

Medicaid 1115 Waivers: Work Requirements

January 19, 2018

State	Population	Waiver Requirement
State Arizona Expansion State Waiver Application Status: Pending	 Eligible Population: All able-bodied members who are 19-54 years old and have incomes between 0 and 133% (138% including the 5% income disregard) FPL who do not qualify for Medicaid in any other eligibility category. (And are not otherwise exempt.) Exempt Population: Individuals who are 55 years of age or older; American Indians; Women up to the end of the month in which the 90th day of post- pregnancy occurs; Former Arizona foster youths up to age 26; Individuals determined to have a serious mental illness (SMI); Individuals currently receiving temporary or permanent long-term disability benefits 	Waiver Requirements: Able-bodied adult members will be required to meet the following activities, or combination, for at least 20 hours per week to quality for AHCCCS: • Be employed; • Attending School; or • Attending an ESD program: English as a Second Language course; Parenting classes, Disease management education; and Courses on health insurance competency and health living classes *Required, on a monthly basis, to verify compliance with the work requirements and any changes in family income Loss of Eligibility: • Members subject to this requirement who do not qualify for an exemption, and fail to meet the requirements, will receive an initial 6-month grace period. Failure to comply after the grace period will result in a termination of AHCCCS enrollment; members may re-enroll once they can demonstrate compliance for at
	 from a private insurer or from the government; Individuals who are determined to be medically frail; Full-time high school students who are older than 18 years old; Full-time college or graduate students; Victims of domestic violence; Individuals who are homeless; Individuals who have recently been directly impacted by a catastrophic event such as a natural disaster or the death of a family member living in the same household; Parents, caretaker relatives, and foster parents; or Caregivers of a family member who is enrolled in the Arizona Long Term Care System 	 The authority for AHCCCS to ban an eligible person from enrollment for one year if the eligible person knowingly failed to report a change in family income or made a false statement regarding compliance with the work requirements * In addition, individuals who engage in job search activities similar to those required to receive unemployment benefits in Arizona would be deemed as meeting the AHCCCS Works requirements. This requires individuals to engage in a "systematic and sustained effort to obtain work during at least four different days of the week" and make at least one job contact on each of those days **There is a five year max lifetime coverage limit for able bodied adult members. Coverage limit would become effective on the date of approval by CMS, and would not include previous times a person received Medicaid benefits. The time an individual complied with the work requirement and was still enrolled in AHCCCS would not count toward the lifetime limit

Arkansas	Eligible Population:	Work Requirements:
	Adults ages 19 through 49 who have incomes up to and including 100	Beneficiaries will be required to demonstrate, on a monthly basis, that they are
Expansion State	percent of the FPL, including the 5 percent income disregard required for	meeting 80 hours/month of work activities:
	the purposes of determining income eligibility on MAGI standards.	Employed or self-employed
Waiver Application Status:		• Enrollment in an educational program, including high school, higher education or
Pending	Exempt Population:	GED classes
	• Medically frail individuals, described in the Alternative Benefit state	 Participating in on-the-job training
	plan	 Participating in vocational training
	 Arkansas Works beneficiaries ages 50 and older 	Volunteering
	 Beneficiary's income is consistent with being employed or self- 	e
		• Participating in independent job search, up to 40 hours per month
	employed at least 80 hours per month	• Participating in job search training, up to 40 hours per month
	• Beneficiary attends high school, an institution of higher education,	• Participating in a class on health insurance, using the health system, or healthy
	vocational training, or job training on a full-time basis	living up to 20 hours per year
	Beneficiary is exempt from SNAP work requirements	• Participating in activities or programs available through the Arkansas department
	Beneficiary is receiving TEA Cash Assistance	of workforce services
	• Beneficiary is caring for an incapacitated person or dependent child	
	under age of six	Loss of Eligibility:
	• Beneficiary lives in a home with a minor or dependent child age 17 or	Enrollees who are subject to work requirements will lose eligibility if they fail to
	younger	meet work requirements for any three months during coverage year, either
	Beneficiary is receiving unemployment benefits	consecutive or non-consecutive months. Beneficiaries who fail to meet the work
	• Beneficiary is currently participating in a treatment program for	requirements will be terminated from coverage and are subject to a lockout of
	alcoholism or drug addiction	coverage until the beginning of the next coverage year.
	 Beneficiary is pregnant 	coverage until the beginning of the next coverage year.
	• Beneficiary is pregnant	
Indiana	Eligible Population:	Work Requirements:
	All able bodied Healthy Indiana Plan (HIP) participants, not otherwise	To the extent necessary to enable the State to require all able-bodied HIP
Expansion State	meeting an exemption.	participants, as a condition of eligibility, to:
Lup ansion State	incoming un exemption.	 Work at least 20 hours per week over eight (8) months of an eligibility cycle;
Waiver Application Status:	Exempt Population:	 Be enrolled in full-time or part-time education; OR
Pending	• Students (full-time and part-time)	 Participate in the Gateway to Work initiative
	 Members who are employed & working more than 20 hours per week 	- I articipate in the Gateway to work initiative
	averaged over 8 of 12 months	Participation in the following activities quality for Gateway to Work or are
		<i>Considered to meet the requirement:</i>
	Pregnant women	
		• Employment, subsidized or unsubsidized
		Managed Care Entities employment initiatives

