

Section 1115 BadgerCare Waiver Extension

Public Hearing

September 21, 2022

September 28, 2022

September 30, 2022

Join the Public Hearing

September 21, 2022

10:00 a.m. – 12:00 p.m.

◆ Join Online:

- <https://dhswi.zoomgov.com/j/1604236001>

◆ Join by phone:

- 669-254-5252
- 646-828-7666
- 669-216-1590
- 551-285-1373
- Webinar ID: 160 423 6001

Join the Public Hearing

September 28, 2022

2:00 p.m. – 4:00 p.m.

◆ Join Online:

- <https://dhswi.zoomgov.com/j/1602656786>

◆ Join by phone:

- 669-254-5252
- 646-828-7666
- 669-216-1590
- 551-285-1373
- Webinar ID: 160 265 6786

Join the Public Hearing

September 30, 2022

10:00 a.m. – 12:00 p.m.

◆ Join Online:

- <https://dhswi.zoomgov.com/j/1603132788>

◆ Join by phone:

- 669-254-5252
- 646-828-7666
- 669-216-1590
- 551-285-1373
- Webinar ID: 160 313 2788



Presentation Outline

- Purpose of Hearing
- Extension Request
- Project Description
- Waiver Authorities
- Waiver Objectives
- Evaluation and Monitoring
- Implementation
- Budget Neutrality
- Timeline
- Providing Comments and Waiver Materials



Purpose of Hearing

- Thank you for your attendance today.
- The purpose of this hearing is to gather comments from the public on the proposed Section 1115 BadgerCare Waiver Extension.
- At the end of this presentation, you may ask questions and/or provide your comments.
- Please hold all comments until that time.

Special Considerations

- Due to the public health concerns related to the COVID-19 pandemic, the state will not be conducting in-person meetings for this waiver extension application.
- The Centers for Medicare and Medicaid Services (CMS) has discretion to exempt the state from completing any aspect of the public notice process. Reasons for exemption from these requirements include demonstration by the state to CMS of the existence of unforeseen circumstances, such as the COVID-19 public health emergency, that directly threaten human lives and warrant an exception to the normal public notice.
- The state will use two webinars instead of in-person hearings.

Extension Request

- As the approved “BadgerCare Reform” waiver is nearing the completion of its fourth demonstration year, Wisconsin looks to extend the current waiver demonstration in order to maintain coverage for childless adults and extend residential substance use disorder treatment benefits.
- DHS must obtain approval from CMS to extend the waiver.
- 2017 Wisconsin Act 370 requires DHS to submit an extension request that is the same as the current waiver unless legislative approval is granted to change it.
- Wisconsin is requesting to retain the current program operations; the state does not seek any new program changes in this extension.
- If approved by CMS, the new demonstration period goes from January 1, 2024, to December 31, 2028.

Demonstration Populations

Childless Adults (CLA)	Individuals with family incomes up to 100% FPL.
Transitional Medical Assistance (TMA)	Individuals with incomes over 100% FPL previously enrolled in BadgerCare Plus or Medicaid; a.k.a. members on extension.
Former Foster Care Youth from Another State	Individuals under age 26 who were in foster care in another state or tribe when they turned 18 and were enrolled in Medicaid while in foster care and are now applying for Medicaid in Wisconsin.
Residential Substance Use Disorder (RSUD) benefit	All Medicaid beneficiaries ages 21 through 64 access to additional SUD treatment services provided to individuals with SUD who are short-term residents in residential treatment facilities that meet the definition of an Institution for Mental Diseases (IMD).



Project Description

- The BadgerCare waiver primarily provides a robust benefit package, which includes most state plan benefits to nonpregnant, nondisabled, nonelderly childless adults with incomes of up to and including 100% of the federal poverty level (FPL).
- The waiver provides the same benefit package to transitional medical assistance (TMA) individuals and former foster care youth from another state.

Project Description (continued)

- In addition, the waiver also allows Wisconsin to implement additional components, per 2017 WI Act 370, that apply only to the nonmandatory childless adult (CLA) population, including:
 - ◆ Implementing premiums on childless adults with incomes greater than 50% up to and including 100% of the FPL.
 - ◆ Allowing termination and a period of non-eligibility as a childless adult for up to six months for childless adults who do not pay the required premium, with on-ramps to reactivate coverage during the non-eligibility period.

Project Description (continued)

- ◆ Allowing Wisconsin to vary premiums for childless adults based on the responses on a health risk assessment (HRA) and engagement in healthy behaviors or management of unhealthy behaviors.
- ◆ Charging childless adults an \$8 copayment for nonemergency use of the emergency department (ED), consistent with 42 CFR § 447.54(b).
- ◆ Requiring full completion of an HRA as a condition of eligibility, as a part of the application for childless adults, in order to identify healthy behaviors.

Project Description (continued)

- The waiver also includes a **substance use disorder (SUD) program** that expands the SUD benefits package to cover short-term residential services in facilities that qualify as institutions for mental diseases (IMDs) for all Medicaid enrollees.

