

INCOME MAINTENANCE ADVISORY COMMITTEE (IMAC)

Thursday, January 20th, 2021

1:00 – 3:30 p.m.

Zoom: <https://dhs.wi.zoomgov.com/j/1619409056>

Minutes

Non-State Attendees:

| | | | |
|-----------------------|------------------|-------------------|--------------------------|
| Mia Anderson-Inman | Walworth County | Mark Nelson | Chippewa County |
| Roxann Binkowski | Waushara County | Jeana Neumaier | Sauk County |
| Mitch Birkey | Calumet County | Kimm Peters | Kenosha County |
| Deborah Bohlman | FDLCO | John Rathman | Outagamie County |
| Kate Chambers | Iowa County | Nicole Rolain | Marathon County |
| Dawn Coors | Oconto County | Patsy Rolo | Langlade County |
| Caroll Wautlet | Door County | Jessica Schultze | Jefferson County |
| Maria Delgado | Rock County | Tony Sis | Dane County |
| Katie Gonzalez Martin | Portage County | Carol Sjoblom | Columbia County |
| Lorie Graff | La Crosse County | Stacey Stewart | Washington County |
| Chelsey Groessl | Brown County | Rose Strege | Stockbridge Munsee Tribe |
| Darsell Johns | Ozaukee County | Nina Taylor | Kenosha County |
| Cheryl Kawlewski | Portage County | Alyson Wagoner | FC Potawatomi Community |
| Robert Klingforth | Waukesha County | Kris Weden | IM Central |
| Ann Kriegel | Winnebago County | Kathy Welke | Eau Claire County |
| Doreen Lang | Wood County | Debra Williquette | Manitowoc County |
| Annett Mooney | Marquette County | Amberlyn Yohn | Racine County |
| Charlie Morgan | LEGIS County | Rena Zegel | Washington County |
| Nikia Morton | Dane County | | |

State and Federal Attendees:

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|-----------------|-----|---------------------|-----|
| Autumn Arnold | DHS | Tabbie Mellenberger | DHS |
| LaTanya Baldwin | DHS | Wendy Metcalf | DHS |
| Tami Berg | DHS | Gigi Miller | DHS |
| Kristine Bovee | DHS | Christian Moran | DHS |
| Jonelle Brom | DHS | Jori Mundy | DHS |
| Lars Brown | DHS | Jody Noble | DHS |
| Candice Canales | DHS | Jeanie Ortiz | DHS |
| Rebecca David | DHS | Michael Poma | DHS |
| Kent Ellis | DCF | Stevey Poppe | DHS |
| Tonya Evans | DHS | Katie Sepnieski | DHS |

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|------------------|-----|-----------------------|----------------|
| Julia Eyers Getz | DHS | Kristina Smith | DHS |
| April Ferstl | DCF | Angela Stanford | DHS |
| Anthony Gehring | DHS | Hariharan Subramanian | DHS - Deloitte |
| Shauna Grossman | DHS | Carla Sumner | DCF |
| Nick Haught | DHS | Laurie Teubert | DHS |
| Barbara Honsa | DCF | Molly Thomas | DHS |
| Jane Kahl | DCF | Larissa Tomczak | DHS |
| Donna King | DHS | Jayne Wanless | DHS |
| Nick Kwaw | DHS | Pang Thao-Xiong | DHS |
| Becky Luebke | DHS | Nikhil Zaveri | DHS |

AGENDA

Administrative Updates (Katie Sepnieski & Doreen Lang)

- Report attendance by e-mailing to this mailbox DHSBEOTAdmin@dhs.wisconsin.gov
- Introduction of Lars Brown, new Deputy Director for BEEP

Approval of November 18th, 2021 Meeting Minutes (Katie Sepnieski)

- Motion to approve the minutes was made by Tony Sis, seconded Doreen Lang and approved by consensus.