 Members who are a primary caregiver of a dependent child below the compulsory education age or a disabled dependent, including kinship caregivers of abused or neglected children Members identified as medically frail (i.e. serious & complex medical conditions, chronic substance use disorder, or disability determination) Members with a certified temporary illness or incapacity (includes individuals on FMLA) Members in active substance use disorder (SUD) treatment Members over the age of 60 Former foster children under age 26 Chronically Homeless Individuals Temporary Assistance for Needy Families (TANF) recipients Recent incarceration Participation in SUD treatment activities, voluntary participation during recovery State requests authority on additional exemptions via administrative rule, should the need arise 	 Job training skills Job searching activities Education related to employment General education Accredited English as a second language education Vocational education/training Community work experience Community service/public service Caregiving services for a non-dependent relative or other person with a chronic, disabling health condition, including individuals receiving FMLA to provide caregiving Accredited homeschooling Volunteer work Members of the Pokagon Band of Potawatomi Participation in work requirements for the SNAP program Exemption as necessary based on individual review *this requirements will be operationalized during the first tear of the renewal period and phased in during the second year with a member grace period of six months * <i>Participation in SUD treatment activities will be included as an exclusion criteria for this program allowing for voluntary participation during recovery</i> Gateway to Work: The Gateway to Work participation requirements will gradually increase from five (5) hours per week up to a maximum of twenty (20) hours per week 1-6 months 0 hours per week 10-12 months 15 hours per week 13-18 months 15 hours per week 18+ months 20 hours per week 19+ months 20 hours per week 10+ Eighbility: Members have a 6 month grace period (0 hours of needed work for enrollment during the first 6 months). Members whom fail to complete the specified number of required Gateway to Work participation hours will be suspended from HIP until the

Kansas	Eligible Population:	Work Requirements:
<u>i unious</u>	The State will institute work requirements for only some able-bodied	The State will align KanCare work requirements with TANF program requirements.
Non-Expansion State	(non-disabled) adults and offer work opportunities for other KanCare	Minimum weekly requirements are 20 or 30 hours in a one-adult household,
	members (such as individuals with disabilities) who wish to work.	depending on whether there is a child under the age of six. Minimum weekly
Waiver Application Status:		requirements are 35 or 55 hours in two-adult households. For any given individual,
Pending		the maximum requirement is 40 hours per week per individual. Applicants are
Ű	Exempt Population:	required to complete a self-assessment and an orientation. Possible activities that
	• Members receiving long-term care, including institutional care and	meet work requirement include:
	Money Follows the Person;	Unsubsidized Employment
	• Members enrolled in or on the waiting list for the following Home-	Subsided Public Employment
	and Community-Based Services (HCBS) waiver programs: Autism,	Subsidized Private Employment
	Serious Emotional Disturbance (SED), Technology Assisted (TA),	Work Experience
	Frail Elderly (FE), Traumatic Brain Injury (TBI), Intellectual and	On-the-Job Training
	Developmental Disabilities (I/DD), and Physical Disability (PD);	Supervised Community Service
	• Children;	Vocational Education
	• Women who are pregnant;	Job Search/Job Readiness
	Members who have disabilities and are receiving Supplemental	Job Readiness Case Management
	Security Income (SSI);	• Job Skills Training Directly related to Employment
	• Caretakers for dependent children under six years or those caring for a	Education Related to Employment
	household member who has a disability;	Secondary School Attendance
	• Medicaid beneficiaries who have an eligibility period that is only	
	retroactive;	Loss of Eligibility:
	• Members enrolled in the MediKan program;	Enrollees have a total three month grace period to meet work requirement throughout
	Members presumptively eligible for Medicaid;	their 36 months of enrollment. The State will track countable months for members
	Persons whose only coverage is under a Medicare Savings Program	who are required to comply with work requirements. Members who fail to comply
	(dually eligible beneficiaries);	with the work requirements and who have exhausted their three-month grace period
	• Persons enrolled in Programs of All-inclusive Care for the Elderly	will be removed from KanCare until compliance is achieved.
	(PACE);	
	• Members with TBI, human immunodeficiency virus (HIV), or in the	*Max length of KanCare coverage, 36-months. Regardless if the member meets work
	Breast and Cervical Cancer Program;	requirements or not, they can only receive 36 months of coverage.
	• Members who are over the age of 65 years; and	
	• Certain caretakers of KanCare members 65 years and older who meet	
	criteria specified by the State	
	*The State may consider an exceptions process for members who have	
	certain behavioral health conditions	

