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**RECERTIFICATION**

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**REVISED 5/31/2024 – CHANGE NO. 10-24**

**Current Change Notice: 10-24**

- Section II.K.4. - If immigration status cannot be verified via the ex-parte process, the beneficiary must be given a reasonable opportunity period.
- Section II.K.5. - If a beneficiary failed to provide documentation confirming immigration status at the end of the ROP:

  - Section II.K.5.d. - The individual may reapply for Medicaid; the caseworker must process the application and allow another ROP.

**I. BACKGROUND**

This section provides recertification procedures for all aged, blind, and disabled Medicaid categories except for SSI beneficiaries and Medically Needy beneficiaries. For individuals with SSI, Medicaid eligibility continues automatically. Refer to [MA-1000, SSI Medicaid Automated Process](#) for Medicaid recertification procedures when SSI terminates. Refer to [MA-2321, Medically Needy Recertification](#) for medically needy recertification policy.

Federal regulations require that eligibility be evaluated annually (except for Medically Needy cases which are reviewed every six months). Recertifications must be completed so that the appropriate notice can be sent in a timely manner and to ensure that ongoing benefits are issued timely and accurately. When recertification is not completed timely, benefits must be extended one month at a time until the recertification is completed.

**II. POLICY PRINCIPLES**

**A. Definitions**

1. **Ex-parte process**: a determination of Medicaid eligibility utilizing information available to the local agency without requesting verification from the beneficiary. This may be electronic sources or information verified by other programs, such as Food and Nutrition Services (FNS) or Work First Family Assistance (WFFA). When information and/or verification must be requested from the beneficiary, the ex-parte process ends.

When possible, caseworkers should process recertifications using the ex-parte process. Refer to section IV., below for more information.

2. **Recertification**: a review of all factors of eligibility subject to change. May be completed ex-parte. For non-MAGI (Modified Adjusted Gross Income) programs, there is no recertification form, and no signature is required to complete a recertification.
3. **Monthly processing deadline**: the second to the last state business day of the month.

## **B. Reasonable Compatibility**

When the recertification cannot be completed ex-parte, and information must be requested via the [DHB-5097/DHB-5097sp](#), Request for Information, reasonable compatibility may be applicable. Caseworkers should use the guidance below to determine if reasonable compatibility applies. Refer to [MA-2251, Reasonable Compatibility](#).

1. Reasonable compatibility refers to the standard used to compare the self-attested income/resources and income/resources as reported by an electronic data source.
  - a. Reasonable compatibility is determined based on the total countable amount of income/resources for the household.
  - b. Reasonable compatibility cannot be used without a current self-attestation of income/resources.
  - c. Self-attestation may be the applicant/beneficiary's statement or information they provide. Refer to [MA-2251, Reasonable Compatibility](#).
2. Reasonable compatibility is **not** applicable for income when calculating a deductible for medically needy Medicaid programs or when calculating the patient monthly liability (PML) for long-term care (LTC) and PACE Medicaid programs.
3. Reasonable compatibility **is** applicable for resources for all Medicaid programs that determine eligibility based on resources.

## **C. Timely Recertification**

1. Complete the recertification process every 12 months.
2. Begin the recertification process no earlier than the beginning of the 10<sup>th</sup> month of a 12-month certification period.
3. The recertification process must be completed prior to the monthly processing deadline of the last month of the certification period.
4. Complete the recertification process in time to allow a timely notice period to expire prior to the monthly processing deadline of the last month of the certification period.

#### **D. Assistance With Recertification**

The beneficiary is allowed to have any third person to assist in the recertification process.

#### **E. Reducing or Terminating Benefits**

1. Benefits may not be reduced or terminated based on verifications obtained from an electronic source alone. The caseworker must:
  - a. Update the evidence in NC FAST.
  - b. Request additional verification from the beneficiary by sending the [DHB-5097/DHB-5097sp](#), Request for Information prior to taking action.
  - c. Refer to II.B. above and [MA-2251, Reasonable Compatibility](#) to determine if reasonable compatibility policy is applicable.
2. If the beneficiary fails to respond with the required information requested on the [DHB-5097/DHB-5097sp](#), Request for Information, by the 30<sup>th</sup> calendar day, terminate the case following timely notice policy found in [MA-2420, Notice and Hearing](#).
3. If Medicaid benefits are reduced or terminated, [DSS-8110, Notice of Modification, Termination, or Continuation of Public Assistance](#) must be completed so that it the notice expires prior to the monthly processing deadline to allow for appropriate timely notice period. Refer to [MA-2420, Notice and Hearing](#).

