

PUBLIC NOTICE
Wisconsin Department of Health Services
Public Hearings Regarding BadgerCare Plus Demonstration Project Waiver for
Providing Medicaid Coverage for Certain Former Foster Care Youth

The State of Wisconsin reimburses providers for services provided to Medical Assistance recipients under the authority of Title XIX of the Social Security Act and Chapter 49 of the Wisconsin Statutes. This program, administered by the State's Department of Health Services (the Department), is called Medical Assistance (MA) or Medicaid. In addition, Wisconsin has expanded this program to create BadgerCare Plus program under the authority of Title XIX and Title XXI of the Social Security Act and Chapter 49 of the Wisconsin Statutes. Federal statutes and regulations require that a state plan be developed that provides the methods and standards for reimbursement of covered services. A plan that describes the reimbursement system for the services (methods and standards for reimbursement) is now in effect.

Section 1115 of the Social Security Act provides the federal Secretary of Health and Human Services broad authority to authorize Research & Demonstration Projects, which are experimental, pilot, or demonstration projects likely to assist in promoting the objectives of the Medicaid statute. Flexibility under § 1115 is sufficiently broad to allow states to test substantially new ideas of policy merit. Wisconsin intends to submit an application for a demonstration project waiver from the Centers for Medicare and Medicaid Services (CMS) under this federal authority. CMS is an agency within the U.S. Department of Health and Human Services (DHHS).

Background

The Affordable Care Act (ACA) created a new mandatory Medicaid coverage group under Section 1902(a)(10)(A)(i)(IX) for former foster care youth who were in foster care under the responsibility of the State or Tribe and receiving Medicaid at age 18 or older. Under this group, former foster care youth can obtain coverage until age 26 of age and are not subject to income limits. Under proposed regulations in accordance with the ACA at 42 CFR 435.150, The Centers for Medicare and Medicaid Services (CMS) allowed states the option to provide coverage to individuals who were now residents of the state but were in foster care and receiving Medicaid in another state on their 18th birthday. Wisconsin decided to elect the option that coverage for disadvantaged youth should include youths who were in foster care in other States and extend our existing coverage of out-of-state youths and cover those age 21 through age 25. On January 1, 2014, Wisconsin began providing coverage to former foster care youth under its Medicaid state plan.

On November 21, 2016, CMS published final regulations that no longer allowed states to cover youth who were in foster care and receiving Medicaid in another state under State Plan authority. However, in an information bulletin to states titled "Section 1115 Demonstration Opportunity to Allow Medicaid Coverage to Former Foster Care Youth Who Have Moved to a Different State," CMS provided the option to allow states to cover former foster care youth who were in foster care and receiving Medicaid in another state under Section 1115 Demonstration authority.

Wisconsin is already providing coverage for this category of former foster care youth. As it is no longer an option to provide coverage under the law, Wisconsin will seek to continue to provide this coverage to this population under Section 1115 Demonstration Authority. The Department of Health Services expects to submit the Section 1115 Demonstration application to CMS no later than May 21, 2017. There will be no gap in coverage for former foster care youth from a different state while the Section 1115 application is pending.

In accordance with federal law, Section 431.408 (a) (3) of 42 CFR, the Department must conduct at least two public hearings, on separate dates and at separate locations, regarding the State's demonstration application at which members of the public throughout the State have an opportunity to provide comments. These public hearings must be conducted at least 20 days prior to submitting an application for a new demonstration project or extension of an existing demonstration project to CMS for review.

The following two public hearings will be conducted:

Tuesday, April 18
10:00 a.m. to 12:00 noon
Gerald L. Ignace Indian Health Center
930 West Historic Mitchell Street
Community Room
Milwaukee, WI 53204

Friday, April 21
10:00 a.m. to 12:00 noon
Wisconsin Department of Health Services
One West Wilson Street
Room 630
Madison, WI 53703

For the Friday, April 21 hearing, attendees may also attend from remote locations via Skype. The telephone number to call to do so is (844) 561- 6590.

Accessibility

English

DHS is an equal opportunity employer and service provider. If you need accommodations because of a disability or need an interpreter or translator, or if you need this material in another language or in an alternate format, you may request assistance to participate by contacting Al Matano at (608)267-6848. You must make your request at least 7 days before the activity.

Spanish

DHS es una agencia que ofrece igualdad en las oportunidades de empleo y servicios. Si necesita algún tipo de acomodaciones debido a incapacidad o si necesita un interprete, traductor o esta información en su propio idioma o en un formato alterno, usted puede pedir asistencia para participar en los programas comunicándose con Al Matano al número (608)267-6848. Debe someter su petición por lo menos 7 días de antes de la actividad.

Hmong

DHS yog ib tus tswv hauj lwm thiab yog ib qhov chaw pab cuam uas muab vaj huam sib luag rau sawv daws. Yog koj xav tau kev pab vim muaj mob xiam oob qhab los yog xav tau ib tus neeg pab txhais lus los yog txhais ntaub ntawv, los yog koj xav tau cov ntaub ntawv no ua lwm hom lus los yog lwm hom ntawv, koj yuav tau thov kev pab uas yog hu rau Al Matano ntawm (608)267-6848. Koj yuav tsum thov qhov kev pab yam tsawg kawg 7 hnuv ua ntej qhov hauj lwm ntawd.

Copies Of Demonstration Project Waiver

Copies of Waiver Documents

A copy of waiver documents, including the waiver application once complete, may be obtained from the department at no charge by downloading the documents from <http://dhs.wisconsin.gov/badgercareplus/waivers.htm> or by contacting:

Regular Mail

Al Matano
Division of Medicaid Services
P.O. Box 309
Madison, WI 53707-0309

Phone

Al Matano
(608) 267-6848

FAX

(608) 267-3205

E-Mail

Alfred.Matano@dhs.wisconsin.gov

Written Comments

Written comments are welcome and will be accepted through May 2, 2017. Written comments on the progress of the waiver to date may be sent by FAX, e-mail, or regular mail to the Division of Medicaid Services. The FAX number is (608) 266-3205. The e-mail address is Alfred.Matano@dhs.wisconsin.gov. Comments can be made on the web site at:

<http://www.dhs.wisconsin.gov/badgercareplus/waivers.htm>

Regular mail can be sent to the above address.

Public comments will be considered to determine the final content of the application to be submitted to CMS. A summary of the comments received will be included in the Department's application to CMS, and will be available on the department's web site at the address listed above.

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