

# Connecticut Medicaid Managed Care Council

Legislative Office Building Room 3000, Hartford CT 06106  
(860) 240-0321 Info Line (860) 240-8329 FAX (860) 240-8307  
[www.cga.state.ct.us/ph/medicaid](http://www.cga.state.ct.us/ph/medicaid)

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April 1, 2003

To: Legislators, legislative staff, Medicaid Council & subcommittees  
From: Mariette McCourt, staff, Medicaid Council  
RE: Temporary Restraining Order on HUSKY Disenrollments: PA 03-2

As many of you may have heard on the news this morning, Judge Robert N. Chatigny, Chief Judge of the US District Court for the District of Connecticut issued an emergency temporary restraining order to the State of Connecticut to maintain the status quo of those HUSKY members who were slated to lose HUSKY health coverage today, April 1, 2003, based on provisions in PA 03-2. A class action to stop this loss of health coverage was filed Friday by three Legal Aid offices, Ct Legal Services, Greater Hartford Legal Aid and the New Haven Legal Assistance Association.

The purpose of this memo is to provide you with early information on the court order and its impact, as you may continue to hear from constituents, who may be a bit perplexed about what they are hearing from the news or reading in the newspapers.

### **Who is affected by this court order?**

The memo sent to you on 3/18/03 described the PA-03-2 provisions that affected the following:

- Adult parents or caregivers of HUSKY A children with incomes of 100-150%FPL were disenrolled from HUSKY A health coverage as of 4/1/03 (20,139 adults); however some of these adults may re-qualify for HUSKY A or be eligible for other Medicaid coverage groups for reasons such as income changes (reductions), pregnancy, disability or unpaid medical bills.
- The elimination of 12-month continuous eligibility (CE) for children resulted in 6866 children 's disenrollement from HUSKY as of 3/31/03. Many of these children could remain eligible for HUSKY A or B upon application renewal.

### **What does the Emergency Restraining order means to these HUSKY members?**

The approximately 30,000 HUSKY enrollees scheduled to lose eligibility are to be reinstated in the HUSKY program for now, under the temporary restraining order. Further court processes will proceed beginning Monday April 7, ultimately resulting in a court decision about the class action filed with the court on last Friday.

### **What is the DSS plan to respond to the court order (as of 1 PM, 4/1/03)**

- The DSS is working today to identify those members disenrolled as of 4/1 and reinstating them through the month of April ( & perhaps beyond, depending on the timeframe for the court proceedings and final decision). According to DSS:
  - The adults that were disenrolled as of 4/1 due to PA 03-2 are a fairly distinct group and as such will be reinstated.
  - The reason codes for children's disenrollment is a bit more blurred, in that some may have lost eligibility as part of the monthly eligibility losses associated with income changes, etc rather than due solely to the elimination of CE in PA 03-2. The DSS is sorting this out and will have a better idea about this age group by the end of today, 4/1.
- The DSS will pay the MCOs a PMPM rate for the reinstated members for the month of April.
- A new enrollment reconciliation tape will be sent to the HUSKY MCOs within the next 24-48 hours.
  
- Letters will be sent to families that are reinstated in HUSKY in about 12 days.

### **How will this impact access to health care?**

- Providers will be able to access an updated AEVS system that includes the eligibility update as soon as this is available through DSS.
- Individuals requiring medical care or services before being notified of their eligibility reinstatements should call their MCO. ACS is creating a special file for the MCOs from the disenrollment mass mods run last month. This file falls outside of the eligibility database, which feeds AEVS.
- Until the MCOs receive the ACS file, there is an interim measure for the MCOs to verify whether or not an individual seeking care will be reinstated. The MCOs will be able to authorize services during this interim period.

### **HUSKY Eligibility Resources**

- Regional DSS offices
- HUSKY line: **1-877-CTHUSKY (284-8759)**
- Student Health Outreach: **1-877-24SHOUT (247-4688)**

This is basic information about the 4/1 temporary restraining order that may assist in constituent, member or health provider questions; State processes in response to this will continue to be developed.

Changes in the HUSKY program reflect the budgetary issues in CT. States' Medicaid funding will eventually need to be addressed in Congress. As you know, there are two divergent approaches proposed: the Bush administration's Medicaid reform plan and the Collins (R-Me)/Rockefeller (D-WV) bill that calls for additional federal match levels to states for a specific time period. Reportedly the latter would provide CT with \$271M over the next 18 months. State legislators have been encouraged to contact their congressional members to express views about Medicaid funding strategies.