#### **F. Requesting Information**

1. Only ask for information about individuals living in the home who are financially responsible for those persons receiving or requesting Medicaid coverage.
2. Allow the beneficiary **30 calendar days** to respond to the [DHB-5097/DHB-5097sp](#).
3. If the beneficiary does not respond or provide the required information requested on the [DHB-5097/DHB-5097sp](#) by the 30th calendar day, follow notification policy and terminate with timely notice. Refer to [MA-2420, Notice and Hearing](#).

#### **G. Self-Attestation**

Permit on a case-by-case basis self-attestation by beneficiaries of any eligibility requirement except citizenship and immigration status when documentation doesn't exist or is not reasonably available, such as for individuals who are homeless or victims of domestic violence or natural disaster.

## H. Evaluate for All Programs

Always evaluate eligibility under all Medicaid categories. This includes all MAGI and non-MAGI Medicaid programs. **Refer to MA 3421 MAGI Recertification and MA 3306 Income.**

## I. Eligibility Factors Subject to Change

1. Reverify only those eligibility factors that are subject to change, such as:

- income
- household composition
- resources
- the status of qualified aliens lawfully residing in the United States
- cooperation with child support when applicable, refer to [MA-2375, Child Support](#)
- application for all benefits the beneficiary is entitled to.

**Child Support Cooperation and application for all benefits are NOT required during the Continuous Coverage Unwinding. Refer to [DHB Administrative Letter 13-23, Child Support Cooperation and Applying for Other Monetary Benefits Post Eligibility During the Continuous Coverage Unwinding \(CCU\) Period](#)**

2. If verification is needed at recertification:

- a. Attempt to obtain the verification by conducting an ex-parte review first.
- b. If verification is needed from the beneficiary, send the [DHB-5097/DHB-5097sp](#) Request for Information to the beneficiary and their authorized representative.
- c. Refer to [MA-2250, Income](#), and [MA-2230, Financial Resources](#), to determine the correct base-period and countable income/resources.

3. The local agency must obtain the verification for the individual and document in NC FAST when:

- there is a fee involved in obtaining the information OR
- if the individual requests assistance OR
- the individual is mentally, physically, or otherwise incapable of obtaining the information.

## J. Providing Assistance

1. When assistance is needed, it must be provided in a manner accessible to persons with disabilities or limited English proficiency.

2. Home visits may be made only at the request of the beneficiary when needed. Home visits may be used to assist the beneficiary in providing information needed to complete the review. Beneficiaries may request a home visit due to incapacity or other good cause.

#### **K. Immigration Status Must be Re-Verified at Recertification**

At recertification, the caseworker must review the beneficiary's immigration documentation. If verification is needed at recertification, attempt to obtain the verification by conducting an ex-parte review before contacting the beneficiary and their authorized representative. If verification is not available ex-parte, request verification using the [DHB-5097/DHB-5097sp](#) Request for Information.

1. Verify the beneficiary continues to reside lawfully in the United States using SAVE, Systematic Alien Verification for Entitlement Program. Refer to [NC FAST Job Aid](#): SAVE Automation Verification. The caseworker should use any documentation in the case file that the beneficiary provided at application.
2. DO NOT use SAVE as verification for trafficking victims. The case file contains a copy of the Office of Refugee Resettlement (ORR) certification letter received at application. Call the trafficking verification line at (866) 401-5510 to confirm the validity of the certification letter or eligibility letter for children if questionable. See [MA-2504, Alien Requirements](#).
3. If the case (including all agency records and electronic sources) contains an expired document and the beneficiary is unable to present any immigration documentation to verify their immigration status, refer the beneficiary to the local U.S. Citizenship and Immigration Services (USCIS) Office to obtain documentation of their immigration status.
4. If immigration status cannot be verified via the ex-parte process, the beneficiary **must be given a** reasonable opportunity period (ROP):
  - a. Request verification by sending [DHB-5097/DHB-5097sp](#), Request for Information, to the beneficiary and their authorized representative.

Do not ask the beneficiary to mail or leave at the local agency any original documents. A copy of the document is sufficient.
  - b. If the beneficiary attests they have a valid immigration status but states they do not have documentation and they are making a good faith effort to obtain the needed documents, document the case.
  - c. If all other eligibility requirements are met, complete the recertification, and authorize with the appropriate certification period.
5. **If the beneficiary failed to provide** documentation confirming immigration status **at the end of the ROP**:

- a. Follow [NC FAST Job Aid](#), Reasonable Opportunity Period, to end-date the verification.
  - b. Send a timely [DSS-8110, Notice of Modification, Termination, or Continuation of Public Assistance notice](#).  
  
