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MEDICAID MANUAL (ESS Policy Manual, VOLUME II) TRANSMITTAL NO. 9

TO: County Departments of Family and Children Services
State DFCS Staff

FROM: Janet R. Oliva, Ph.D., Director
Division of Family and Children Services

RE: 2004 COLA, Nursing Home Sanctions, Miscellaneous Updates

PURPOSE: This manual transmittal contains policy updates and clarifications received since the previous transmittal. It includes the 2004 COLA increases, CMD Policy changes, information on Nursing Home Sanctions, SSI Intervening months, Hearings, and a new ICAMA list.

DISCUSSION:

Section 2050 – has been updated to reflect a change in policy. An application is not required at CMD, including when changing COAs from a Q-track that was approved based on a Form DCH 700 application, or when adding an individual who was not included in the previous COA. This section now clarifies that an interview is not required at CMD.

Section 2066 - has been revised to clarify that this policy applies to both Family and ABD Medicaid.

Section 2344 – This is a new Section on Qualified Tuition Savings Plans (529 Plans).

Appendix A1 - has been updated to reflect the 2004 COLAs.

Appendix B – This Appendix now contains instructions that if the client reports late receipt of an adverse action notice, the Medicaid Eligibility Specialist should take that into consideration in deciding whether to continue benefits. Chart B.1 has also been changed to reflect a policy clarification from DCH/DMA. If a hearing request is requested in a timely manner, benefits are to continue whether or not an applicable COA exists.

Appendix F – Updates Forms 28, 28b, 94, 227 and the ICAMA Lists. Adds Forms 245 and 222 to ODIS. Form 222 has been revised and is now solely for the Medicaid Program. A Hospice Care Communicator has been added to this transmittal in hard copy only. It will not be added to ODIS. The Hospice Care Communicator can be obtained from the Georgia Health Partnership web site, www.ghp.georgia.gov in the Provider Manual for Hospice Care providers.

Family Medicaid – Miscellaneous grammatical corrections have been made. Additional references to Form

964 have been removed. Sections dealing with LIM in NH, etc., have been updated to reflect use of new LOC policy. Form 94 is now listed as a viable Medicaid Application.

Children in Placement – Policy has been updated to clarify situations where there is joint DJJ/DFCS custody of a child. Clarification has been made to situations where there is the simultaneous removal of a child and the incarceration of a parent. Clarification has been added regarding the treatment of a situation where a child is removed from an adoptive home, but the removal is neither a disruption nor a dissolution.

ABD – Information on how to handle situations when a nursing home is under sanction have been added. Clarification of swing bed MR facilities and Tertiary Care Units as a condition for approving NH COA has been added.

Specific changes to the Sections are discussed briefly under the Comments Section below.

Manual Transmittal 9 includes information found in Medicaid e-mails numbered through 03-21.

UPDATES:

Section	Instructions for Manual Maintenance	Comment
2010	Remove and Replace	Acronyms are defined and the term "authorized representative" has been replaced by "personal representative".
2050	Remove and Replace	Acronyms are defined.
2052	Remove and Replace	Policy change: an application is not required at CMD, or when adding an individual who was not included in the previous COA, and an interview is not required at CMD.
2053	Remove and Replace	Changed references from Form 964 to Form 962, removed interview requirements. Page 5 - changed location/phone numbers to which a manual 962 is to be submitted, expanded Step 7 into Steps 7 & 8 to clarify notification and 962 procedures.
2060	Remove and Replace	Page 2 - added RSM and Health Dept applications as acceptable applications for Medicaid. Added that signature on application can't be typed and doesn't have to be A/R's signature. Page 9 - 2nd paragraph from bottom changed to reflect intervening months protected indefinitely. Page 10 - in Chart 2060.1, removed "Y" under DMA-59 for AMN Hospice in NH
2065	Remove and Replace	Add Form 94 as a viable Medicaid application. Removed DMA-6 as a required form for LIM in a NH, changed responsible party to personal representative, added HIPAA and confidentiality to "Other Information Requirements", added "Medical bills used to meet spend down" as information that must be verified.
2066	Remove and Replace	Page 1 - "Family" wording deleted from heading; policy statement includes FM and ABD. Page 2 - NOTE added after last bullet under "Public Institution to clarify that if a LOC instrument is received from a "public institution" to proceed with eligibility determination. Deleted "Family" from first sentence under "Who is Ineligible". Added "See NOTE above" to "Exception". Page 3 - "Children Placed Out of State" changed to Individual, also first sentence under this heading, "child" changed to "individual". "Exception" reworded, Under "Private Placement of a Child". ABD verbiage added, added sentence referencing Section 2225-Residency, for ABD. Page 4, Omitted "Family" from first sentence. Added hospice provider to "publicly operated NH", for "institution operated for mental diseases or TB", broken out by FM and ABD. Page 5 - added "Personal Care home licensed for CCSP provider" to private licensed group home. Added word "placed" and changed "state" to "state's" to sentence above "Exception".
2111	Remove and Replace	Corrected Section and Chapter references