Kentucky	Eligible Population:	Work Requirements:
	Non-disabled, working age, able bodied adults (19-64)	20 hours/week, 80 hours/Month. Qualifying community engagement and
Expansion State		employment hours include a variety of activities beyond standard employment and
*	Exempt Population:	may include:
Waiver Application Status:	• Children under the age of 19 enrolled in Kentucky HEALTH;	• Job skills training;
<u>Approved</u>	Pregnant women;	• Job search activities;
	• Primary caregivers of a dependent, including either a dependent minor	• Education related to employment;
Effective January 12,2018	child or disabled adult dependent (limited to only one exemption per	• General education (i.e. GED, community college);
through September 30,2023	household);	• Vocational education/ training;
	• Individuals identified as medically frail; and	• Subsidized or unsubsidized employment;
*Full implementation expected	• Full time students	• Community work experience;
to begin 07/1/18	• Individuals meeting the requirements of SNAP and/or TANF	• Community service/ public service; and
	employment initiatives (individuals that meet these requirements also	• Caregiving services for a non-dependent relative or other person with a chronic,
	meet the work requirements of the Medicaid waiver);	disabling health condition.
	• Individuals enrolled in the Kentucky HEALTH premium assistance	
	program (individuals that meet these requirements also meet the work	* Individuals who are meeting, or exempt, from TANF or SNAP requirements,
	requirements of the Medicaid waiver); and	enrolled in ESI premium assistance, or working at least 120 hours/month are exempt
	• Individuals employed for more than 30 hours per week (individuals	from "active" monthly documentation of meeting work requirements
	that meet these requirements also meet the work requirements of the	**The work requirement will be implemented on a regional basis
	Medicaid waiver)	***Beneficiaries cannot apply excess hours to future months
		Loss of Eligibility:
		Eligibility factors rely on receiving updated information from the member. This
		information could include: changes in income that would be substantial enough to
		impact the member's premium amount; changes in employment status that could impact access to employer sponsored insurance, and; salf attestation of community
		impact access to employer sponsored insurance, and; self-attestation of community engagement and employment hours. As with the disenvolument for failure to complete
		redetermination paperwork, individuals disenvolled for failure to report a change in
		circumstance would be required to wait six months before being permitted to reenroll
		in the program.
		in the program.
		The Commonwealth would implement good cause exceptions through which
		members would not be disenrolled for failure to report changes under defined
		circumstances. The proposed exception circumstances will include the following:
		• The member was out of town for the entire reporting period;
		• An immediate family member living in the home was institutionalized or died
		during the reporting period;

		 The member was a victim of a natural disaster, such as a flood, storm, earthquake, or serious fire; The individual obtained and subsequently lost private insurance; The individual was evicted from their home or became homeless; or The individual was a victim of domestic violence A period of non-eligibility will be imposed only where the unreported change in circumstances would have resulted in loss of eligibility for Medicaid, had it been reported. In addition, where an individual experiences a period of non-eligibility, Kentucky is providing opportunities to return to eligibility. (In the waiver application the state requested a 10 day requirement to report changes. This was not included in the approved waiver.) First time Kentucky HEALTH members will be given a three-month notice period of the community engagement and employment initiative prior to being subject to the 20 hour per week (80 hour per month) requirement. *Individuals who fail to meet the work requirement can avoid eligibility suspension by, in the month immediately following the month of noncompliance, (1) meeting the work requirement for the current month; and either (2) making up missing hours from the prior month, or (3) completing a state-approved health or financial literacy course (this option is available once/year). Individuals who go on to have eligibility suspension by completing 80 hours of work activities in a 30-day period or a state-approved health or financial literacy course
Maine Non-Expansion State	Eligible Population: Abled bodied individuals between the ages of 19-64, not included in below exempted groups.	Work Requirements: Able-bodied adult must show evidence of employment, job-training, enrollment as a student, job search activities, community service, receipt of unemployment benefits, or compliance with the work requirements of SNAP or TANF (20 hours per week).
Waiver Application Status: Pending	 Exempt Population: Individuals residing in an institutional residential facility (defined as a nursing facility, adult family care home, Intermediate Care Facility for the Intellectually Disabled, Private NonMedical Institution, or Home and Community Based Services waiver home); or Individuals residing in an institutional residential facility (defined as a nursing facility, adult family care home, Intermediate Care Facility for the 	