Refer to [MA-2420, Notice and Hearings](#).
  - c. Terminate the case effective the last day of the current certification period if the beneficiary has received an ROP and failed to provide documentation or did not request assistance in obtaining verification of immigration status.
  - d. **The individual may re-apply for Medicaid; the caseworker must process the application and allow another ROP. Refer to MA-2504, Alien Requirements policy.**
6. When the beneficiary is a current or former lawful permanent resident (LPR):
- a. Refer to [MA-2504](#), Alien Requirements, for acceptable documentation for LPR beneficiaries and
  - b. Use SAVE to verify the authenticity of the LPR document.
  - c. Refer to [NC FAST Job Aid](#): SAVE Automation Verification.

**L. Eligibility Factors Not Subject to Change**

1. Do not reverify factors that are not subject to change, such as:
  - date of birth
  - citizenship.
2. Citizenship and identity documentation is required at application and do not need to be re-established at recertification.

**M. Authorized Representative**

1. Review all agency records to determine if the beneficiary has one or more of the following:
  - a. A power of attorney
  - b. Legal guardian
  - c. Authorized representative
  - d. Refer to [MA-2420, Notice and Hearings](#) policy for a complete list.

2. Verify the documentation is not expired.

3. If the documents are expired:
  - a. Contact the beneficiary by phone or by sending a [DHB-5097/DHB-5097sp](#) to determine if the same individual on file is still serving in this capacity.
  - b. If yes, the caseworker should request an updated authorization form.
  - c. If no response or if the beneficiary indicates the individual is no longer authorized to be their representative, end date the authorized representative evidence.
  - d. Do not delay the recertification pending authorized representative verification.
  - e. If all eligibility factors are met, recertify the beneficiary into the appropriate program or make program changes as needed.
  - f. When the beneficiary does not provide verification that the representative with an expired authorization continues to be authorized, do NOT send the representative any notices or requests for information. Ensure the evidence is end dated.
4. If continued eligibility cannot be determined ex-parte, send all forms and requests for verification to both the beneficiary and the authorized representative.
5. Refer to:
  - [MA-2420, III. Notice and Hearings](#) for a list of authorized representatives and hierarchy for determining order of priority.
  - NC FAST Job Aid: [Adding an Authorized Representative](#).

#### **N. Program Change**

1. If the beneficiary is eligible in a different program, obtain necessary verifications and update evidence in NC FAST.
2. When the program the beneficiary is now eligible for is determined using MAGI methodology:
  - a. Refer to [MA-3306, Modified Adjusted Gross Income \(MAGI\)](#) for eligibility requirements and MA-3421 MAGI Recertification.
  - b. Submit an administrative insurance affordability application in NC FAST. Select “administrative” as the type of application from the drop-down menu.



## **O. Dually Eligible**

Beneficiaries who are eligible for both Medicare and Medicaid are dually eligible. When the beneficiary has two product delivery cases (PDCs), the system will generate the appropriate notice for each PDC at recertification.

1. When both PDCs are recertified, the caseworker must not override or cancel either notice.
2. When Medicaid is terminating but the MQB is continuing, the caseworker must not override or cancel either notice. The caseworker must also ensure that the recertification process is completed to allow for the termination notice to be sent timely. Refer to [MA-2420, Notice and Hearings Procedures](#).
3. When both PDCs are terminating, the caseworker must not override or cancel either notice. The caseworker must also ensure that the recertification process is completed in time to allow for timely notice of termination. Refer to [MA-2420, Notice and Hearings Procedures](#).

## **III. INFORMING THE BENEFICIARY OF THEIR RIGHTS AND RESPONSIBILITIES**

In-person and telephone interviews can no longer be required at recertification. However, the local agency must provide information to the beneficiary which formerly was provided during the recertification interview.

### **A. Notice of Rights and Responsibilities**

NC FAST will generate and mail the DHB-5085, Important Information About Your Rights and Responsibilities for Medicaid at Recertification, on the first day of the tenth month of the beneficiary's certification period.

### **B. In Person or Telephone Contact**

1. When the caseworker has in person or telephone contact with the beneficiary during the recertification process, rights and responsibilities should be explained by the caseworker to the beneficiary.
2. Document on the case that the information on DHB-5085, Important Information About Your Rights and Responsibilities for Medicaid at Recertification, has been explained.
3. At every in person or telephone contact, the caseworker must offer assistance to the individual with creating an ePASS account, and with linking/delinking their ePASS account.
  - The option to **link** their ePASS account is not available to a/bs who DO NOT have a Social Security Number and sufficient credit history.
  - Refer to:

- [Dear County Director Letter \(DCDL\) posted on May 18, 2022](#)
- The Learning Gateway training, [ePASS Linking & Delinking Enhanced Accounts](#)
- NC FAST Job Aid: ePASS Linked Accounts Change of Circumstance

**C. Non-Emergency Medical Transportation (NEMT)**

The [DHB-5046, Medical Transportation Assistance Notice of Rights](#) is generated and mailed by NC FAST when the recertification is marked complete in NC FAST.

