

DEPARTMENT OF WORKFORCE
DEVELOPMENT
Secretary Roberta Gassman
201 East Washington Avenue
P.O. Box 7946
Madison, WI 53707-7946
Telephone: (608) 266-7552
FAX: (608) 266-1784
www.dwd.state.wi.us



State of Wisconsin
Governor Jim Doyle

DEPARTMENT OF HEALTH AND
FAMILY SERVICES
Secretary Helene Nelson
1 West Wilson Street
P.O. Box 7850
Madison, WI 53707-7850
Telephone: (608) 266-9622
FAX: (608) 266-7882
www.dhfs.wisconsin.gov

TO: **Economic Support Supervisors
Economic Support Lead Workers
Training Staff
Child Care Coordinators
W-2 Agencies
Workforce Development Boards
Job Center Leads and Managers**

FROM: Amy Mendel-Clemens
Technical Assistance, Training & Education
Section
Bureau of Eligibility Management
Division of Health Care Financing

BEM/DWS OPERATIONS MEMO			
No:	05-51		
DATE:	12/09/2005		
FS	<input type="checkbox"/>	MA	<input checked="" type="checkbox"/>
CTS	<input type="checkbox"/>	CC	<input type="checkbox"/>
FSET	<input type="checkbox"/>	EA	<input type="checkbox"/>
JAL	<input type="checkbox"/>	JC	<input type="checkbox"/>
WIA	<input type="checkbox"/>	Other	<input type="checkbox"/>
		EP	<input type="checkbox"/> ★
SC <input type="checkbox"/>			
W-2 <input type="checkbox"/>			
CF <input type="checkbox"/>			
RAP <input type="checkbox"/>			
PRIORITY: HIGH			

SUBJECT: **BadgerCare Prenatal Program for Non-qualifying Aliens and Inmates**

CROSS REFERENCE: MEH, [3.2.3.2](#) Pregnancy Emergency Services, [3.1.9](#) Inmates
[5.7](#) BadgerCare

EFFECTIVE DATE: January 1, 2006

PURPOSE

This operations memo provides information on a new BadgerCare (BC) Prenatal Program for pregnant women who are not eligible for Medicaid solely because they are an inmate or a non-qualifying alien. This memo also announces changes to the eligibility certification process for Emergency Services Medicaid (EMA) for pregnant women. Finally, this memo provides interim processing instructions for certifying eligibility on the Medicaid Management Information System (MMIS).

BACKGROUND

The State's biennial budget bill (2005 Wisconsin Act 25) authorizes the Department of Health and Family Services (DHFS) to provide BC to certain pregnant women who are not eligible for MA because they are either an inmate of a public institution, or not a citizen or qualifying alien. The budget bill modified the BC program to provide new coverage allowed under the federal State Children's Health Insurance Program (SCHIP). We estimate 2,000 to 3,000 women per year will be eligible for this program. This change in state law is effective, January 1, 2006.

POLICY**BC PRENATAL PROGRAM**

Effective January 1, 2006, women with verified pregnancies who are not eligible for MA solely because they are either:

- Inmates of a public institution (MEH, [3.1.9](#)),
or
- Non-qualifying aliens (i.e. individuals who are not a U.S citizen [3.2.1](#) or a qualifying alien [3.2.2](#)), will be eligible for BC as long as they meet certain BC eligibility requirements.

BC Prenatal Program Eligibility

1. Pregnant women (or when applicable, their assistance groups), must meet the following BC eligibility requirements to qualify for the BC Prenatal Program:
 - a. The applicant's net budgetable income must not exceed 185% of the Federal Poverty Level (FPL). A recipient's income must not exceed 200% of the FPL.
 - b. Assistance groups with incomes in excess of 150% of the FPL must pay premiums.
 - c. All employed members of the BC assistance group must cooperate with employer wage and health insurance verifications. (EVF-E and EVF-H)
 - d. The applicant must not have access to an employer's health insurance benefit
 - e. The applicant must not have health insurance coverage
 - f. The applicant must provide verification of pregnancy
 - g. The applicant and program participant must provide other required verifications
2. BC eligibility for these women begins no sooner than the first of the month in which a completed application is received and the pregnancy is verified.

Example: An application for BC is received on January 20. The agency does not receive a verification of the pregnancy until February 5. BC is denied for January due to lack of pregnancy verification in that month. If the woman is otherwise eligible for BC, eligibility may begin on February 1.

