

NUMBER

#23-21-18C

DATE

June 22, 2023

OF INTEREST TO

County Directors

Social Services Supervisors and
Staff

Financial Assistance Supervisors
and Workers

Tribal Chairpersons and Tribal
Health Directors

Navigators, Certified
Application Counselors and
Brokers

ACTION/DUE DATE

Please read and implement

EXPIRATION DATE

June 22, 2025

Corrected #23-21-18: DHS Announces a Simplified Renewal Process for Certain MA-ABD Enrollees

TOPIC

A new simplified renewal process for certain Medical Assistance enrollees who are age 65 or older, blind or have a disability (MA-ABD).

PURPOSE

This bulletin provides policy information about the simplified ex parte renewal process for certain people who are age 65 or older, blind or have a disability (MA-ABD).

CONTACT

County and tribal agencies should submit policy questions via HealthQuest.

All others should direct questions to:

Health Care Eligibility and Access Division
PO Box 64989
540 Cedar Street
St. Paul, MN 55164-0989

SIGNED



JULIE MARQUARDT

Interim Assistant Commissioner/Interim State Medicaid Director
Health Care Administration

TERMINOLOGY NOTICE

The terminology used to describe people we serve has changed over time. The Minnesota Department of Human Services (DHS) supports the use of "People First" language.

I. Background

Federal Medicaid regulations require states to attempt to confirm an enrollee's eligibility using information in the case file and reliable electronic sources before sending a paper renewal form and requesting information from the enrollee. This simplified renewal process is known as an "ex parte" renewal process.

II. Ex Parte Renewal Process

Starting with August 2023 annual renewals, workers must attempt to renew MA eligibility through an ex parte renewal process for certain MA enrollees who are 65 or older, blind or have a disability (MA-ABD).

The process uses available information without requiring additional information from the enrollee. Enrollees whose eligibility is confirmed using information in the case file and from reliable electronic sources have their MA eligibility renewed. Enrollees are sent a notice that indicates their coverage has been renewed and provides the information used to renew their eligibility.

The process does not include consideration of certain enrollees' assets due to a new state law establishing a temporary asset disregard for people who were enrolled in Minnesota Health Care Programs (MHCP) as of March 31, 2023. A signed Authorization to Obtain Financial Information from the Account Validation Service form (DHS-7823) is not required to be on file to begin the ex parte renewal process. These are temporary policies for use only during the unwinding period, April 1, 2023, through May 31, 2024. See [Bulletin #23-21-19 DHS Announces Temporary Asset Disregard and Other Asset Policies for Certain MHCP Enrollees](#) for more information.

Workers must send a renewal form to enrollees whose eligibility cannot be confirmed using this process to complete and return with verifications.

III. Who Must be Reviewed through the Ex Parte Process

A. Enrollees whose eligibility must be reviewed for an ex parte renewal

Workers must attempt to renew MA eligibility through the ex parte process for the following MA-ABD enrollees.

1. MA-ABD enrollees with certain types of income

Workers must attempt to renew MA eligibility through the ex parte process for MA-ABD enrollees with certain types of income. This applies to enrollees if their income is only:

- Supplemental Security Income (SSI), even if the benefit amount is zero,
- Retirement, Survivors, and Disability Insurance (RSDI),
- SSI and RSDI,
- Railroad Retirement Benefits, or
- RSDI and Railroad Retirement Benefits.

This includes:

- MA-ABD enrollees with or without a spenddown. Workers must attempt to renew MA eligibility through the ex parte process for enrollees with a medical spenddown if they can meet their spenddown with:
 - Unused portions of allowable health care expenses that can be carried forward, and
 - Verified Medicare premiums.
- Enrollees eligible for the Disabled Adult Child disregard or the Pickle disregard.
- MA-ABD enrollees eligible for a Medicare Savings Program (MSP) and whose MA eligibility was renewed through the ex parte process will also have their MSP renewed through the ex parte process. During the ex parte process, if it is determined that the enrollee is eligible for a different type of MSP than the one the enrollee is enrolled in, move the enrollee to that MSP. Provide a 10-day advance notice to the enrollee if eligible for an MSP with fewer benefits.