**D. Third Party Insurance**

1. If the beneficiary reports that they have health insurance or have been in an accident, verification of insurance must be provided post eligibility.
2. When an individual is in an accident and Medicaid covers the medical bills when there is third-party liability, inform the beneficiary that if there is an insurance settlement at a later date, Medicaid will recoup up to the amount paid by Medicaid.
  - a. Examples of the kinds of insurance that must pay the medical bills or refund the Division of Health Benefits (DHB) are:
    - Health insurance
    - Auto insurance settlements used to pay medical bills
    - Worker’s compensation
    - CHAMPUS or Tri-Care
    - Indemnity policies
  - b. Explain that:
    - (1) By accepting Medicaid, the beneficiary has given the state the right to all money that they might be entitled to from all insurance that will pay for their medical expenses up to the amount paid by Medicaid.
    - (2) It is a misdemeanor for anyone to willfully fail to tell the local agency of any claim they may have against anyone for medical expenses, regardless of the kind of insurance or accident involved.

**E. Homeless Individuals with No Permanent Address**

1. Caseworkers should enter the local agency’s mailing address for the homeless beneficiary if they report no other mailing address.
2. Instruct homeless individuals with no permanent address

- a. They are responsible for coming to the agency to pick up their annual Medicaid card and necessary notices.
  - b. They are responsible for checking with the local agency periodically to pick up their mail from the enrollment broker and/or their assigned prepaid health plan (PHP).
3. If the beneficiary fails to pick up their annual Medicaid card for two consecutive months, refer to [MA-2352, Change in Circumstance, Terminations, and Reopening](#), for policy regarding unable to locate.

**F. Returned Mail/Unable to Locate**

1. Document all attempts to locate the beneficiary. Documentation must include the date of the attempt and the outcome.
  - a. Review agency records and other program records for a current address including:
    - Food and Nutrition Services (FNS)
    - Work First Family Assistance (WFFA)
    - Other agency records and/or electronic sources as needed
  - b. Review current electronic sources for an updated address, such as (not an exhaustive list):
    - ACTS
    - ESCWS
    - SDX
    - SOLQ
    - TWN
  - c. Attempt to contact the beneficiary by telephone to obtain a current address.
  - d. Send a [DHB-5097/DHB-5097sp](#), Request for Information to the most recent mailing address to request verification of a new address.
2. If all attempts to locate the beneficiary are unsuccessful, send an **adequate** [DSS-8110](#) to terminate Medicaid. Follow policy in [MA-2420, Notice and Hearings Process](#).
3. If the local agency **is able to locate** the beneficiary prior to the end of the current certification period, reopen the terminated case from the first day of the month after the month of termination and authorize benefits through the end of the certification period.

**Example:**

- Caseworker begins ex-parte recertification on 10/5 for a beneficiary's case with a certification period that ends 12/31.
- The caseworker discovers that additional information is required and mails the beneficiary a DHB-5097 on 10/10.
- The caseworker receives returned mail on 10/28 with no forwarding address for the beneficiary.
- The caseworker then follows the policy in steps one and two above. After exhausting all efforts to locate the beneficiary on 11/15, the caseworker terminates the case using the reason "unable to locate" effective 11/30 and mails adequate notice to the beneficiary.
- On 12/15, the beneficiary contacts the caseworker after a medical provider informs them that their Medicaid is not active.
- The beneficiary provides a new address, and the caseworker reopens the case, authorizing benefits through 12/31 (the original certification end date).
- Because the caseworker originally was unable to complete the recertification ex-parte, the new certification period cannot be authorized until the recertification is completed.
- The caseworker must follow the steps in four, below.

4. At recertification, when the original returned mail item is the [DHB-5097/DHB-5097sp](#) Request for Information, mailed by the caseworker to request verification to complete the recertification, take the following steps when the local agency **is able to locate** the beneficiary prior to the end of the **current** certification period:

- a. Generate and mail another [DHB-5097/DHB-5097sp](#) Request for Information, requesting the same information that is needed to complete the recertification.
- b. Allow the beneficiary 30 calendar days to provide the information.
- c. If the 30<sup>th</sup> calendar day is in the month after the certification period ends, extend the certification period for one month at a time until the recertification process is complete.
- d. If the beneficiary fails to respond or is no longer eligible, and there is not enough time to mail timely notification after the 30<sup>th</sup> calendar day, extend the certification period for one month at a time until the timely notification process is complete.

**Example:**

- Using the same scenario in the example under III.F.3. above, the caseworker reopened the case and generated and mailed the DHB-5097 requesting the same information required to complete the recertification.

- The beneficiary returns the information, however, the information provided results in ineligibility for all Medicaid programs.
- The caseworker determined the beneficiary is ineligible on 12/21 and generates and mails timely notice which expires in January.
- Because timely notice does not expire before the end of the current certification period (12/31), the caseworker extends the benefits for one month, with the end date of 1/31.