3. BC Prenatal Program eligibility ends when the pregnancy ends. (Benefits will continue through the end of the month following timely notice requirements.)
4. Unlike regular BC, a pregnant woman qualifying for the BC Prenatal Program is not required to be a caretaker of a child.
5. Providing an SSN is not an eligibility requirement for either inmates or non-qualifying aliens applying for the BC Prenatal Program.
6. Cooperation with Child Support Enforcement is not an eligibility requirement for this program.
7. Unlike Healthy Start which locks in eligibility throughout the pregnancy, BC Prenatal Program eligibility may be terminated with timely notice for these pregnant women for failure to meet any of the BC eligibility requirements listed in Section 1 above.

BC Prenatal Program Policy for non-qualifying aliens:

- For aliens who are legally present in the United States, verify immigration status through normal SAVE procedures in order to determine eligibility for MA. If SAVE verifies the pregnant woman is a non-qualifying alien (i.e. ineligible for MA) proceed with determining eligibility for the BC Prenatal Program.
- For aliens who do not have legal immigration status, do not request SAVE verification and continue with the determination of eligibility for the BC Prenatal Program.
- For a non-qualifying alien receiving BC through the BC Prenatal Program, if her immigration status changes during the pregnancy, her eligibility for MA must be redetermined using the new status. If her new status makes her eligible for MA, she is no longer eligible for the BC Prenatal Program, with one exception. If she is only eligible for an MA deductible because her income is above 185% of the FPL AND her income is below 200% of the FPL, she remains eligible for the BC Prenatal Program.

BC Prenatal Program Policy for inmates:

- Inmates will always be considered to be residing in the county where the jail or prison facility is located.
- An inmate who is released from jail or prison must have her MA eligibility redetermined based on her new circumstances. Once released from an institution, she is no longer eligible for the BC Prenatal Program with one exception. If she is only eligible for an MA deductible because her income is above 185% of the FPL AND her income is below 200% of the FPL, she remains eligible for the BC Prenatal Program.

NOTE➤ CARES will redetermine Medicaid eligibility for a pregnant woman in the BC Prenatal Program who becomes a citizen or a qualifying alien, or who is released from prison or jail. Most of these women will be found eligible for Healthy Start. For these pregnant women with children whose FTG income is between 185% and 200% of the FPL, CARES will find the women eligible for regular BC.

For childless women in this income range, however, CARES will determine the women to be eligible for a Healthy Start deductible, these women should remain in the BC Prenatal Program. To continue their BC eligibility, change the living arrangement to <26 Inmate> and rerun eligibility. Using this code will also prevent the women from receiving the 60 day post-partum EMA coverage.

DETERMINING BC PRENATAL PROGRAM GROUP AND FISCAL TEST GROUP

1. If a pregnant woman is in a household where her spouse or her children are eligible or applying for BC, she is to be included in the BC Group with the other nonfinancially eligible members of her family. Include the number of verified fetuses when determining the BC FTG size. If the number is not verified, always count one fetus.
2. Pregnant inmates must always be considered to be living alone. If the inmate is married while incarcerated, consider her to be separated (ignore the spouse) when determining eligibility. The pregnant inmate's FTG size will always include herself and the number of fetuses she is carrying.

NOTE➤ Women in the Huber program who are eligible for AFDC MA ([MEH 5.4](#)) are not eligible for the BC Prenatal Program. (Remember, pregnant women, participating in the Huber program can only be found eligible for AFDC-MA not AFDC-related MA or HS).

- Pregnant non-qualifying aliens who have no other born children in the home will have their financial eligibility determined in the same way as pregnant women applying for Healthy Start. The BC FTG size will only include the woman, the fetuses and her spouse. If the pregnant immigrant is a minor living with her parent(s), the parent(s) will be included in the FTG.

BC Prenatal Program FTG Examples

Household	FTG Size	Participation Status		
Mom and fetus	2	EA		
Mom and fetus, boyfriend/alleged father	2	EA	XA	
Mom and fetus, spouse	3	EA	CA	
Mom and fetus, father, and child-in-common eligible for BC	4	EA	EA	EC
Minor Mom and fetus and Minor's parents (2)	4	EC	EA	EA

EMERGENCY SERVICES MEDICAID (EMA) FOR PREGNANT NON-QUALIFYING ALIENS

Currently, EMA for pregnant women begins no sooner than one calendar month before her due date.