2. MA-ABD enrollees with no income

Workers must attempt to renew MA eligibility through the ex parte process for MA-ABD enrollees with no income verified at application or their most recent eligibility determination when any of the following occur:

- No income is confirmed through reliable electronic sources,
- New income data is found and verified through reliable electronic sources, and the income is at or below the MA-ABD income limit of 100 percent of federal poverty guidelines (FPG), or
- New income data is found and verified in MAXIS for a Supplemental Nutrition Assistance Program (SNAP), Minnesota Family Investment Program (MFIP) or Tribal Temporary Assistance for Needy Families (TANF) determination and the income is at or below the MA-ABD income limit of 100% FPG.

MA-ABD enrollees with no income cannot have their MA eligibility renewed through the ex parte process if:

- New income data is found and verified through reliable electronic sources, and the income is above the MA-ABD income limit of 100% FPG, or
- New income data is found and verified through MAXIS for a SNAP, MFIP, or Tribal TANF determination, and the income is above the MA-ABD income limit of 100% FPG.

3. MA-ABD enrollees with SNAP, MFIP or Tribal TANF

Workers must attempt to renew MA eligibility through the ex parte process for MA-ABD enrollees who are a SNAP, MFIP or Tribal TANF recipient if their SNAP, MFIP or Tribal TANF net income is at or below 100% FPG. The income must have been verified as part of the SNAP, MFIP or Tribal TANF determination.

4. TEFRA enrollees

Workers must attempt to renew MA eligibility through the ex parte process for MA enrollees under the Tax Equity and Fiscal Responsibility Act (TEFRA) option.

5. Enrollees with 1619(a) or 1619(b) Status

Workers must attempt to renew MA eligibility through the ex parte process for MA enrollees who have 1619(a) or 1619(b) status. People who are eligible for Supplemental Security Income (SSI) under section 1619 are eligible for MA without regard to their income or assets. Verification of income and assets, including earned income, is not required while the person remains under the 1619(a) or 1619(b) status.

6. MSP-only enrollees

Workers must attempt to renew MSP eligibility through the ex parte process for enrollees who are eligible only for an MSP, which includes Qualified Medicare Beneficiary (QMB), Service Limited Medicare Beneficiary (SLMB), Qualified Individual (QI), and Qualified Working Disabled (QWD). This applies to MSP-only enrollees with the following conditions:

- If their income is only one of the following:
 - SSI, even if the benefit amount is zero
 - RSDI
 - SSI and RSDI
 - Railroad Retirement Benefits
 - RSDI and Railroad Retirement Benefits
- With no income verified at application or their most recent eligibility determination when any of the following occur:
 - No income is confirmed through reliable electronic sources,
 - New income data is found and verified through reliable electronic sources, and the income is at or below the MA-ABD income limit of 100 percent of federal poverty guidelines (FPG), or
 - New income data is found and verified in MAXIS for a SNAP, MFIP or Tribal TANF determination and the income is at or below the MA-ABD income limit of 100% FPG.
- Who is a SNAP, MFIP or Tribal TANF recipient whose net income is at or below 100% FPG. The income must have been verified as part of the SNAP, MFIP or Tribal TANF determination.

7. Enrollees receiving Medical Assistance for Long-Term Care Services

Workers must attempt to renew MA eligibility through the ex parte process for enrollees who have an MA-ABD basis of eligibility and are receiving Medical Assistance for Long-Term Care Services (MA-LTC) if they have any of the unearned income or income that can be electronically verified listed in the previous section and meet the following criteria.

a. Enrollees who use a community income calculation

Workers must attempt to renew MA eligibility through the ex parte process for enrollees receiving MA-LTC, with an MA-ABD basis of eligibility, who use a community income calculation (including those who are enrolled in a Home and Community-Based Services [HCBS] waiver for people with disabilities; or who have income above the special income standard, do not have a community spouse, and receive Elderly Waiver services) if they use certain types of health care expenses to meet a spenddown that can be verified without obtaining additional information from the enrollee. The health care expenses that can be verified for the ex parte process are the remedial care expense, if applicable, and bills for waiver services that are received during the certification period.