#### **IV. EX-PARTE RECERTIFICATION**

##### **A. Ex-Parte**

1. All recertifications must be completed using electronic data sources, and available agency records to determine continued eligibility prior to contacting the beneficiary/authorized representative.
2. When using available agency records, the information must:
  - a. Have been verified.
  - b. Be from an active case or pending application.
  - c. Be within the current base period for the recertification.
3. Electronic data sources and agency records include but are not limited to:
  - a. Online Verification Service (OVS)
  - b. The Work Number (TWN) - (can only be completed inside of NC FAST due to contractual requirements)
  - c. Food and Nutrition Services (FNS)
  - d. Work First Family Assistance (WFFA)
  - e. Other agency records and/or electronic sources as needed

##### **B. Base-Period and Countable Income/Resources**

Refer to policy sections below to determine the correct base-period and countable income/resources:

1. [MA-2250, Income](#)
2. [MA-2230, Financial Resources](#)

## V. WHEN CONTINUED ELIGIBILITY CANNOT BE DETERMINED EX-PARTE

When continued eligibility cannot be determined or eligibility will change to a lesser benefit, continue in deductible status, or terminate based on the ex-parte review:

### A. Request Information

1. Send the [DHB-5097/DHB-5097sp](#) Request for Information, to the beneficiary and the authorized representative.
  - a. Request all required information, including both paid and unpaid medical bills, and anticipated medical expenses to meet a new six-month deductible.

Accept the beneficiary's statement of anticipated medical expenses if their statement reasonably shows that the deductible may be met by anticipated medical expenses (e.g., scheduled surgery).
  - b. When requesting medical bills to meet a deductible, the caseworker **must** include the new/changed deductible amount on the [DHB-5097/DHB-5097sp](#), Request for Information.
  - c. The [DHB-5097/DHB-5097sp](#), Request for Information must include the amount and source of the income used to calculate the deductible, and the new six-month medically needy Medicaid certification period.
  - d. Allow **30 calendar days** to provide requested information.

If the 30<sup>th</sup> calendar day is a weekend or holiday, allow the beneficiary until the next business day to provide the requested information.
2. The local agency must obtain the verification for the individual when:
  - a. There is a fee involved in obtaining the information OR
  - b. The individual requests assistance OR
  - c. The individual is mentally, physically, or otherwise incapable of obtaining the information.
  - d. Document the reason for the local agency to obtain verification, the information verified, and/or all attempts to verify in NC FAST.
3. If the individual fails to provide information needed to determine eligibility in non-MAGI category and the individual **is eligible** for another full MAGI program including MAGI Adult Expansion (MXP), do **NOT** deny for failure to provide information. Close the Non-MAGI case and authorize the appropriate MAGI program category. Send appropriate notice.

## **B. Using Collateral Contacts**

Collateral contacts are used to substantiate or verify information necessary to establish eligibility.

1. Collateral contacts include specific individuals, business organizations, public records, and documentary evidence. Specific alternative collateral contacts that may be used for verification are outlined in the eligibility determination sections.
2. For more information about allowable contacts, see the policy section related to the evidence type being verified, i.e., if verifying income, review the appropriate policy section for income.
3. Collateral contacts should only be used if the recertification cannot be completed ex-parte.
4. Limit collateral contacts to those necessary to obtain the required valid information and where the beneficiary requests assistance or cannot obtain the needed verification.
5. If the beneficiary/representative does not want the local agency to contact necessary collateral contacts, ask them to obtain the information themselves.
6. If the beneficiary does not cooperate in providing/obtaining the necessary verifications, terminate the case following timely notice requirement see [MA-2420, Notice and Hearings](#).
7. Update/add verification on the evidence dashboard of the income support case in NC FAST. See the following NC FAST Job Aids:
  - a. Managing Spend Down Evidence
  - b. Income & Expense Evidence Wizards – Income Support
  - c. Adding Evidence to Cases
  - d. Verifications
  - e. NC FAST Mandatory Evidence and Verifications

## **C. Wage Verification**

When wage verification is needed:

1. The [DSS-8113, Wage Verification Form](#), may be sent to the employer when it is known that the information is not available to the local agency.

2. The form should be sent at the same time the [DHB-5097/DHB-5097sp](#) Request for Information is sent to the beneficiary and authorized representative.

**D. Modes for Providing Requested Information**

Inform the beneficiary that requested information may be provided by:

1. Telephone
2. Mail
3. In-person
4. Electronic/fax
5. ePASS (for beneficiaries with a linked account)

**E. When All Requested Information/Verification is Received:**

1. Complete the recertification, or
2. If additional information is identified, send a second [DHB-5097/DHB-5097sp](#), Request for Information, and allow the beneficiary 12 calendar days to return the information.

