



MEPD and TW Bulletin 21-12

Date: July 1, 2021

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: **1. COVID-19 Update: Additional Emergency Allotment Supplement**
2. COVID-19 Update: Processing Medicaid Applications for Children Previously in the Conservatorship of the Department of Family and Protective Services (DFPS)
3. Transfer of Assets Divisor

The information in this bulletin will be included in a future handbook revision. Until the handbook is updated, staff must use the information in this bulletin. 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>.

1. COVID-19 Update: Additional Emergency Allotment Supplement

Background

On January 27, 2020, the Secretary of the U.S. Department of Health and Human Services declared that a public health emergency exists nationwide due to the novel coronavirus (COVID-19) outbreak. Additionally, on March 13, 2020, Governor Greg Abbott also declared a state of disaster for all counties in Texas due to the COVID-19 outbreak. HHSC is providing the following temporary guidance regarding policies and procedures for processing case actions during the COVID-19 public health emergency.

COVID-19 Policy

[Supplemental Nutrition Assistance Program \(SNAP\)](#)

HHSC has been granted approval from the Food and Nutrition Service (FNS) to issue July 2021 EA supplements to participating SNAP households. Households who are approved for SNAP in July 2021 will automatically be issued supplements that will bring the household up to the maximum monthly allotment for the household's size. All SNAP households will receive a minimum of \$95 in EA supplements.

All EA supplements will be automatically issued on the SNAP household's existing EBT card. SNAP households do not need to take any action to receive EA supplements.

HHSC will issue EA supplements for July, on a randomized staggered schedule starting July 5, 2021. The expected completion of July EA supplement issuance for active SNAP households is July 9, 2021. Households who are determined eligible for SNAP after July 9, 2021, will be issued their supplement within approximately 60 days from disposition. Staff should call in a ticket when the SNAP household reports not receiving the supplement by that timeframe.

TIERS will add the following case comment "COVID-19 SNAP supplements issued" for a case where the EA supplement was issued. HHSC will not be sending a notice to households regarding the EA supplement.

Additionally, during the pandemic, Quality Control and other case reading reviews will continue to ensure accuracy. Although SNAP households will receive a minimum of \$95 in EA supplements, staff must still ensure regular monthly benefits are calculated correctly when processing any case actions.

Automation

July EA supplements for active SNAP households are expected to be issued between July 5, 2021, and July 9, 2021. Households who are determined eligible for SNAP

after July 9, 2021 will be issued their July EA supplement within approximately 60 days from disposition.

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.

2. COVID-19 Update: Processing Medicaid Applications for Children Previously in the Conservatorship of DFPS

COVID-19 Policy

[Adoption Assistance Medicaid, Foster Care Medicaid, Permanency Care Assistance Medicaid and Texas Works Medicaid](#)

Guidance previously issued in [MEPD and TW Bulletin 20-10, COVID-19 Policy Updates #7 \(Item #2\), released on April 27, 2020](#), provided staff with policy and procedures on how to process Medicaid applications during the public health emergency period for children previously in the conservatorship of DFPS who were certified for Foster Care Medicaid. This bulletin updates that guidance to include the Adoption Assistance and Permanency Care Assistance Medicaid programs.

HR 6201 (Families First Coronavirus Response Act), requires states to maintain Medicaid coverage until the end of the public health emergency period, for most people active or certified for Medicaid as of or after March 18, 2020. As of March 18, 2020, Medicaid cannot be denied unless the person:

- voluntarily withdraws;
- dies; or
- moves out of state.

Recipients can be transferred to another type of assistance when a change occurs, if the new type of assistance has the same or better coverage as the original Medicaid type of assistance. Otherwise, the recipient must remain on the existing Medicaid type of assistance until the end of the public health emergency period.

Children in the conservatorship of DFPS receive either Adoption Assistance, Foster Care, or Permanency Care Assistance Medicaid. During the COVID-19 public health emergency, these children will continue to receive Adoption Assistance, Foster Care, or Permanency Care Assistance Medicaid after they have left the conservatorship of DFPS if they do not qualify for another Medicaid program.

Staff Procedures

If a household requests Medicaid for a child who currently receives Adoption Assistance, Foster Care, or Permanency Care Assistance Medicaid, process the application and determine if the child meets all the eligibility criteria for Children's Medicaid.

Note: Do not make any changes to the DFPS Medicaid case. If a child previously in the conservatorship of DFPS is not included on an existing HHSC case, create a new case to process the Medicaid request.

To be eligible for Children's Medicaid a child must:

- be under age 19;
- be a U.S. citizen or have a qualifying immigration status;
- have household income at or below the income threshold for the type of assistance;
- be a Texas resident; and
- meet all other eligibility requirements for Medicaid.

If the child is eligible for Children's Medicaid, open a ticket with the Help Desk to process a PSR to deny the child's Adoption Assistance, Foster Care, or Permanency Care Assistance Medicaid and certify the child for Children's Medicaid. It is critical to ensure the child is eligible for Children's Medicaid before opening a ticket to deny the Adoption Assistance, Foster Care, or Permanency Care Assistance Medicaid.

At disposition, if the child is not eligible for Children's Medicaid, TIERS will correctly deny the application and maintain the child's enrollment in Adoption Assistance, Foster Care, or Permanency Care Assistance Medicaid. No further action is needed.

Automation

Automation changes are not required.

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.

3. Transfer of Assets Divisor

Background

Transfer of assets policy applies when a person residing in a Medicaid long term care facility or applying for a Home and Community-Based Services (HCBS) waiver program gives away or transfers ownership of assets within 60 months of applying for Medicaid.

If a transfer of assets is discovered, Medicaid payment for nursing facility care (and certain long-term care services) is withheld for a period of time, referred to as the penalty period. The length of the penalty period is determined by dividing the uncompensated value of the transferred asset by the transfer of assets divisor.

The transfer of assets divisor is the average private-pay rate for nursing facility care in Texas, which is updated every two years.

Current Policy

[MEPD](#)

The current transfer of assets divisor is \$213.71. ([MEPDH I-5100](#), Transfer of Assets Divisor)

New Policy

[MEPD](#)

Effective September 1, 2021, the new transfer of assets divisor is \$237.93.

Automation

Changes to TIERS are currently scheduled to be implemented with TIERS Release 110 on August 7, 2021.

Correspondence

Correspondence changes are not required.

Handbook

The MEPDH is currently scheduled to be updated in the September 2021 revision.

Updates to the TWH are not required.

Training

Training will be updated with the new transfer of assets divisor amount.

Effective Date

This policy is effective Sept. 1, 2021.