	 Intellectually Disabled, Private Nonmedical Institution, or Home and Community Based Services waiver home); or Residing in a residential substance abuse treatment and rehabilitation program; or Caring for a dependent child under age six; or Providing caregiver services for an incapacitated adult; or Pregnant women Being physically or mentally unable to work 20 or more hours per week. (If not evident, medical certification is required. In lieu of a doctor's statement, statements from nurses, nurse practitioners, social workers, or medical personnel may be sufficient;) or Receiving temporary or permanent disability benefits issued by governmental or private resources 	 Workfare or volunteer community service 24 hours/month; or Individual or group job search and job readiness assistance; or Enrollment as a student at least half time, as evidenced by documentation from the academic institution. The goal of the education must be to gain employment. This is based on the requirement for 20 hours/week; or Completing a combination of employment and education, based on achieving the threshold of 20 hours/week; or Receiving unemployment benefits; or Complying with work requirements for SNAP or TANF Loss of Eligibility: Members receive a 3 month grace period to meet work requirements. Members who fail to comply with the community engagement and work requirements and who have exhausted their three month allowance will be removed from MaineCare until compliance is achieved. The start date of the disenrollment shall be the first of the month after normal procedures for closing or removal of the individual have taken place. When a MaineCare member has failed to comply with the work requirements, a determination of whether or not good cause existed shall be made. All facts and circumstances shall be considered, including information submitted by the MaineCare member and the employer, when applicable. *Movement to align with TANF or SNAP requirements
<u>Mississippi</u>	 Eligible Population: Non-disabled adults currently covered under traditional Medicaid, 	Work Requirements: Working in a paid employment at least 20 hours per week:
Non-Expansion State	• Non-disabled adults currently covered under traditional Medicaid, including low-income parents and caretakers eligible under Section	 Working in a paid employment at least 20 hours per week; Self-employment for at least 20 hours per week;
-	1931 and individuals eligible for transitional medical assistance	 Participation with the Office of Employment Security;
Waiver Application Status:		Volunteering with approved agencies;
Pending	 Exempt Population: Native Americans 	• Participation in an alcohol or other drug abuse (AODA) treatment; and
	Native AmericansPregnant women	Compliance with SNAP and TANF work requirements
	Children under the age of 19	*Eligible individuals will be assessed at the point of application or reassessment to
	 Individuals enrolled in 1915(c) waivers 	determine if they meet requirements to participate in workforce training activities
	• Individuals over 65 years of age	**DOM will enter into a data sharing agreement with the Office of Employment
	Individuals residing in an institution	Security to identify and track those individuals who comply with the workforce
	• The member is diagnosed with a mental illness	training activities

	 The member receives Social Security Disability Insurance The member is a primary caregiver for a person who cannot care for himself or herself The member is physically or mentally unable to work per a determination by Disability Determination Services The member is receiving or has applied for unemployment insurance The member is taking part in an alcohol or other drug abuse (AODA) treatment program The member is enrolled in an institution of higher learning at least part-time The member is a high school student age 19 or older, attending high school at least half-time 	 Loss of Eligibility: Participants who fail to comply with the workforce training requirements will lose eligibility on the first day of the month following the report or identification of non-compliance. Individuals whose eligibility is terminated due to non-compliance with workforce training opportunities will be reinstated upon future compliance. Individuals who fail to comply within 6 months of termination will be required to submit a new application for benefits. Individuals who fail to comply within 6 months or less of their reassessment date will also be required to submit a new application *The Demonstration will not affect or modify other components of the State's current Medicaid and CHIP programs outside of eligibility.
New Hampshire	Eligible Population:	Work Requirements:
Expansion State	Adults age 19-64 with incomes up to and including 133% of the FPL who are neither enrolled in (nor eligible for) Medicare or enrolled in the state's Health Insurance Premium Payment (HIPP) program.	Newly eligible adults, will engage in work, or a combination of other clearly outlined activities, for at least 20 hours per week upon application of benefits; 25 hours per week after receiving 12 months of benefits; and 30 hours per week after receiving 24 months of benefits over the lifetime
Waiver Application Status: Pending	 Exempt Population: A person who is temporarily unable to participate in the requirements due to illness or incapacity as certified by a licensed physician, an advanced practice registered nurse (APRN), a licensed behavioral health professional, a licensed physician, or a board-certified psychologist. The physician, APRN, licensed behavioral health professional, licensed physician assistant, or psychologist shall certify, on a form provided by the department, the duration and limitations of the disability A person participating in a state-certified drug court program, as certified by the administrative office of the superior court. A parent or caretaker as identified in RSA 167:82, II(g) where the required care is considered necessary by a licensed physician, APRN, board-certified psychologist, physician assistant, or licensed behavioral health professional who shall certify the duration that such care is required A parent or caretaker of a dependent child under 6 years of age Individuals enrolled in the state's HIPP program 	 Possible activities that meet work requirements include: Unsubsidized employment Subsidized private sector employment Subsidized public sector employment Work experience, including work associated with the refurbishing of public publicly assisted housing, if sufficient private sector employment is not available On-the-job training Job search and job readiness assistance Vocational educational training not to exceed 12 months with respect to any individual Job skills training directly related to employment Education directly related to employment, in the case of a recipient who has not received a high school diploma or a certificate of high school equivalency Satisfactory attendance at secondary school or in a course of study leading to a certificate of general equivalence, in the case of a recipient who has not completed secondary school or received such a certificate

