emergency services ONLY



#### MassHealth Standard

- >"Categorical" eligibility
- Low-income kids: 150% FPL
- Young adults age 19-20: 150% FPL
- Parents of minor children: 133% FPL
- Pregnant people and infants: 200% FPL
  - Now 12 months of postpartum coverage!
- ► Breast/cervical cancer: 250% FPL
- ► HIV+ adults: 133% FPL
- Elder adults (65+): 100% FPL + asset test



#### MassHealth CommonHealth

- Eligibility:
  - People with disabilities + higher incomes
  - No Upper Income Limit
- > Premiums for people earning > 150% FPL
- ➤ One-time deductible for working disabled
  - Eliminated for under age 65 yay!
- > Working disabled adults program
  - Members aged 65+ working 40hrs/mo.
  - 65+ in CommonHealth 10+ yrs: can remain without working begins by July 2023



#### MassHealth CarePlus

- >ACA "expansion program" for
  - Non-elderly, childless adults
- Eligibility:
  - Ineligible for MassHealth Standard
  - Adults 21-64 with income <133% FPL
  - Not on Medicare
- > Does NOT cover long-term care, but:
  - "Medically Frail" or disabled/CommonHealth

#### MH Family Assistance

- ➤ Children: 150-300% FPL
  - Direct Coverage if uninsured
  - <u>Premiums</u>: begin at \$12 per child, \$36 maximum for 3 or more children, waived if parents pay premium in ConnectorCare
- >Adults:
  - HIV+ Adults: 133% 200% FPL
  - PRUCOL immigrants: up to 300% FPL
  - Disabled "lawfully present" imms: 100% FPL
  - Certain EAEDC recipients
- ➤ <u>Premiums</u>: sliding scale above 150% FPL



#### MassHealth Limited

- >MA version of federal Emergency Medicaid
- Coverage: Emergency services for acute medical issues or prevention of a serious health problem
- Eligibility:
  - People ineligible for Standard or Care Plus
  - Mostly undocumented people <u>and</u> *lawfully present immigrants* who qualify for Connector Care
  - Adults: < 138% FPL
  - Kids 1-20: < 150% FPL
  - Infants <1: < 200% FPL



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### Children's Medical Security Plan (CMSP)

- ► <u>Background</u>: Created by statute in the 1990s
  - Inspiration for CHIP (esp. tobacco tax)
- ➤ <u>Coverage</u>: Primary and preventive services
  - <u>Limitations</u>: Caps on Rx (\$200/yr), DME, dental (\$750), and mental health visits (20)
- Eligibility: Uninsured children ages 0-18 (i.e. ineligible for MassHealth);
  - Mostly undocumented and higher-income kids
- Not "insurance" for federal tax purposes



#### Health Safety Net (HSN)

- ➤ <u>Background</u>: "Uncompensated Care Pool" created in 1985; became the "HSN" in 2006
- Coverage: Pays for care delivered at acute care hospitals and Community Health Centers
  - Wraps private insurance as secondary coverage;
  - Pays deductibles and co-insurance
- Limitations: Not insurance
  - Doctors NOT covered, with limited exceptions
  - Does not pay for private insurance copayments
- ➤ Medical Hardship program



#### **HCBS** Waiver Programs

- ➤ Home and Community-Based Services ("HCBS") Waiver programs:
  - For people who "would be institutionalized"
  - Higher income limits; asset rules same as LTC rules
- **Programs** 
  - Frail Elder Waiver
  - Money Follows the Person (Moving Forward Prog.)
  - Traumatic Brain Injury, Acquired Brain Injury waivers
  - HCBS Waivers for ppl with Intellectual Disabilities
- > Related programs:
  - ► Kaileigh Mulligan (disabled kids age <18)
  - ➤ Program of All-Inclusive Care for the Elderly (PACE)



#### Immigrants & COVID-19

- All types of MassHealth cover testing and treatment of COVID-19
- This includes MassHealth Limited
- ➤ <u>No</u> cost-sharing for COVID-related care for MassHealth members

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### Immigration/citizenship statuses for health benefits

- Citizen (naturalized)
- Lawfully Present
  - "Qualified" Lawfully Present
  - "Qualified Barred" Lawfully Present
  - "Non-Qualified" Lawfully Present
- ➤ PRUCOL ("Person Residing Under Color of Law")
- **Undocumented**



#### Immigrant eligibility

- ➤ Qualified <u>lawfully present</u>
  - Coverage like citizens based on income
- Nonqualified/barred lawfully present
  - Adult: < 300% FPL = Connector Care
  - 0-20: < 150% FPL = MH Standard
- > PRUCOL
  - Kids/Adults <300% FPL: MH Fam Asst



## Immigrants' Eligibility for Public Benefits MCLE Training

April 5, 2023

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Lawyers Fighting for Health Care Justice



#### Questions?

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