

## **An Open Enrollment Primer for Non-Health Lawyers in Massachusetts or**

### **What's Going On with MassHealth?**

**Nov. 15, 2014**

Massachusetts offers three large health coverage programs for low and moderate income people: MassHealth, Commonwealth Care and the Health Safety Net. All three changed in significant ways in 2014 and will change again in 2015. Over 400,000 people who now have some form of coverage in these programs must take action by deadlines in 2015 to retain coverage in 2015.

#### **What can I do to help affected clients?**

First, remind your clients to supply MassHealth and the Connector with a current address. If a client received a notice regarding their benefits, you can help them understand what they need to do and what deadlines apply. If a client needs to reapply, you can refer them to in-person assisters who can help them to complete an application and to take any further steps needed to enroll like selecting a plan and paying any premium due. Finally, you can alert us at MLRI to any barriers to reapplication that you learn about from your clients. MLRI will not be directly helping people to apply but we are very interested in monitoring the application process and we will be meeting regularly with MassHealth and Connector staff throughout open enrollment to try to ease the transition for our clients.

**Background.** MassHealth is the state Medicaid and Children's Health Insurance program for low income adults and low and moderate income children. Commonwealth Care is a related program created in 2006 for low and moderate income adults who did not qualify for Medicaid and was administered through the Commonwealth Health Insurance Connector Authority. The Health Safety Net reimburses hospitals and health centers for services primarily to people who do not qualify for either MassHealth or Commonwealth Care including undocumented non-citizens who do not qualify based on their immigration status. All three programs count income in similar ways and use a common application form and the same computer system to determine eligibility.

In 2014 major provisions of the Affordable Care Act (federal health reform aka "ObamaCare") took effect. Under the ACA, more low income adults under 65 qualify for MassHealth and low and moderate income people not eligible for MassHealth or other coverage qualify for a new program of low cost insurance primarily subsidized through federal premium tax credits and administered in Massachusetts by the Connector Authority. The ACA also changed the rules for counting income and required more sophisticated data matching to verify income, US citizenship or eligible immigration status and other eligibility factors.

Massachusetts decided to expand MassHealth as permitted by the ACA, to replace Commonwealth Care with the new federal program with added state subsidies to make it more affordable, to use the same ACA income-counting rules to determine financial eligibility for the Health Safety Net and to build a new computer system to determine eligibility for all three programs under the new rules in 2014.

### **What happened in 2014?**

Basically, the new computer system failed. MassHealth was able to successfully transfer people in Commonwealth Care or the Health Safety Net who in 2014 qualified for MassHealth into MassHealth without relying on the failed computer system. About half the people in Commonwealth Care moved into MassHealth on January 1, 2014. However, the new computer system could not successfully make an eligibility decision for the remaining people in Commonwealth Care who had to reapply. Over the course of 2014, more and more people applied for coverage in the new system and could not get an eligibility determination. The state postponed the end date of Commonwealth Care and offered new applicants who attested to being US citizens or eligible immigrants “temporary” MassHealth-like coverage while it tried to fix the computer system. People got notices of a series of short-term extensions of Commonwealth Care and temporary MassHealth. Later in the year temporary Health Safety Net and MassHealth Limited (emergency Medicaid) coverage was also provided to applicants who did not attest to an eligible immigration status. Finally, in the spring of 2014, the state gave up on the computer system, fired the vendor and started work with a new vendor on a different computer system. The new system is schedule to “go live” on November 15, 2014.

It is important to note that people eligible for MassHealth based on being age 65 or older or needing long term nursing home care remain in the old pre-ACA system and are *not* affected by these changes. There are also about 1.2 million people under 65 who were already enrolled in MassHealth in 2013 or who successfully moved into MassHealth on Jan. 1, 2014 and some who successfully made it into MassHealth during 2014 whose coverage is not expiring and who do not have to reapply by a deadline. These individuals are enrolled in MassHealth Standard, CarePlus, Family Assistance or CommonHealth. They have a MassHealth card. Most under age 65 who do not have a second kind of insurance are enrolled in Managed Care Organizations. If in doubt, they can call MassHealth and ask if they need to reapply.

### **What’s going on now during the open enrollment period?**

Open enrollment around the country is November 15, 2014 to February 15, 2015. Nationally, it is a time for people who need to buy insurance on their own for 2015, not through an employer or group, to do so, and a time for people with this kind of individual insurance in 2014 to renew their coverage or change their plans for 2015. This is true in Massachusetts too. However, in Massachusetts, open enrollment is also the time for the 90,000 people who still have Commonwealth Care and the 300,000 people who now have temporary MassHealth or Health Safety Net to REAPPLY for coverage in 2015. If these 400,000 people do not reapply by the applicable deadlines, and, if eligible, take any further steps needed to enroll, they will lose coverage.