2136	Remove and Replace	Page 1 - Under "Exception", changed DMA-6 to DMA-59, Page 3 - added "Special Considerations" for Sanctions. Removed specific procedures for going from NH to IH and vice versa. Referred instead to Appendix I, "SUCCESS Functions" for AMN in IH.
2141	Remove and Replace	Page 1 - Under "Basic Considerations", first bullet, added Swing Bed facility for MR and TCU as a condition for approving as NH COA. Added TCU to Step 2 and 4 under "Procedures". Page 2 - added statement under "Special Considerations" regarding Sanctions to not approve under any of the LA-D COAs while under sanction.
2151	Remove and Replace	Page 1 - under "Policy Statement", added sentence to not do AMN-NH/IH for A/R's whose income is under the Medicaid Cap. Rearranged first sentence under "Budget Period". Page 3 - Step 7, referenced Appendix I, SUCCESS Functions, page 24. Page 7 - added Sanction information.
2170	Remove and Replace	Chart 2170.1 - clarified eligibility requirements for changes in AU. Eligibility may begin the month the AU or AU member returns.
2172	Remove and Replace	Page 1 - updates DMA-6 LOC/DMA-59 information, Page 2 – add "obtain DMA Form 59" to procedures
2255	Remove and Replace	removed WTM reference
2313	Remove and Replace	Header/Sub-header and miscellaneous, non-policy grammar clean-up
2344	Insert after Section 2343	New Section on Qualified Tuition Savings Plans (529 plans)
2399	Remove and Replace	Page 12 - added new block to Chart 2399.1 for 529 Plans
2499	Remove and Replace	Page 18 - added new block to Chart 2499.1 for 529 Plans
2552	Remove and Replace	Page 1 – Under “Basic Considerations”, 1 st bullet, added “See Mandatory Deductions below. 2 nd paragraph, under “Mandatory Deductions”, clarified what is mandatory. Under “Medicare Premium Deduction”, added sentence to not allow as a deduction for any month in which the premium will/is paid due to eligibility in another COA. Removed “Note” since incorporated into above paragraph.
2650	Remove and Replace	Page 4 – removed “Dependent” from “Earnings of a Child”.
2655	Remove and Replace	General, non-policy grammar clean-up
2657	Remove and Replace	Clarifies "a child is never penalized" policy to include policy regarding the exclusion of a child for failure to comply. Chart 2657.1 - added clarification of child and pregnant woman exclusion policy, and added "application for other benefits".
2706	Remove and Replace	System generated notification is sufficient notification that an alternate review was not returned. Removed Form 297-A as a required form at review.
2801	Remove and Replace	Page 2 - added "Children in joint custody with DJJ". Explains the responsible party for these cases
2825	Remove and Replace	Added note to "institutionalized/incarcerated" explaining the simultaneous removal of a child(ren) and the incarceration of a parent(s)
2850	Remove and Replace	Chart 2850.1 - added the treatment of a removal from an adoptive home which does not meet the definition of disruption or dissolution
Appendix A1	Insert in front of Appendix A1-2003	Updates Appendix A1 with the 2004 COLA increases
Appendix B	Remove and Replace	Adds provision for notifications received late due to mail processing time, clarifies policy requiring that all hearing notices be forwarded to OSAH, including those received beyond the deadline.
Appendix C	Remove and Replace	Page 3 – added Form 632W as a Medicaid eligibility form. Page 7 - includes situations when Form 962 is appropriate to use

Appendix F	Remove and Replace	Forms 28 and 28b - punctuation and spelling corrections, ICAMA Lists - updated lists; Form 227 - updates provided by Social Services in VPA section. Form 245 - adds new form, Form 94 - adds prior months question, Form 222 - now a Medicaid only form. Hospice Care Communicator (hard copy only – not on ODIS)
Appendix G	Insert Cover Letter in Front of MT 8 Cover Letter	Adds MT 9 Cover Letter
TOC 2050	Remove and Replace	Removed “Family Medicaid” from title of Section 2066
TOC 2300	Remove and Replace	Adds Section 2344
TOC- Manual	Remove and Replace	

Pen and Ink Changes:

Update the Record of Receipt of Manual Transmittals for ESS Policy Manual Volume 2, Medicaid.