

ABBREVIATED PUBLIC NOTICE

Department of Health

Continuous Eligibility for Children up to Age Six & Annual 1115 Public Forum

In compliance with 42 CFR 431.408(a)(1), the New York State Department of Health is pleased to announce that it will conduct two virtual public hearings, to provide an overview of the State's 1115 waiver Continuous Eligibility for Children up to Age Six amendment request and allow members of the public to provide comments. Additionally, the second of these hearings, indicated below, will serve as the Annual 1115 Public forum, during which the public may also provide oral comments on the entirety of New York's Medicaid Redesign Team 1115 waiver.

This notice further serves to open the 30-day public comment period for the Continuous Eligibility for Children up to Age Six Amendment, which will close on February 16, 2024, during which the public will be afforded the opportunity to provide written comments on this amendment.

Through this amendment, the New York State Department of Health ("NYSDOH") is seeking to ensure continuous Medicaid and Child Health Plus (CHP) coverage for children up to six years of age. Continuous enrollment would ensure that children receiving Medicaid and CHP remain enrolled in health coverage during the first years of their lives, improve continuity of care, and promote health equity.

Gaps in coverage for young children can be detrimental to their long-term health and well-being. During the COVID-19 pandemic, children faced interruptions in physical health, behavioral health, and social care while simultaneously enduring severe negative life experiences. Early data on the effects of COVID-19 on New York's children estimated that about 4,200 children lost a parent or caregiver,¹ 325,000 children were pushed into or near poverty, and 24,000 children experienced an additional Adverse Childhood Experience. These experiences can have negative long-term implications for children's mental and physical health, educational attainment, and financial security.²

NYS has a longstanding continuous eligibility policy for children. The State adopted the 12-month continuous coverage state plan option for children in 1999. While the current continuous eligibility policy is effective in maintaining coverage during the 12 months between redeterminations, even with a streamlined renewal process, coverage losses at redetermination continue to be an issue for children in Medicaid and Child Health Plus. While NYS has developed a robust outreach plan for the Medicaid public health

¹ Ramos-Callan, K. and Brundage, S, Covid-19 Ripple Effect: The Impact of Covid-19 on Children in New York State, Part 1: Death of a Parent or Caregiver, United Hospital Fund, September, 2020. Available at https://uhfnyc.org/media/filer_public/22/4b/224bf5ba-6ab2-42f6-8744-929135f2f42b/covid_ripple_effect_part_1_final.pdf.

² Ramos-Callan, K. and Brundage, S, Covid-19 Ripple Effect: The Impact of Covid-19 on Children in New York State, United Hospital Fund, September 30, 2020. Available at <https://uhfnyc.org/publications/publication/covid-19-ripple-effect-impact-covid-19-children-new-york-state/>.

emergency unwind and redeterminations for all Medicaid members, the State still expects some procedural disenrollments due to unreturned paperwork or income volatility. Having a continuous enrollment policy in place for children from birth up to age six could mitigate some of these losses during the later months of the unwinding.

This proposal is aimed at ending churn for young children and will not change eligibility limits for Children's Medicaid or Child Health Plus. New York State currently covers children ages zero to one up to 223 percent FPL and children ages one to six up to 154 percent FPL with Medicaid funds and up to 400 percent FPL with Children's Health Insurance Program (CHIP) funds. NYS will continue to allow disenrollment for individuals who are no longer NYS residents, client request, those who enrolled in error, non-compliance with eligibility requirements, death, and for individuals receiving treatment in a setting where Medicaid eligibility is not available (e.g., institution for mental disease).

There is strong support for a longer continuous eligibility policy among New York stakeholders. During the public comment period for the pending NYHER waiver amendment in 2022, the State received a substantial number of comments from stakeholders urging greater investments in children, including adopting a policy of continuous eligibility for ages zero to three.

A draft of the amendment request is available for review under the "MRT 1115 Waiver Amendments" tab, under "Continuous Medicaid and Child Health Plus Eligibility for Children up to Age Six" at:

https://www.health.ny.gov/health_care/medicaid/redesign/medicaid_waiver_1115.htm

The Department of Health will host two virtual public hearings during which the public may provide oral comments. Any updates related to the public hearings will be sent via the MRT ListServ. The two virtual public hearings will be held as follows:

1. First Public Hearing
 - a. Wednesday, February 21, 2024, 1:00 PM – 4:00 PM
 - b. Pre-registration is required for anyone wishing to provide oral comment using this link:
<https://meetny.webex.com/weblink/register/r1939adfa0f20020858cc4bc655879d24>
 - c. Individuals who wish to provide comment will need to register with an "SP" in front of their name (ex: SP Jane Doe) and must email 1115waivers@health.ny.gov no later than Tuesday, February 20, 2024, at 4pm to confirm registration.
 - d. Individuals will speak in the order of registration. We kindly request that all comments be limited to five minutes per presenter to ensure that all public comments may be heard.
2. Second Public Hearing & Annual 1115 Public Forum
 - a. Wednesday, February 28, 2024, 1:00 PM – 4:00 PM

- b. Pre-registration is required for anyone wishing to provide oral comment using this link:
<https://meetny.webex.com/weblink/register/rffed05506eb878b9847bddba913c7773>
- c. Individuals who wish to provide comment will need to register with an "SP" in front of their name (ex: SP Jane Doe) and must email 1115waivers@health.ny.gov no later than Tuesday, February 27, 2024, at 4pm to confirm registration.
- d. Individuals will speak in the order of registration. We kindly request that all comments be limited to five minutes per presenter to ensure that all public comments may be heard.

American Sign Language (ASL) interpretation will be available, and the WebEx platform includes a closed captioning feature.

For individuals with limited online access and require special accommodation to access paper copies, please call (518)-473-0868.

Prior to finalizing the proposed MRT Waiver Continuous Eligibility for Children up to age six amendment application, the Department of Health will consider all written and verbal comments received. These comments will be summarized and addressed in the final version of the amendment request that is submitted to CMS. The Department will post a transcript of the public hearings and 1115 Annual Public Forum on the following website:

https://www.health.ny.gov/health_care/medicaid/redesign/medicaid_waiver_1115.htm.

Please direct all questions to 1115waivers@health.ny.gov.

Written comments will be accepted by email at 1115waivers@health.ny.gov (please include "1115 Public Forum Comment," "Continuous Eligibility for Children up to Age Six 1115 Amendment," or both in the subject line) **or** by mail at:

Department of Health
Office of Health Insurance Programs
Waiver Management Unit
99 Washington Avenue
8th fl. (Suite 826)
Albany, NY 12210

All written comments must be postmarked or emailed by February 16, 2024.