Policy Updates/COVID-19 Policy updates (Autumn Arnold)

HealthCare Updates:

- The federal public health emergency declaration was renewed on Friday January 14, 2022. It was extended by another 90 days, which puts the new end date at April 16, 2022.
- If the PHE expires on April 16, 2022 terminations of eligibility for the manually extended iC-only population would occur as of May 31st, 2022.
- The first round of CARES renewals would be due at the end of June 2022. Renewals will be distributed as evenly as possible from June 2022 through May 2023.
- Suspension of premiums and MAPP work requirements is tied to the calendar quarter after the PHE ends. If April 16th, 2022 is the PHE end date, then July 1st, 2022 work requirements and premiums will be reintroduced.
- The Wisconsin Department of Health Services (DHS) is continuing to monitor the progress of the Build Back Better Bill (BBB). The BBB includes provisions that would no longer tie continuous coverage to the federal public health emergency declaration.

FoodShare Emergency allotments:

- Emergency Supplements continue to be approved and issued monthly. The benefit amount issued will bring the household up to the maximum for their household size OR \$95, whichever is more.
- Upcoming Emergency Allotment Dates

- **January 2022** benefits will be issued January 22nd, 2022, available for members on January 23rd, 2022.
 - The **January 2022 catch up run** is tentatively scheduled for March 12th, 2022 available for members on March 13th, 2022.
- **December 2021 catch up run** is scheduled for February 19th, 2022, available for members on February 20th, 2022.
- **February 2022** benefits will be issued on February 12th, 2022, available for members on Sunday February 13th, 2022.
 - **February 2022 catch up run** is tentatively scheduled for April 2nd, 2022, available for members on April 3rd, 2022.

Overpayment Claims Establishment Policy Changes

The Wisconsin Department of Health Services (DHS) updated some policies related to overpayment claims establishment for health care and FoodShare on December 1st, 2021.

Overview

There are three types of overpayments for FoodShare, based on the reason for the overpayment: agency error, client error, and intentional program violation (IPV).

For health care, there are two types of overpayments: recoverable and unrecoverable.

On December 1st, 2021, DHS made three changes to the overpayment policies:

- There is a minimum dollar amount for most overpayment claims.
- The date of discovery has been redefined.
- The look-back period for some overpayments have changed.

The new policies will not replace or affect any temporary policies in place during or related to the COVID-19 pandemic (such as no HC OPs for the PHE period). No other OP policies have changed.

There is a minimum dollar amount (known as a threshold) for overpayment claims

Before the policy changes on December 1st, 2021, in most cases a healthcare overpayment could be established no matter the amount that a member was overpaid. For FoodShare, if a member had an open case, a claim could be established for any amount and if the member did not have an open case, a claim could be established if it was over \$125.

On December 1st, 2021, policy changed so that in most cases, DHS will not create an overpayment claim if the amount overpaid for FoodShare or healthcare is less than \$500. If a claim is over \$500, the total amount of the claim will be established (ex: \$750 claim, member will be responsible for \$750)

There are some exceptions to the new minimum dollar amount. Claims will be created for overpayments of any amount, even if it's less than \$500, if the overpayment falls into one of the following categories:

- A FoodShare or health care overpayment is linked to a fraud conviction or there is a written acknowledgement of intentional program violation.
- A FoodShare overpayment was discovered through a State quality control review (this is different than agencies internal quality control reviews).
- DHS found an overpayment related to a member getting duplicate benefits.

- For FoodShare, duplicate benefits are defined as getting benefits for the same month in more than one state or more than one case (except for members living in a shelter for battered persons).
- For health care, duplicate benefits are defined as situations in which a member moved out of state, enrolled in another state's Medicaid program, and received services that were paid for by Wisconsin Medicaid more than two months after the move occurred.

Date of discovery has been redefined

Before the policy changes on December 1st, 2021, FoodShare defined the date of discovery as the date the agency became aware of a potential overpayment. Health care programs did not define the date of discovery.

On December 1st, 2021, FoodShare and health care programs changed policy to define the date of discovery as the date a worker creates an overpayment claim in the system and triggers a notice to the member.

The look-back period for overpayments has changed

The look-back period is the time period during which the agency can go back and identify overpayments and start a claim for any they find. The agency "looks back" from the date of discovery.