If the 12<sup>h</sup> calendar day is a weekend or holiday, allow the beneficiary until the next business day to provide the requested information.

**VI. RECERTIFICATION PROCEDURES**

A complete recertification of all eligibility factors subject to change is required every 12 months for all programs other than medically needy.

**A. Policy Procedures**

1. Always evaluate for all Medicaid programs. This includes all MAGI and non-MAGI Medicaid programs.
2. Begin the ex-parte process no earlier than the beginning of the 10th month of a 12-month certification period.

Refer to NC FAST Job Aid: Traditional Medicaid Recertifications, for instructions for beginning and working recertifications in NC FAST.

3. There cannot be a lapse in coverage during the Medicaid recertification process.
4. Local agency staff must utilize the Traditional Medicaid Pending Recertification Details reports on the O&M dashboard in NC FAST, to ensure



that all cases due for recertification by the end of the month are completed or extended (see VI.F. below).

## **B. Program Requirements**

### 1. Categorically Needy

Refer to [MA-2100, Categorically Needy, No Money Payment \(CNNMP\)](#) for MA-ABD coverage groups evaluated under CNNMP regulations

### 2. Long Term Care (LTC)/Community Alternatives Program (CAP)/Program of All-inclusive Care for the Elderly (PACE)

Additional steps must be completed when the beneficiary is receiving LTC/CAP/PACE Medicaid:

- a. Evaluate for new transfers of assets. [See MA-2240, Transfer of Assets.](#)
- b. Refer to [MA-2270, Long Term Care Need and Budgeting](#), for changes in PMLs for LTC beneficiaries.
- c. Refer to [MA-2275, Program of All-inclusive Care for the Elderly \(PACE\)](#), for PML changes and additional requirements for PACE beneficiaries.

### 3. Medicare Coverage Groups

- a. MQB-Q, [MA-2130](#), Qualified Medicare Beneficiaries – Q
- b. MQB-B, [MA-2140](#), Qualified Medicare Beneficiaries – B
- c. MQB-E, [MA-2160, Qualified Individual, MQB-E](#)

### 4. Special Assistance

- a. Recertification for Special Assistance or Special Assistance In-Home (SA/SAIH) includes Medicaid recertification.
- b. Follow applicable SA policy and NC FAST Job Aids for recertifying SA.
- c. When a Medicaid beneficiary is determined to be ineligible for SA, eligibility for all Medicaid programs must be determined.

### 5. Family Planning Program (FPP)

FPP eligibility should be authorized if it is **not** anticipated that the beneficiary will meet their deductible in the new certification period AND the beneficiary is not eligible for any other Medicaid program, including MQB-Q/B/E programs. Refer to [MA-2170](#), Family Planning Program.

## C. Program Change

When a beneficiary is no longer eligible for full aged, blind, or disabled (ABD) Medicaid but is eligible for another Medicaid program, including family planning, MQB-Q/B/E and/or medically needy Medicaid:

1. Send a [DHB-5097/DHB-5097sp](#), Request for Information prior to sending timely notification:
  - a. Request both paid and unpaid medical bills and anticipated medical expenses to meet the new six-month deductible. Accept the beneficiary's statement of anticipated medical expenses if it reasonably shows that the deductible may be met by anticipated medical expenses (scheduled surgery, for example).
  - b. The [DHB-5097/DHB-5097sp](#), Request for Information **must** include the new deductible amount.
  - c. The [DHB-5097/DHB-5097sp](#) Request for Information must include the amount and source of the income used to calculate the deductible, and the new six-month medically needy Medicaid certification period.
2. Allow 30 calendar days to provide requested information when the request is the first request. Allow a minimum of 12 calendar days for all subsequent requests.

If the due date is a weekend or holiday, allow the beneficiary until the next business day to provide the requested information.
3. If the individual **is eligible** for another full MAGI program including MAGI Adult Expansion (MXP), do **NOT** deny for failure to provide information. Close the Non-MAGI case and authorize the appropriate MAGI program category. Send appropriate notice.
4. Review the case to determine if the beneficiary has an active MQB case. If so:
  - a. Recertify the MQB case only and terminate the full Medicaid case in NC FAST.
  - b. Generate and mail the [DSS-8110, Notice of Modification, Termination, or Continuation of Public Assistance](#) to notify the beneficiary that MQB-Q or MQB-B will continue, and Medicaid will continue to pay Medicare premiums.
5. If the beneficiary does not have an active MQB-Q or MQB-B case in NC FAST:
  - a. Accept the changed decision for the existing Medicaid case to generate a timely notice.

- b. Authorize the new MQB product delivery case (PDC) from the eligibility check.
- c. Send a [DHB-5002/DHB-5002sp](#), Important Notice About Your Medicaid or Special Assistance Approval Notice to notify the beneficiary of the new program approval.