Specific Waiver Authorities

- Wisconsin seeks waiver of the following requirements of the Social Security Act necessary to extend implementation of the BadgerCare 1115 Waiver.

Waiver	SSA Section	Reason
Cost-Sharing	Section 1902(a)(14) insofar as it incorporates 1916 and 1916A	To the extent necessary to enable Wisconsin to charge an \$8 monthly premium to the childless adult population with household income from 51 through 100% of the FPL.
Comparability	Section 1902(a)(17)/Section 1902(a)(10)(B)	To the extent necessary to enable Wisconsin to vary monthly premiums for the childless adult population based on health behaviors and health risk assessment completion.
Eligibility	Section 1902(a)(10)(A)	To the extent necessary to enable Wisconsin to require the childless adult population, as a condition of eligibility, to complete a health risk assessment.
Reasonable Promptness	Section 1902(a)(3) / Section 1902(a)(8)	To the extent necessary to enable Wisconsin to establish a restrictive re-enrollment period of six months for childless adults who are dis-enrolled for failure to pay premiums within the state-determined grace period.
Cost-Sharing for ED Use	Section 1916(f)	To the extent necessary to enable Wisconsin to establish an emergency department copay of \$8 for the childless adult population.

Waiver Objectives

- Wisconsin is committed to implementing policies that result in high-quality health coverage for our citizens by leveraging the state's tradition of strong health outcomes, innovation, and high-quality health care.
- Wisconsin's goals for the BadgerCare waiver extension are to:
 - ◆ Ensure every Wisconsin resident has access to **affordable health insurance** and reduce the state's uninsured rate.
 - ◆ Provide a **standard set of comprehensive benefits** for low-income individuals that will lead to improved health care outcomes.
 - ◆ Create a **sustainable program**, so Wisconsin's health care safety net is available to those who need it most.

Evaluation and Monitoring

- An **interim evaluation report** of the demonstration by an independent evaluator is available on the DHS website:
www.dhs.wi.gov/medicaid/waiver-badgercare1115.htm
- **Annual and quarterly monitoring reports** for eligibility and coverage policies in the BadgerCare waiver are available as part of the draft waiver extension application posted on the DHS website:
www.dhs.wi.gov/medicaid/waiver-badgercare1115.htm



Implementation

- DHS seeks a **five-year demonstration extension** approval period and intends to continue implementation of the demonstration from January 1, 2024, to December 31, 2028, pending CMS approval.

Budget Neutrality

- Federal policy requires Section 1115 demonstration waivers be budget neutral to the federal government.
- To ensure budget neutrality for each federal fiscal year for this extension, Wisconsin uses a per-member per-month (PMPM) based methodology specific to the three waiver populations, the childless adult population with incomes not exceeding 100% of the FPL, Former Foster Care Youth from Another State Population between ages 18 and 26, and individuals treated in the Residential Substance Use Disorder (RSUD) Program.

Budget Neutrality (continued)

- The federal cost of this demonstration in each year is no greater than federal costs absent the new demonstration.
- Therefore, the demonstration is budget neutral to the federal government.
- Historical and projected enrollment data is available as part of the draft waiver extension application.

Program	Trend Rate	2024 DY11 PMPM	2025 DY12 PMPM	2026 DY13 PMPM	2027 DY14 PMPM	2028 DY15 PMPM
BadgerCare Waiver Adults	-1.35%	\$614.96	\$650.84	\$688.81	\$729.00	\$771.54
Former Foster Care Youth	12.67%	\$7,225.03	\$8,140.44	\$9,171.83	\$10,333.91	\$11,643.21
RSUD	10.20%	\$8,028.57	\$8,562.66	\$9,132.29	\$9,739.80	\$10,387.73

Timeline

Major Milestone	Date
Tribal Notice	August 22, 2022
Public Notice and Draft Waiver Application Posted to DHS Website	September 12, 2022
Tribal Consultation	September 14, 2022
Public Hearings	September 21, 2022 September 28, 2022 September 30, 2022
Public Comment Period	September 12, 2022 – October 14, 2022
Final Waiver Application Submitted to CMS	November 15, 2022
CMS Approval	TBD
Implementation	Continue current operations pending CMS approval



Providing Comments

Written comments on the waiver extension are welcome and will be accepted from **September 12 through October 14, 2022**. Written comments may be sent to the Division of Medicaid Services at:

- Email: DHSDMSbadgercare1115@dhs.wisconsin.gov
- Fax: 608-266-1096; attn.: Bailey Dvorak.
- Mail: Department of Health Services
Division of Medicaid Services
Attn: BadgerCare 1115 Waiver Extension
PO Box 309
Madison, WI 53707-0309



Waiver Materials

- Waiver materials are available on the DHS website:
www.dhs.wi.gov/medicaid/waiver-badgercare1115.htm



Thank you!

DHS appreciates the opportunity to receive comments from Wisconsin residents and interested organizations to help us better serve the needs of Medicaid members in Wisconsin.



WISCONSIN DEPARTMENT
of **HEALTH SERVICES**

Protecting and promoting the health
and safety of the people of Wisconsin.