

Section XXX Federal maintenance of effort restrictions.

When the Department of Human Services receives funding contingent on temporary maintenance of effort restrictions or, for any reason, is limited in its ability to disenroll individuals, such as restrictions imposed by Section 6008 of the Families First Coronavirus Response Act (Public Law 116-127), the department shall:

(a) continue to conduct redeterminations as in the normal course of business and act on such redeterminations to the fullest extent permissible under the law; and

(b) within sixty days of the expiration of such restrictions, complete a full audit in which the department shall:

(1) complete and act on eligibility redeterminations for all cases that have not had a redetermination within the last twelve months;

(2) request federal approval from the centers for Medicare and Medicaid services of the United States Department of Health and Human Services for the authority to conduct and act on eligibility redeterminations for each individual enrolled during the period of restrictions enrolled for three or more total months and shall, within sixty days of approval, conduct and act on such redeterminations;

(3) carry out an additional check of all verification measures established under section 441.9 of the Human Services Code to verify eligibility and act on such information checked; and

(4) submit a summary report of the audit to the members of the general assembly, Office of the Inspector General, Attorney General, Auditor General, and treasurer. At a minimum, the report shall include:

(i) The number of enrollees enrolled in Medical Assistance who are ineligible at the time the restrictions end, how confident the department is in that number, and on what basis that confidence is founded;

(ii) the extent to which the department has continued to conduct redeterminations while restrictions were in place and how much time the department expects to need to disenroll all ineligible individuals;

(iii) the total state dollars spent on ineligible enrollees in each month in the period in which the restrictions were in place and the basis for that estimate;

(iv) for each month in the period in which the restrictions were in place, the number of individuals checked for eligibility by cross-checking incarceration records, the number of these individuals determined ineligible, and the number of individuals removed within one month on this basis;

(v) for each month in the period in which the restrictions were in place, the number of individuals checked for eligibility by cross-checking out-of-state EBT card spending records, the number of these individuals determined ineligible, and the number of individuals removed within one month on this basis;

(vi) for each fiscal quarter in the period in which the restrictions were in place the number of individuals checked for eligibility by cross-checking tax records, the number of these individuals determined ineligible, and the number of individuals removed within one month on this basis;

(vii) for each month in the period in which the restrictions were in place, the number of individuals checked for eligibility by cross-checking death records, the number of these individuals determined ineligible, and the number of individuals removed within one month on this basis;

(viii) for each month in the period in which the restrictions were in place, the number of individuals checked for eligibility by cross-checking lottery records, the number of these individuals determined ineligible, and the number of individuals removed within one month on this basis;

(ix) for each month in the period in which the restrictions were in place, the number of individuals checked for eligibility by cross-checking wage records, the number of these individuals determined ineligible, and the number of individuals removed within one month on this basis; and

(x) the percentage of enrollees in each eligibility category found to have zero reported and unreported income for each month in the period in which the restrictions were in place.

Section XXX. Ending maintenance-of-effort restrictions related to the COVID-19 public health emergency.

Notwithstanding Section 6008 of the Families First Coronavirus Response Act (Public Law 116-127), the department shall notify the Centers for Medicare and Medicaid Services (CMS) that the state will proceed with scheduled, annual redeterminations and remove enrollees who are ineligible beginning on the first day of the first full quarter after this Act becomes law.