Refer to NC FAST Job Aid: Traditional Medicaid Recertification for keying instructions to activate the new PDC.

6. Medically needy beneficiaries:

- a. For beneficiaries eligible for medically needy Medicaid **only**, take the following steps:

- (1) Accept the changed decision for the existing Medicaid case to generate a timely notice.
- (2) Authorize the new spend-down Medicaid PDC from the eligibility check.

Refer to NC FAST Job Aid: Traditional Medicaid Recertification for keying instructions to activate the new PDC.

Refer to [MA-2321, Medically Needy Recertification](#) and [MA-2120, Medically Needy Regulations](#) for policy requirements.

- b. For beneficiaries eligible for medically needy Medicaid **and** MQB-B, follow steps in VI.C.5. above.
- c. For beneficiaries who are eligible for medically needy Medicaid **or** MQB-E, take the following steps:

Note that MQB-E beneficiaries cannot be dually eligible.

- (1) Contact the beneficiary and explain the option to proceed with medically needy or MQB-E. Document the information found in subsection VI.C. in [MA-2321, Medically Needy Recertification](#), is explained to the beneficiary.
- (2) When the beneficiary chooses deductible status, follow the steps in VI.C.6.a. above.
- (3) When the beneficiary chooses MQB-E:
  - (a) Accept the changed decision for the existing Medicaid case to generate a timely notice.

- (b) Authorize the new MQB-E PDC from the eligibility check.
- (c) Send a [DHB-5002/DHB-5002sp](#), Important Notice About Your Medicaid or Special Assistance Approval Notice to notify the beneficiary of the new program approval.

Refer to NC FAST Job Aid: Traditional Medicaid Recertification for keying instructions to activate the new PDC.

d. For beneficiaries who are eligible for MQB-B, and/or medically needy Medicaid,

- (1) Generate and mail the <https://policies.ncdhhs.gov/document/ma-2250-income/> to request medical bills (including old, current, or anticipated medical bills), include the deductible amount on the [DHB-5097/DHB-5097sp](#). Refer to [MA-2321](#), [Medically Needy Recertification](#) complete instructions can be found in section V. of [MA-2321](#).
- (2) Accept the changed decision on the current PDC to generate the timely notice.

7. If the beneficiary is determined eligible for a MAGI Medicaid program:

- a. Accept the changed decision on the current non-MAGI Medicaid case to generate the applicable timely or adequate notice according to policy.
  - (1) If eligibility is changing from a non-MAGI Medicaid program to a MAGI program with equal or greater Medicaid benefits,
    - (a) Mail adequate notice.
    - (b) Key an administrative MAGI application.
    - (c) Close the non-MAGI PDC.

**Note:** Refer to NC FAST Job Aid: MAGI – Application to Case to key a new application.
  - (2) If eligibility is changing from a non-MAGI full Medicaid program to a MAGI limited benefit program, (i.e., FPP),
    - (a) Mail timely notice.
    - (b) Key an administrative MAGI application.
    - (c) Close the non-MAGI PDC.

**Note:** Refer to NC FAST job aid, MAGI – Application to Case to key a new application.

- b. After authorizing and activating the new PDC, generate and mail a [DHB-5003, Medicaid Approval Notice](#).

#### **D. Terminating with Timely Notice**

1. If the case is ineligible in any other Medicaid program, mail a timely [DSS-8110: Notice of Modification, Termination, or Continuation of Public Assistance](#).
2. Prior to termination, always evaluate each individual in the case in all other programs for ongoing benefits.
3. Refer to NC FAST Job Aid: Traditional Medicaid Recertifications and follow the steps to close the case in NC FAST.
4. The caseworker must complete the steps in NC FAST at least ten state business days prior to the end of the certification period.
5. Timely notice should be generated in NC FAST. Refer to the following for policy and system requirements:
  - a. [MA-2420, Notice and Hearings Process](#)
  - b. NC FAST Job Aid: MA/MAGI DSS-8110 Notice of Modification, Termination, or Continuation of Assistance

#### **E. Appeal Requests**

1. An a/b has the right to appeal an action if they disagree with the local agency decision.
2. An appeal may be requested verbally or in writing in any of the following modes of communication:
  - a. Via the ePASS portal
  - b. Telephonically

**Note:** When the beneficiary contacts the local agency and leaves a voice message requesting to appeal an action to be taken by the local agency, the caseworker must attempt to contact the beneficiary by telephone no later than the following business day.

The caseworker must document the call in NC FAST and include:

- Date and time of the original voice message.
- Date and time of the returned call.