For FoodShare, the previous look-back period was 12 months (one year) for agency errors and 72 months (six years) for client errors and IPVs.

On December 1st, 2021, the look-back period for FoodShare was changed to 12 months (one year) from the date of discovery for agency and client errors.

This change will not apply to fraud, IPV, or duplicate benefit overpayment claims; for these situations the look-back period is six years.

For health care programs, there was previously no look-back time period defined, meaning an overpayment could be created at any time. With the new policy changes, DHS has established a look-back period for health care.

- The look-back period for health care overpayments based on fraud convictions, written acknowledgement that the member intentionally violated health care program rules to get more benefits, or a member getting duplicate benefits is 72 months (six years) from the date of discovery.
 - DHS also created a new form that will support written documentation of intentional program violation for health care.
- The look-back period for all other recoverable health care overpayments is 12 months (one year) from the date of discovery.

DHS created a new intentional program violation acknowledgement form for health care programs

For health care overpayments, intentional program violation means a fraud conviction or a member's written acknowledgement that they intentionally violated program rules.

To ensure fraud convictions was not the only way for an agency to establish that a member had intentionally violated program rules, DHS created a form that a member can sign if they acknowledge that they intentionally provided wrong information to get benefits that they shouldn't have.

The form is titled [Intentional Health Care Program Violation Acknowledgement form, F-02913](#) and it will be sent to health care members when DHS or the agency has evidence that a member intentionally made a false or misleading statement, or provided false information to get health care benefits when they did not meet the program requirements.

Members can sign this form to admit to intentionally violating the health care program rules. Members are not required to sign the form and should not sign the form if they disagree. If a member does not agree that they violated program rules or claim that any violation was not intentional, they should not sign the form.

Upcoming for Overpayments

- DHS originally submitted a request to not establish FoodShare Overpayments during the PHE period last summer. At that time DHS was told that additional guidance is forthcoming. FNS has since provided guidance strongly encouraging states to apply for a waiver to not establish SNAP Overpayments during the PHE period and to use flexibilities regarding existing claims established during the PHE. DHS submitted a waiver and is awaiting a response from FNS.
- DHS continues to review the over-payment related policies and is currently working on developing an enhanced policy/process related to compromising claims and establishing “total overpayments”.

PEBT Updates:

- School P-EBT Plan was approved by FNS
 - Submitted on November 22nd, 2021 and approved on December 2nd, 2021.
 - Pre-6 P-EBT Plans are not currently being accepted or approved by FNS at this time. When more guidance is provided by FNS, DHS will submit our Pre-6 Plan to them.
- Major Differences Between P-EBT Last Year and P-EBT This Year
 - DHS will be **asking schools to share individual student-level information** (rather than grade level). School administrators will report how many days in each month each eligible student should receive P-EBT.
 - A **student is eligible to receive P-EBT benefits on days that they are either learning virtually OR are designated by their school as absent for a COVID-related reason (whether or not the student participates in virtual learning during that absence)**.
 - A final main difference between last year’s program and this year’s surrounds when a student becomes eligible based on enrollment to receive free or reduced price meals. Last year, DHS had the flexibility to back-date P-EBT eligibility to the start of the 2020-2021 school year regardless of when during the school year the student became enrolled to receive free or reduced price meals. FNS is not allowing such flexibility this year. Therefore, this year, **students will not be eligible for any P-EBT benefits for any part of the school year before they become enrolled to receive free or reduced price meals.**
- Who is eligible?
 - A student is eligible for 2021-2022 School P-EBT benefits if he or she:
 - Attends a school that participates in the National School Lunch Program (and is not deemed a fully virtual academy by the Department of Public Instruction),
 - Is enrolled to receive free or reduced price meals, **and**

