

CHANGE NOTICE FOR MANUAL NO. 06-23, MA-3410 CHANGE OF CIRCUMSTANCE, TERMINATIONS, AND REOPENING

DATE: March 2, 2023

Manual: Aged, Blind, and Disabled Medicaid

Change No: 06-23

To: County Directors of Social Services

I. BACKGROUND AND CONTENT OF CHANGE

This change notice provides updates to MA-3410, and retitled it from Terminations, Deletions, Ex-Parte to Change of Circumstance, Terminations, and Reopening.

Additionally, terminology and procedures have been updated throughout the policy section and sections have been reordered. A settlement reached in Franklin v. Kinsley, formerly Hawkins v. Cohen (5:17-CV-581 E.D.N.C.), a federal lawsuit filed in 2017 on behalf of Medicaid beneficiaries in North Carolina, and recent clarifications provided by the Centers for Medicare and Medicaid Services (CMS) have resulted in significant changes and updates of this policy.

Please review this change notice and MA-3410, Change of Circumstance, Terminations, and Reopening revisions carefully and in its entirety.

II. POLICY UPDATE

A. Policy Principles, Section I.

1. Subsection A. has been added as an introduction to this policy.
2. Subsection B. includes definitions of terms used throughout the policy.
3. Subsection C. provides updated guidance for reacting to reported changes of circumstance.
4. Subsection D. has been added to provide guidance for caseworkers who have telephone or in-person interactions with beneficiaries. Assistance with ePASS account creation and linking/delinking ePASS accounts.
5. Subsection E. has been added to provide Franklin v. Kinsley Settlement Agreement requirements for beneficiaries alleging disability.

B. When Medicaid Terminates – Change of Circumstance, Section II.

1. Subsections A. - C. provide updated guidance for caseworkers when the beneficiary is ineligible, transitional Medicaid, and when an ex-parte review is required.
2. Subsections D. and E. provide updated guidance for requesting information and using collateral contacts.
3. Subsection F. provides guidance for caseworkers when the beneficiary has returned mail and/or cannot be located. This section has policy that is required for the Franklin v. Kinsley Settlement Agreement and should be reviewed thoroughly.

C. Medicaid Continues – Change of Circumstance, Section III.

1. Subsections A. – C. provide guidance for the following:
 - Evaluate for all Programs
 - Refugee Medical Assistance
 - Medicaid Continues – No Program Change
2. Subsection D. provides instructions for caseworkers when the beneficiary becomes eligible for a different Medicaid program. Significant updates have been made to this section including guidance for requesting medical bills for a new deductible.
3. Subsection E. has been added to provide guidance for beneficiaries who are dually eligible for both Medicare and Medicaid.
4. Subsection F. has updated guidance regarding certification periods and changes of circumstance.

D. Exceptions to Continuing Medicaid, Section IV.

Section IV. has updated guidance for exceptions to evaluating for on-going Medicaid and reasons to terminate Medicaid.

E. Notification Requirements, Section V.

Section V. provides updated policy regarding timely and adequate notification.

F. Termination and Reopen, Section VI.

Section VI. provides new and updated policy regarding the termination and reopening procedures and requirements for Medicaid cases.

Of significant note, non-MAGI program policy is now updated to align with MAGI policy in regard to reopening a case terminated at recertification if the information needed is provided within 90 calendar days (non-MAGI previously allowed 10 calendar days for reopening).

III. EFFECTIVE DATE AND IMPLEMENTATION

This policy is effective April 1, 2023.

If you have any questions regarding information in this letter, please contact your [Operational Support Team Representative](#).

DocuSigned by:

Jay Ludlam

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Deputy Secretary, NC Medicaid