Effective January 1, 2006: Non-qualifying aliens who lose eligibility for the BC Prenatal Program when their pregnancy ends, for any reason other than moving out of state, are eligible for EMA from the date they lose BC Prenatal Program eligibility.

Pregnant non-qualifying aliens who are not found eligible for the BC Prenatal Program should have EMA eligibility determined according to the instructions in MEH [3.2.3](#).

Example: A pregnant non-qualifying alien applies January 15, 2006. Her expected due date is May 10, 2006. She is denied BC Prenatal Program eligibility due to access to health insurance through her employer. To receive EMA, she must re-apply no earlier than April 10, 2006.

EMA eligibility continues through the end of the month following the 60th day after the pregnancy ends.

NOTE➤ An inmate who is a non-qualifying alien is never eligible for EMA.

OTHER POLICY CLARIFICATIONS

Babies born to women while they are eligible for the BC Prenatal Program are not eligible for Continuously Eligible Newborn (CEN) coverage.

There is no Presumptive Eligibility for the BC Prenatal Program. Eligibility for the BC Prenatal Program may only be determined by the IM agencies.

BENEFIT INFORMATION

Women determined eligible for the BC Prenatal Program will be issued a Forward Card, which can also be used to access emergency services under EMA after BC ends.

BC Prenatal Program and EMA recipients will not be enrolled in an HMO. Services will only be provided on a fee-for-service basis.

CARES WORKER WEB

Effective January 4, 2006, workers will be able to enter applications for the BC Prenatal Program into CARES Worker Web (CWW). However, the system will not determine BC Prenatal Program eligibility until January 23, 2006.

January 4, 2006 Changes

The following changes to CWW are scheduled to be made as of January 4, 2006.

1. A new living arrangement code of <26-Inmate> will be added to the living arrangement table.
2. A Pregnancy Verification Date field will be added to the Pregnancy page. The date entered in this field will set the beginning eligibility date for the BC Prenatal Program. To provide the correct eligibility begin date, it is important that workers check the Pregnancy Verification Date field and enter the date the verifications were received by the agency for these women. This date will not affect eligibility for any other category of MA.

NOTE➤ If a Pregnancy Verification Date is not entered on the Pregnancy page and both the pregnancy and the due date have been verified, CARES will automatically populate the Pregnancy Verification Date field with the date the worker entered the verification codes.

Workers may change the Pregnancy Verification Date entered by the system to record the actual date the verification was received.

Example: Mary at agency X receives an application January 15, 2006 and verification of pregnancy on January 30, 2006. On February 6th Mary enters verification information on the CWW Pregnancy page but forgets to enter the pregnancy verification date. When Mary navigates off the Pregnancy page, CWW will populate 02/06/2006 in the Pregnancy Verification Date field. If Mary runs eligibility February 6th, CARES will deny eligibility for January and begin eligibility February 1, 2006. This is incorrect. This woman should be eligible from January 1, 2006. Mary should go back to the Pregnancy page and enter the correct Pregnancy Verification Date.

NOTE➤When the Pregnancy Verification Date field is added to CWW on January 4, 2006, the system will automatically populate a Pregnancy Verification Date of January 1, 2006, for existing cases meeting the following criteria:

- A. Open as of January 1, 2006, or closed less than 30 days prior to January 1, and
- B. With current pregnancy information that has not been end dated, and
- C. Have the Pregnancy Verification and Due Date Verification fields containing valid verification codes for this current pregnancy.

January 23, 2006 Changes

The following changes to CARES are scheduled to be made as of January 23, 2006.

1. CARES will determine BC Prenatal Program eligibility for pregnant women who are ineligible for MA because:
 - A. They have a living arrangement code of <26-Inmate>, or
 - B. They do not meet citizenship requirements. (Individual failure reason 039)
2. The Pregnancy Verification Date will set the BC Prenatal Program eligibility begin date to the first of the month in which both pregnancy and due date are verified.
3. Once a woman's eligibility for the BC Prenatal Program has been confirmed by the worker, CARES will send MMIS a certification record for the woman with one of the new Med Stat Codes that have been created.
4. Unlike Healthy Start cases, CARES will automatically terminate BC eligibility for a pregnant woman based on her due date. If the due date is:
 - On or before the 15th day of the current month, then CARES will end the woman's BC eligibility effective the last day of the current month.
 - After the 15th day of the current month and eligibility is being determined after adverse action, then CARES will end the woman's BC eligibility effective the last day of the following month.

