



## **MEPD and Texas Works Bulletin 20-30**

**Date:** December 22, 2020

**To:** Eligibility Services Supervisors and Staff  
Program Managers  
Regional Directors  
Regional Attorneys  
Hearings Officers

**From:** Access and Eligibility Services Program Policy  
State Office 2115

**Subject:** **COVID-19 Policy Updates #20**  
Update: Processing Transfers for Medicaid Programs

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The information in this bulletin provides temporary guidance regarding policies and procedures for processing case actions during the novel coronavirus (COVID-19) outbreak. Staff will be notified when the COVID-19 policy and clarifications should no longer be used for processing case actions and determining eligibility. If you have any questions regarding the policy information in this bulletin, follow regional procedures.

Active bulletins are posted on the following websites:

- [Medicaid for the Elderly and People with Disabilities Handbook \(MEPDH\)](https://hhs.texas.gov/laws-regulations/handbooks/mepd/policy-bulletins) at <https://hhs.texas.gov/laws-regulations/handbooks/mepd/policy-bulletins>;
- [Texas Works Handbook \(TWH\)](http://hhs.texas.gov/laws-regulations/handbooks/texas-works-handbook/texas-works-bulletins) at <http://hhs.texas.gov/laws-regulations/handbooks/texas-works-handbook/texas-works-bulletins>.

## COVID-19 Policy Updates #20

### Background

On March 13, 2020, Governor Greg Abbott declared a state of disaster for all counties in Texas due to the novel coronavirus (COVID-19) outbreak. On the same date, President Donald J. Trump declared a national emergency. Guidance from state and federal leaders emphasize the need for social distancing and limiting contact with others during this time. In light of this guidance, HHSC is providing the following policy clarifications and temporary changes to eligibility policies to accommodate processing of case actions during this emergency period.

### Update: Processing Transfers for Medicaid Programs

#### Current COVID-19 Policy

##### Medical Programs

H.R. 6201 (Families First Coronavirus Response Act), requires states to maintain Medicaid coverage for most people active or certified for Medicaid as of or after March 18, 2020 until the end of the month the public health emergency period ends.

Medicaid recipients must remain on their existing Medicaid type of assistance (TOA) regardless of any changes in circumstances, such as aging out, loss of Supplemental Security Income (SSI) cash payments or the end of their pregnancy.

Recipients may be transferred to another Medicaid TOA when a change in circumstances is reported only if the new TOA has the same or better coverage. (MEPD and Texas Works Bulletin 20-13: COVID-19 Policy Updates #8, 1. Update: Processing Case Actions for Medicaid Programs, released on May 12, 2020; MEPD and Texas Works Bulletin 20-15: COVID-19 Policy Updates #10, 1. Update: Processing Case Actions for Medicaid Programs, released on June 5, 2020)

At the beginning of the public health emergency, TIERS functionality was updated to ensure that recipients are not transferred to a Medicaid program that was lower in the TIERS health care hierarchy. (TWH A-132.1 Medical Programs Hierarchy) This functionality prevents some recipients from transitioning to the appropriate TOA when their circumstances change.

#### New COVID-19 Policy

##### Medical Programs

The Centers for Medicare and Medicaid Services (CMS) issued new final rules which provided revised interpretation of H.R. 6201. Medicaid recipients can be transferred

to another TOA when a change in circumstances occurs, if they meet the eligibility criteria for the new Medicaid TOA and will continue to receive the same level of benefits. CMS has clarified that all Medicaid programs that are considered Minimum Essential Coverage (MEC) provide the same level of benefits. All Medicaid TOAs in Texas, except for Healthy Texas Women (HTW) and Community Attendant Services (CAS), provide MEC.

**Note:** As a reminder, current Medicaid recipients cannot be transferred to CHIP during the public health emergency period either. CHIP is not considered a Medicaid program under the requirements for H.R. 6201.

If the recipient is determined ineligible for a new Medicaid TOA or does not provide enough information to make an eligibility determination when processing a change or renewal, the recipient must remain on their existing Medicaid TOA until the end of the public health emergency period.

To ensure recipients are enrolled in the appropriate eligibility category, TIERS functionality has been modified to allow program transfers when the new Medicaid TOA provides the same level of benefits as the recipient's original TOA. Staff must continue to follow all other current policies and procedures when processing transfers at a change or renewal.

**Note:** TIERS functionality will not allow a recipient to be transferred from a Medicaid TOA to any of the following during the public health emergency period:

- HTW; and
- CAS.

### **Automation**

Changes to TIERS were implemented with TIERS Release 108.1.1.0 on December 18, 2020.

### **Correspondence**

Correspondence changes are not required.

### **Handbook**

Handbook updates are not required.

### **Training**

Training is not required.

**Effective Date**

This policy is effective with the release of this bulletin. Staff will be notified when the COVID-19 policy and clarifications no longer apply.