- Telephone number(s) used to attempt to contact the beneficiary.
  - Outcome of the call (successful, unsuccessful, left message, etc.)
  - Details of the call relevant to the case and appeal request.
- c. In-person
- d. Via all electronic data sources (i.e., fax, email, etc.)
- e. In writing

Refer to [MA-2420, Notice and Hearings Process](#), for complete policy.

#### **F. Untimely Completion of Recertifications – Franklin v. Kinsley Requirements**

Franklin v. Kinsley (5:17-CV-581 E.D.N.C.) – previously known as Hawkins v. Cohen is a federal lawsuit filed in 2017 on behalf of Medicaid beneficiaries in North Carolina. The Court has ordered N.C. Department of Health and Human Services (DHHS) and all 100 county Department of Social Services (DSS) to stop terminations or reductions of Medicaid benefits until eligibility under all Medicaid categories, including Medicaid for the Disabled (MAD), has been considered and proper notice of the termination has been sent.

It is imperative that caseworkers begin working recertifications in a timely manner. The procedures below apply if the caseworker does not complete the process timely OR if the beneficiary submits information late in the recertification process that must be verified.

When the recertification cannot be completed so that timely notification can be completed by the end of the current certification period:

1. Active benefits must continue on a month-by-month basis until timely notification procedures have been followed.
  - a. The local agency must comply with the Franklin v. Kinsley court order by ensuring that caseworkers extend Medicaid benefits for the next month. Ensure that the beneficiary’s benefits continue for the same program being recertified.
    - For cases that can be extended utilizing “Medical Continued” evidence, refer to NC FAST Job Aid: Continued Eligibility for Medical Assistance.
    - For cases that must be extended by utilizing forced eligibility, refer to NC FAST Job Aid: Forced Eligibility for Income Support Medical Assistance, Special Assistance, & Cash Assistance.
  - b. In order to comply with Franklin v. Kinsley, if the recertification is not completed and no extension is given by the local agency, NC FAST will automatically extend the benefits for one month at a time until the recertification is completed.

- c. If the local agency fails to fully comply with the Franklin v. Kinsley court order and NC FAST automatically extends benefits, the local agency will be financially responsible for any erroneous benefits and Medicaid claims payments if the beneficiary is determined ineligible. This is required by the court order and N.C. Gen. Stat. § 108A-25.1A.
- 2. Timely notice should be generated in NC FAST. Refer to the following for policy and system requirements:
    - a. [MA-2420, Notice and Hearings Process](#)
    - b. NC FAST Job Aid: MA/MAGI DSS-8110 Notice of Modification, Termination, or Continuation of Assistance

**VII. MANAGED CARE ENROLLMENT**

**A. Enrollment in Prepaid Health Plan**

- 1. Most Categorically Needy beneficiaries are required to enroll in a Prepaid Health Plan (PHP).
- 2. Refer to NC FAST Job Aid: MC/TO – Managed Care Status Reference Guide for information regarding mandatory, exempt, and excluded statuses.

**B. Medicaid Direct: Community Care of North Carolina/ Carolina Access (CCNC/CA) Enrollment**

- 1. Individuals who are exempt from enrollment with a PHP may choose to enroll with a PHP or they may choose to be Medicaid Direct. If Medicaid Direct is chosen, enroll the a/b in CCNC/CA.
- 2. Individuals excluded from enrollment with a PHP remain Medicaid Direct and CCNC/CA policy applies.
- 3. The local agency must enroll excluded individuals or exempt beneficiaries who choose Medicaid Direct in CCNC/CA:
  - a. At application
  - b. Recertification
  - c. Any time a beneficiary contacts the agency to request a change in CCNC/CA enrollment status.
- 4. Refer to [MA-2425 Community Care of North Carolina \(CCNC\)/Carolina Access \(CA\)](#)

**C. Program Changes That Impact Managed Care or Medicaid Direct**

1. When a beneficiary was enrolled in Managed Care and is now Medicaid Direct, caseworker action is not required unless the beneficiary reports a change to their primary care provider (PCP). When the beneficiary reports a change to their PCP, the caseworker must update the evidence in NC FAST.
2. When a beneficiary has moved from a NC Medicaid Direct program to a Managed Care program, no caseworker action is required. NC FAST will make necessary changes to the beneficiary's managed care status.

**VIII. WHEN TO REOPEN CASE TERMINATED FOR MISSING INFORMATION**

**A. Information Received by the 90<sup>th</sup> Day Following Termination**

1. A case which terminates for not cooperating with the recertification process or for failure to provide information must be reopened if all information necessary to approve eligibility is received by the 90th day following termination.
2. Determine eligibility as if the information was received timely, from the first day of the month following the termination date.

**B. Information Not Received by the 90th Day Following Termination**

Do not reopen the case if **all** required information is not received prior to the 90th day following termination. Notify the beneficiary that a new application for Medicaid is required.