This termination will occur whenever a worker runs eligibility online. CARES will also automatically terminate the BC Prenatal Program in the adverse action batch process based on the same pregnancy due date logic.

5. A pregnant non-qualifying alien terminated from the BC Prenatal Program because her pregnancy ended or for any reason other than moving out of state, will be automatically found eligible for EMA. CARES will send a certification record to MMIS with an 'AE' Med

Stat Code starting with the day after the BC eligibility ends, and ending with the last day of the month following the 60th day after the end of the pregnancy. CARES will base the EMA certification end date on the Expected Due Date, unless the Pregnancy End Date has been entered into CWW. Workers will not have to do a manual certification for EMA eligibility for these women.

NOTE> CARES will display no EMA eligibility information. We plan to produce a new ACD report providing AE eligibility information for workers.

- Due to the short time frame to make the changes needed to CWW, the BC Prenatal Program will not be identified in CARES by a separate category of assistance or a participation status code. In some cases non-qualifying women may be part of a BC assistance group. (For example a household may include a child who is a citizen and eligible for BC along with his mother who is a non-qualifying alien.) CARES will identify BC AGs that include a woman eligible for the prenatal program with the following informational AG level reason code that will appear on AGECE: <568 - BC AG INCLUDES A WOMAN ELIGIBLE FOR BC PRENATAL PROGRAM>

CARES will identify the individual woman's eligibility for the BC Prenatal program on screen EBII, the BC Individual Budget Screen. A new field below Participation Status will identify the PRENATAL CARE TYPE as Inmate or Non-qualifying alien.

Change to EBII

EBII		BADGERCARE INDIVIDUAL INCOME BUDGET		01/23/06 08:01	
CASE: 1234567891		CAT: BC	SEQ: 01	WORKER: XCTG04	PWRS72 P KIERN
DETERMINATION DATE: 01 23 06		AG STATUS: OPEN		ELIGIBILITY STATUS: PASS	
PAYMENT BEGIN DATE: 02 01 06		PAYMENT END DATE: 02 28 06			
NAME		: IMA	D TEST	SSN: 123 45 6789	
PARTICIPATION STATUS: EA		ELIGIBLE ADULT			
PRENATAL INDICATOR: NON-QUALIFYING ALIEN					
EARNINGS			TOTAL INCOME		
SELF-EMPLOYMENT EARNINGS	:	.00	NET EARNED INCOME	:	1322.55
EMPLOYMENT EARNED INCOME	:	+ 1412.55	UNEARNED INCOME	:	+ .00
GROSS EARNED INCOME	:	= 1412.55	DEPENDENT ALLOCATION	:	- .00
WORK RELATED EXPENSES	:	- 90.00	CHILD SUPT/MAINTENANCE	:	- 344.00
DEPENDENT CARE DEDUCTION	:	- .00	COUNTABLE NET INCOME	:	= 978.55
NET EARNED INCOME	:	= 1322.55			

- Notices terminating eligibility for the prenatal program for non-qualifying aliens will include supplemental text describing their eligibility for EMA through the 60-day post partum period. No separate Notice of Decision will be issued at the time of termination of eligibility for EMA. Supplemental text describing the emergency services eligibility will serve as the positive and negative notice for the EMA. No manual negative notice for EMA for these women will need to be sent.

NOTE>Case closure/denial reason code language is still being developed and will be added to CWW. Agencies will be notified when this is completed.

- Pregnant women eligible for MA, who become incarcerated, should have their living arrangement changed to inmate and have eligibility determined for BC Prenatal Program.

INTERIM MANUAL PROCESSING

CARES will not be ready to determine BC Prenatal Program eligibility until January 23, 2006. Advocates and providers are aware of the new program and agencies should expect to receive applications for the BC Prenatal Program after January 1, 2006.

For most cases, DHFS recommends that local agencies begin processing applications when they are received but not confirm MA or BC eligibility results until after CARES is ready on January 23, 2006. Delaying confirmation until January 23rd will allow CARES to determine whether the applicant must pay a BC premium.

