

## Arkansas 1115 Waiver

On March 5, 2018 CMS approved Arkansas' 1115 waiver amendment, Arkansas Works, which will run through December 31, 2021. The Arkansas Works program covers childless adults at or below 138% of FPL. Prior waiver approvals required premiums and cost sharing for beneficiaries above 100% of the federal poverty line (FPL) and waived NEMT for certain beneficiaries. Additionally, prior to this waiver amendment, individuals in the Arkansas Works program received coverage through the Marketplace or employer sponsored insurance (ESI), with the state offering premium assistance. However, through the newly approved waiver the state is ending the ESI premiums assistance program, while also waiving presumptive eligibility, clarifying retroactive eligibility, and adding work requirements. (Arkansas is the third state to receive CMS approval for the implementation of work requirements in Medicaid.)

### **Community Engagement Requirements**

Certain Arkansas Works beneficiaries (new adult group beneficiaries - childless adults at or below 138% of FPL) between the ages of 19 and 49 are required to work or engage in state approved education, job training, job search activities for at least 80 hours per month. Members meeting exemptions such as (but not limited to) individuals over the age of 50, medically frail, individuals with dependent children, individuals who are pregnant, and those in participating in substance use disorder programs. By the 5<sup>th</sup> of each month, beneficiaries will electronically document in the portal the previous month's qualifying work related activities.

Beneficiaries who fail to meet community engagement or reporting requirements for any three months during a plan year will be disenrolled from Arkansas Works effective the first day of the following month. Beneficiaries lose eligibility for the program until the next plan year, at which point, a beneficiary must file a new application to receive eligibility determination. Previous noncompliance with community engagement requirements is not factored into the state's determination of eligibility.

### **Discontinuation of ESI Premium Assistance Program**

The new amendment will eliminate the states ESI premium assistance program. All Arkansas Works beneficiaries enrolled in ESI premium assistance, and remain eligible for Arkansas Works, will transition to qualified health plan (QHP) coverage. Individuals deemed medically frail or identified as American Indian or Alaskan Native are exempt from QHP enrollment.

### **Clarifying Retroactive Eligibility for the New Adult Group**

Through the waiver, the state will limit retroactive eligibility coverage for expansion (new adult group) beneficiaries to 30 days prior to the date of submitting an application for coverage.

### **Presumptive Eligibility**

This waiver removes the requirement to provide hospitals the ability to do presumptive eligibility determinations as a condition of waiving retroactive eligibility.

*\*Of note, in the waiver amendment application Arkansas asked for limiting Medicaid expansion to individuals at or below 100% of FPL. However, this part of the waiver was not approved in the March 8, 2018 waiver amendment approval.*