

# Daniels – Who They Are

- Ever had SSI - even one day - in Tennessee since November 13, 1987.

- If a child was a premature and stayed in the NICU, he likely had SSI for one month regardless of family income.

- Adults who applied for disability and received SSI for month or so until their Social Security Disability Insurance started are eligible.

- Even if client does not know he had SSI, can call David Erwin at 615-743-7999

# Daniels – A Vulnerable Group

- 150,000 people in the Daniels class, including:
  - About 18,000 medically fragile children
  - About 16,000 Severely and Persistently Mentally Ill (SPMI) adults and Severely Emotionally Disturbed (SED) children

# Daniels – The Review Process

- Timeframe:
  - Injunction took effect in November 1987
  - Court lifted the order January 8, 2009
  - DHS has completed “ex parte reviews” based on existing records, found 9,300 otherwise eligible
  - Must now gather information from the remaining 140,000, to see if they still qualify for TennCare under one of other categories

# Daniels – The Review Process

- Timeframe (Continued):
  - First batch of 40,000 letters going out May 1, and on the 1<sup>st</sup> of each subsequent month
  - Enrollees have 30 days from the date of request to return the Request for Information (RFI), also known as the “peach pages”

# A “Peach” of a Form

- The RFI is 7 daunting pages long, and it requires the submission of additional documentation.
- The RFI does not request facts that are especially crucial in this recession:
  - Whether, if there is a child in the household whose “primary wage-earner” has become unemployed.

# Daniels – Extra Options for Kids

- Kids
  - Kids will first be reviewed for Medicaid categories.
  - If they do not fit into a Medicaid category, they will be screened for TennCare Standard (under 18 years old).
  - If child is going for medical eligibility, DHS has 60 days to determine, during which child is still covered
  - CoverKids requires a separate application, after TennCare has been ruled out.

# Advocacy – One Client at a Time

Of the 150,000 people in the Daniels class

- So far, 9,300 have been found to be eligible in another Medicaid category by ex parte reviews
- DHS projects only 10,000-11,000 will ultimately be found eligible.
- Advocates believe the number actually eligible is much higher. But the process will defeat most people unless they have professional assistance.

# One Client at A Time

- First, make sure clients report their addresses to:
  - DHS by writing the county office or calling 1-866-311-4287.
  - Mail address info. to the TennCare Bureau at:  
P. O. Box 22630, Nashville, TN 37202  
Keep a copy with the date you sent it.
  - If they get a Social Security check now, report address also to Social Security by calling 1-800-772-1213

# One Client at a Time

- Make sure clients know to return the RFI on time – if they don't, they will be cut off.
  - Clients with disabilities should ask DHS for accommodation by following instructions on the RFI.
  - Clients should get the help of an advocate outside of DHS

# One Client at a Time

- Fit the client into another Medicaid category.
- If a child, try to qualify also for Spend-Down or Medical Eligibility

# One Client at a Time

- After clients return the RFI
  - Respond promptly to request for additional information or documents
  - If notified that the client is not eligible, and he may be, the client should **APPEAL WITHIN 20 DAYS & ASK FOR CONTINUED COVERAGE PENDING APPEAL**
    - Appeal must present a “valid factual dispute.”

# Reconsidering Reverification

A Bad Idea at a Bad time:

- Hits struggling families when they are already down.
- Violates American Recovery & Reinvestment Act (ARRA) Maintenance of Eligibility (MOE) requirement to freeze eligibility as of 7-1-08.

# Reconsidering Reverification

## A Bad Idea at a Bad time

- Will cost Tennessee economy and health care system \$3 of federal matching funds for every state \$1 saved.
  - If DHS projections are correct, and only 11,000 (7%) of the 150,000 keep their coverage, Tennessee will lose \$825 Million in Federal funding

## AND

- Violation of ARRA puts all \$1.1 Billion in Medicaid stimulus funds at risk.

# Reconsidering Reverification

A Bad Idea at a Bad time

- Cuts not necessary, because the Governor's FY 2010 Budget already includes full state funding to maintain all 150,000 Daniels people.

# Advocacy – Policy Level

- Ask state legislators to help –
  - The Medicaid stimulus money is not being used the way it was intended, to preserve coverage during the economic crisis.
  - Saving Daniels coverage won't require a change in the Governor's Budget, since it assumes continued levels of enrollment
  - TennCare has \$393 Million in reserves (in addition to the Rainy Day Fund)
  - The State has not kept its promise to reopen Spend-Down.

# Advocacy – Policy Level

- Ask White House and Congress to save the Daniels people –
  - The Medicaid stimulus money is not being used the way it was intended, to preserve coverage during the economic crisis.
- Stories for the Media
  - Missing other categories of eligibility
  - Phone line waiting times and dropped calls
  - Messed up addresses
  - Problems with DHS appeal process



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