However, if your agency encounters situations that require immediate coverage before January 23, 2006 please follow the directions below. Situations that may require immediate coverage include:

- Due date prior to January 31.
 - Prenatal care appointment scheduled prior to January 31.
 - Doctor refuses to schedule appointment without a Forward Card
 - Pharmacist refuses to fill a prenatal-care related prescription with out a Forward Card
1. Enter the application into CARES.
 2. If the applicant is an inmate, code her as living in the home for her living arrangement.
 3. If verifications are needed to determine eligibility, send a manual verification request letter to the applicant. There is no need to continue processing the application until the applicant provides you with all the needed verifications. If verification of earnings and employer provided health insurance are needed, ask the applicant for acceptable alternative verifications, such as pay stubs.
 4. Once you have all the needed verifications, run eligibility on CARES and review the results. DO NOT CONFIRM MA or BC eligibility results.
 5. For non-citizens: When the only reason CARES denies Healthy Start or BC eligibility is 039 (Is neither a citizen nor a qualifying alien) she is eligible for the BC Prenatal Program.
 6. For inmates: If CARES determines she is eligible for Healthy Start, she is eligible for the BC Prenatal Program.
 7. If determined eligible, review the CARES budget screens and determine what percent of the federal poverty level (FPL) the AG's income is. If the income is greater than 150% of the FPL, the woman will owe a BC premium. Send the BC Premium Information form (HCF 10139) if appropriate.
 8. Collect the premium if applicable (See MEH [5.7.8](#)).
 9. Determine the BC Prenatal Program certification period based on the pregnancy due date as explained in the Policy section of this memo.
 10. Certify eligibility using HCF10110 (formerly known as the 3070) for the BC Prenatal Program using the Med Stat Codes listed below. If no SSN is provided, go to CARES screen MIMI using the woman's CARES PIN to get the Psuedo SSN, which is to be used as the woman's MA ID number. (See attachment 1 for example).
 11. Send the applicant a manual Positive Notice HCF 16015. (See attachment 2 for sample notice)
 12. For women with a due date on or before January 15, 2006 include the January 31st end date on the Positive Notice (HCF 16015). (See attachment 3 for sample notice) Women with due dates after January 15, 2006 will have their negative notices issued by CARES.

There will be four Med Stat Codes for Pregnant Non-Qualifying Aliens and four codes for Pregnant Inmates. These codes correspond to the four codes used for BC adults and are based on which income range they fall into. Use these codes even if the pregnant immigrant or inmate is under age18.

Group	Med Stat Code
Pregnant Non-Qualifying Alien Income	
less than or equal to 100% FPL	F1
greater than 100% and less than or equal to 150% FPL	F2
greater than 150% and less than or equal to 185% FPL	F3
greater than 185% and less than or equal to 200% FPL	F4
Pregnant Inmate Income	
less than or equal to 100% FPL	F5
greater than 100% and less than or equal to 150% FPL	F6
greater than 150% and less than or equal to 185% FPL	F7
greater than 185% and less than or equal to 200% FPL	F8

For your convenience, below is a list of the income amounts for group sizes of two and three that correspond to these poverty level percentages. For larger group sizes refer to MEH 8.1.6.

FPL Percentage	Group Size 2	Group Size 3
100%	\$1,069.17	\$1,340.83
150%	\$1,603.75	\$2,011.25
185%	\$1,977.96	\$2,480.54
200%	\$2,138.33	\$2,681.67

MMIS

EDS may not have the new Med Stat Codes ready in January. Agencies will be notified when this information becomes available. After the new codes are available, EDS will update MMIS to show the correct codes.

ATTACHMENTS

Attachment 1 – Sample Medicaid/BadgerCare Certification HCF10110 (DES-3070)
 Attachment 2 – Sample Positive Notice HCF 16015
 Attachment 3 – Sample Positive Notice HCF 16015 for a participant with a due date on or before January 15, 2006

CONTACTS

BEM CARES Information & Problem Resolution Center

★Program Categories – FS – FoodShare, MA – Medicaid, SC – Senior Care, CTS – Caretaker Supplement, CC – Child Care, W-2 – Wisconsin Works, FSET – Food Stamp Employment and Training, CF – Children First, EA – Emergency Assistance, JAL – Job Access Loan, JC – Job Center Programs, RAP – Refugee Assistance Program, WIA – Workforce Investment Act, Other EP – Other Employment Programs.
 DHFS/DHCF/BEM/JDL