All Commonwealth Care members and people with temporary coverage will be mailed a 60-day advance notice telling them that the date coverage is ending, that they need to reapply, where to get help reapplying and other information. Those who originally applied by paper (rather than on-line) will be mailed a new paper application form. They will also be getting “robocalls,” live agent calls, and a reminder notice to reapply. When they use health services and the medical office checks their eligibility,

they will see a message that the person's coverage is ending and the person needs to reapply after Nov. 15, 2014. (This does not mean that coverage ends on November 15, 2014!) In-person assistance applying is available from one of 13 Navigator organizations and from over 1200 Certified Application Counselors around the state. In addition, there will be enrollment fairs around the state and a public relations campaign designed to inform the community about open enrollment.

**Commonwealth Care.** There has been no new enrollment in Commonwealth Care since Dec. 01, 2013, today there are about 90,000 people still enrolled. Everyone in Commonwealth Care is enrolled with a Managed Care Organization and has a card from the Managed Care Plan. Commonwealth Care is ending Jan. 31, 2015. The 60-day advance notice was mailed in early November. In order to enroll in new coverage through the Connector by February 1, 2015, applicants must apply, be determined eligible, select a plan, and pay any premium due by January 23, 2015.

**Temporary Coverage.** Most people under 65 who applied for MassHealth or help paying for insurance starting in January 1, 2014 through mid-November 2014 received temporary coverage instead. About 300,000 adults and children now have temporary MassHealth or Health Safety Net. Those in temporary MassHealth do not have a MassHealth card and are not enrolled in a Managed Care Organization. They will be getting 60-day advance notices in three waves based on their original date of application:

- Wave 1. A November 15, 2014 notice with a purple banner will tell people their temporary coverage is ending January 15, 2015.
- Wave 2. A December 1, 2014 notice with a blue banner will tell people their temporary coverage is ending Jan. 31, 2015
- Wave 3. A December 15, 2014 notice with a green banner will tell people their temporary coverage is ending Feb. 15, 2015

Those people who reapply and qualify for coverage through the Connector, will also have to select a managed care plan and pay any premium due by January 15, January 23 or February 15 respectively to avoid a gap in coverage. New coverage in the Connector begins on the first of the following month. Those people who reapply and qualify for MassHealth will get coverage right away.

### **How to apply and help applying**

People who need to reapply can do so on-line starting November 15, 2014 at [MAhealthconnector.org](http://MAhealthconnector.org). They will need an email address and will have to create an account. If the system works as intended, they could get a same day eligibility determination on-line. Those who qualify for coverage through the Connector should also be able to select a managed care plan, and pay the first month's premium on-line from their bank account. In-person assisters can help them apply on-line.

People can also apply by telephone by calling either MassHealth or the Connector's Customer Service line. An applicant will not need an email address to apply by telephone.

Finally, people can submit a paper application. There is a new paper application called an ACA-3 (Oct. 2014) posted on both the MassHealth and Connector websites. In-person assister can also help with the paper application.

MassHealth and the Connector customer service telephone lines will have extended hours during open enrollment. In-person assistance is also available from a wide range of community-based organizations, hospitals and health centers throughout the state.

The on-line application is only in English. The mailed notices and paper application are in English and Spanish. Notices will include a tag line in 9 languages with the Customer Service number. The Customer Service Centers have some bilingual staff and access to interpreters through a language line service. Translations of the 60 day notice packet in 9 other languages will be posted on the MassHealth and Connector websites. The Navigators and Certified Application Counselors also have a range of language capacity.

### **Important Telephone Numbers and Websites**

MassHealth Customer Service: 800-841-2900, M-F 8am to 5 pm; website: [mass.gov/masshealth](http://mass.gov/masshealth)

Health Connector Customer Service: 877-623-6765, M-F 7am to 7pm, Sat. 9am to 3pm; website [MAhealthconnector.org](http://MAhealthconnector.org)

Navigators and Certified Application Counselors: “Help Center” tab on [MAhealthconnector.org](http://MAhealthconnector.org)

Massachusetts Law Reform Institute

Vicky Pulos, [vpulos@mlri.org](mailto:vpulos@mlri.org) &

Neil Cronin, [ncronin@mlri.org](mailto:ncronin@mlri.org)