b. Enrollees who use a long-term care income calculation

Workers must attempt to renew MA eligibility through the ex parte process for enrollees receiving MA-LTC with an MA-ABD basis of eligibility who use a long-term care income calculation if the person has post-eligibility deductions from income that can be verified electronically or are generally unchanging. The following are the types of deductions that may be verified electronically or are generally unchanging:

- Special SSI
- Minnesota Supplemental Aid (MSA)
- Medicare premiums paid by the enrollee
- Personal needs allowance (PNA)
- Veteran's Improved Pension
- Special Income Standard-Elderly Waiver (SIS-EW) maintenance needs allowance
- Fees paid to a guardian, conservator, or representative payee
- Court-ordered child support and court-ordered spousal maintenance
- Medicare co-payments and deductible
- Remedial care expense

Certain post-eligibility deductions cannot be verified without requiring additional information from the enrollee. Enrollees with these deductions may not have their eligibility renewed using the ex parte process:

- Community spouse income allocation
- Family allocation
- Health insurance premiums, co-payments and deductibles that cannot be verified without requiring information from the enrollee
- Medical expenses

See ONEsource instructions with detailed information about how to evaluate a case for ex parte renewal when the enrollee has health care expenses or post-eligibility deductions.

B. Enrollees who cannot be renewed through the ex parte process

Some MA-ABD enrollees cannot have their MA eligibility renewed through the ex parte process including the following:

- Medical Assistance for Employed Persons with Disabilities (MA-EPD) enrollees
- MA-ABD enrollees with earned income verified at application or their most recent eligibility determination, except for MA enrollees with 1619(a) or 1619(b) status or SNAP, MFIP or Tribal TANF recipients with net income at or below 100% FPG verified as part of the determination
- MA-ABD enrollees who receive **both** SSI and Veteran's Administration (VA) Aid and Attendance benefits
- MA-ABD enrollees who do not meet the criteria in Section A

IV. Verifications

County and tribal workers must use reliable electronic sources to verify certain enrollee information to redetermine MA eligibility through the ex parte process as noted in the following table.

Item to verify	Electronic source
SSI benefits	<ul style="list-style-type: none"> • Social Security Administration State Online Query (SOLQ)
1619(a) or 1619(b) status	<ul style="list-style-type: none"> • SOLQ
No income	<ul style="list-style-type: none"> • State Verification and Exchange System/Third Party Query (SVES/TPQY) • Shared Master Index (SMI) • SOLQ • The Work Number • SNAP, MFIP or Tribal TANF income data that was verified within the past six months
RSDI or Railroad Retirement benefits	<ul style="list-style-type: none"> • Stable income previously verified
SNAP, MFIP, Tribal TANF net income is at or below 100% FPG	<ul style="list-style-type: none"> • Previously verified as part of the SNAP, MFIP or Tribal TANF determination
Medical expenses	<ul style="list-style-type: none"> • Previously verified or verified using electronic or other sources

V. Ex Parte Renewal Notice

A Health Care Notice is systematically sent to MA-ABD enrollees whose MA eligibility was renewed through the ex parte process. The notice indicates the enrollee was automatically renewed and the information the agency used to make the determination.

Enrollees must review the notice to ensure the information used to determine their eligibility is correct. Enrollees must contact their county or tribal agency to report any corrections or changes.

VI. Action Required

Effectively immediately, county, and tribal workers must implement the corrected policies outlined in this bulletin.

VII. Legal Authorities

Code of Federal Regulations, title 42, section 435.916

Minnesota Statutes, section 256B.056

Laws of Minnesota 2023, chapter 22

Americans with Disabilities Act (ADA) Advisory

This information is available in accessible formats for people with disabilities by calling 651-297-3862 or 800-657-3672, or by using your preferred relay service. For other information on disability rights and protections, contact the agency's ADA coordinator.