		Loss of Eligibility: If an individual in a family receiving benefits refuses to engage in work required, the assistance shall be terminated.
Utah Non-Expansion State Waiver Application Status: Pending	 Eligible Population: Parents who are 60-100% of FPL, and childless adults 0-100% of FPL. Exempt Population: State will use the following SNAP federal work participation exemptions - additional exemptions may be considered in the future Age 60 or older Physically or mentally unfit for employment-verification may be required Parents or other members of households with responsibility of a dependent child under age 6 Responsible for the care of an incapacitated person-exempt the caretaker even if the incapacitated person is not a member of the household Receiving unemployment insurance benefits or has applied and/or waiting for a decision and has registered for work at Department of Workforce Services-a person who was denied UI and is appealing the negative decision is not exempt Participating regularly in a drug and alcohol treatment program- alcoholics anonymous does not qualify A student enrolled at least half time in any school or training program- summer school is not considered a normal school term Participating in refugee employment services Family Employment Program recipients, including FEP-TP- must be included in the FEP benefit to be exempt under this provision Issued a FEP diversion payment- exemption is applicable only for the denial month of FEP unless another exemption is met Working at least 30 hours a week OR earning at least Federal Minimum Wage times 30 hours a week 	 Work Requirements: Work at least 30 hours a week; or Participate in online job/training within the first three months of being notified they have been enrolled in the program. Online job search/training will be completed through the Department of Workforce Services, using the same resources offered to Utah SNAP recipients. Participation activities will be the same used for the Utah SNAP Employments & Training Program Uoss of Eligibility: Only those individuals who fail to participate in work requirements will be removed from the program Individuals who lose eligibility may become eligible again by completing all required activities OR be meeting an exemption <i>After completing all required activities, the individual must reapply for benefits.</i> As long as the individual applies for benefits in the month following the month they complete all required activities, open enrollment requirements will not apply **American Indian and Alaska Natives will be enrolled in the work requirement program, but will not have their medical benefits terminated if they fail to complete all required work activities

Non-Expansion StateApplies to members ages 19 through 49 years oldBeneficiaries will be required to engage in work activities 80 hours a monthNon-Expansion StateExempt Population: Member will be exempt from the work requirements and associated eligibility time limit if any of the following is true: • The member is diagnosed with a mental illness • The member receives Social Security Disability Insurance (SSDI) • The member is a primary caregiver for a person who cannot care for himself or herself • The member is physically or mentally unable to work.• Beneficiaries will be required to engage in work activities 80 hours a month • Those who meet specified work requirements while receiving Medicaid benefits will not accrue time to a 48-month eligibility time limit. • The 48-month count will stop during the time a member works and/or receives job training for at least 80 hours per month. • Members over the age of 49 will not be subject to the work requirements or the 48 month eligibility limit. • Wisconsin will leverage the FoodShare Employment and Training (FSET) resources to connect members with opportunities to participate in employment
 The member is receiving or has applied for unemployment insurance The member is taking part in an alcohol or other drug abuse (AODA) treatment program The member is enrolled in an institution of higher learning at least half-time The member is a high school student age 19 or older, attending high school at least half-time

*North Carolina's waiver does not explicitly include a work requirement, it does include language for a bill introduced at the state house last year called Carolina Cares. The Carolina Cares plan would include a work requirement.