- Has learned virtually or has experienced COVID-related absences in the 2020-2021 school year are eligible for benefits.
 - Schools must meet certain criteria in order for their students to be eligible. These include participation in the National School Lunch Program, satisfaction of the 5-day threshold, and reporting of data to DHS through our Student Information Portal. Students are not eligible for P-EBT if their school is considered a fully virtual academy by the Department of Public Instruction.
 - What is the role of schools/school districts/School Food Authorities?
 - In order for DHS to issue the correct amount of benefits to eligible students across the state, one representative from each School Food Authority (SFA) was given access to the Student Information Portal. This Portal allows each SFA to tell us when their schools met the 5-day threshold, which students at their eligible schools are enrolled to receive free or reduced price meals, how many days in each month these students were P-EBT Eligible, and the parent/caretaker and address information for these students (if available).
 - The first deadline by which districts need to upload the requested information is February 18th, 2022.
 - DHS is offering 2 Portal Forums for district representatives to attend and get their questions answered:
 - January 20th, 2022 from 4-5:30pm
 - February 9th, 2022 from 8-9:30am
 - For each day between August 2021 and June 2022 that an eligible student (at an eligible school) was reported as learning virtually or absent for a COVID-related reason, they will be eligible to receive \$7.10.
 - When will benefits be issued?
 - Benefits will start being issued in early March 2022. The full 2021-2022 School P-EBT Issuance Schedule is as follows:
 - August, September, October – issued on March 5th, 2022
 - November, December – issued on April 9th, 2022
 - January, February – issued on May 14th, 2022
 - March, April – issued on June 18th, 2022
 - May, June – issued on July 23rd, 2022
 - What technical support is available to families, school staff, or advocacy agencies?
 - DHS will be managing a large P-EBT Support Team accessible via email or phone. There will also be a separate email inbox for school staff to reach out for support as well as targeted instructional materials and multiple open forum-style conversations between DHS and school staff.
 - Please direct P-EBT questions to the P-EBT Support Team
 - 1-833-431-2224
 - PEBTsupport@wisconsin.gov

CARES Release Updates (Christian Moran & Julia Eyers Getz)

- Project timelines update based on budget limits and resource constraints
- Presentation by Christian Moran & Julia Eyers Getz. See PowerPoint attachments for additional information.

- Pre-certification Review-Release April 23rd, 2022 & June 23rd, 2022
- Non-CARES Program Indicator-Release February 26, 2022
- MyACCESS Enhancement: HMO Contact Information-Release February 26th, 2022
- MyACCESS Enhancement: EBT Balance and Transaction History-Release February 26th, 2022

Subcommittee Updates

- IMOA subcommittee met on January 7th, 2022. John Rathman shared key discussion points from that meeting (see attachment). Next meeting is February 4th, 2022.
- Performance Monitoring Committee November 17, 2021. Ann Kriegel shared key discussion points from that meeting (see attachment). Next meeting is March 16th, 2022
- Call Center Operational/Technical subcommittee met on December 13th, 2021 and January 10th, 2022. Kris Weden shared key discussion points (see attachment). Next meeting was January 31st, 2022.

Regional Enrollment Network (John Rathman)

- Wisconsin enrolled more individuals than last year. There was discussion at the last meeting from insurance agents of people who were retiring early at age 55.
- Discussed COVID unwinding information at the last meeting. Many members participate in that group as well and individuals are very appreciative of this focused group.

Income Maintenance (IM) Funding and Contract Updates (Katie Sepnieski & Doreen Lang)

- Contracts are all signed and with Contract Central for posting. Currently Contract Central is experiencing a backlog in uploading and posting.

Consortia Feedback (Doreen Lang)

- Discussed the possibility with the HC renewals and the members in iChange to look at the 14,000 members that are also open for FoodShare. Can the number of cases versus the number of members be used? Are there specific steps/work-arounds staff would be required to do, so this can be reviewed and input can be provided?
- During January IMOA, there was a presentation about the Civil Rights plan and that DHS is putting together a plan and it will be posted. Will this be together with DCF or will it be a combined report? When will this be available?

Administrative Memos (Katie Sepnieski)

- The PII memo is continuing to be reviewed by legal.
- The FPIP memo is currently awaiting uploading and posting in Contract Central.

Gap Case Monthly Update

- GAP Case Numbers – See attachment “GAP Case Report” – November and December 2021.

Public Comments

- None.

Tentative Future Agenda Topics