### **Table of Contents**

### State/Territory Name: Indiana

### State Plan Amendment (SPA) #: IN-15-0004

This file contains the following documents in the order listed:

- 1) Approval Letter
- 2) CMS 179 Form/Summary Form (with 179-like data)
- 3) Approved SPA Pages

Department of Health & Human Services Centers for Medicare & Medicaid Services 233 North Michigan Avenue, Suite 600 Chicago, Illinois 60601-5519



August 29, 2016

Joe Moser, Director of Medicaid Indiana Office of Medicaid Policy and Planning 402 West Washington Street, Room W374 Indianapolis, Indiana 46204

ATTN: Tim Hawkins

RE: IN SPA TN# 15-0004, Cost-sharing

Dear Mr. Moser:

Enclosed for your records is an approved copy of the following State Plan Amendment (SPA).

Transmittal #15-0004

- This SPA continues current cost-sharing policies for the applicable State Plan populations and documents the state's mechanism for tracking Healthy Indiana Plan 2.0 member cost-sharing, which shall not exceed five percent of family income as calculated on a quarterly basis.
- Effective Date: February 1, 2015

If you have any questions, please have a member of your staff contact Tannisse Joyce at (312) 886-5121 or by email at <u>tannisse.joyce@cms.hhs.gov</u>.

Sincerely,

/s/

Alan Freund Acting Associate Regional Administrator Division of Medicaid and Children's Health Operations

Enclosure

cc: Jason Frandson, CMCS

the submission yea	r: ransmittal Number (TN) in the j	na format ST-YY-0000 where ST= the state abbreviation, YY = the last two digits of ber with leading zeros. The dashes must also be entered.
IN-15-0004		
Proposed Effective I	Date	
02/01/2015	(mm/dd/yyyy)	
Federal Statute/Reg 42 C.F.R. 430.1	ulation Citation 2; 42 C.F.R. 447.52	
Federal Budget Imp	act	
	Federal Fiscal Year	Amount
First Year	2015	\$0.00
Second Year	2016	\$0.00

#### Subject of Amendment

Continues current cost-sharing policies for the applicable State Plan populations and documents the State's mechanism for tracking HIP 2.0 member cost-sharing, which shall not exceed five percent (5%) of family income as calculated on a quarterly basis.

#### **Governor's Office Review**

#### ○ Governor's office reported no comment

- Comments of Governor's office received Describe:
- No reply received within 45 days of submittal

#### • Other, as specified

Describe: Indiana's State Plan does not require Governor's office review. Please see Section 7.4 of the State Plan.

#### Signature of State Agency Official

Submitted By:	Timmy Hawkins
Last Revision Date:	Aug 18, 2016
Submit Date:	Mar 18, 2015



-

State Name: Indiana

OMB Control Number: 0938-1148

Expiration date: 10/31/2014

**G1** 

Transmittal Number:	IN	- 15 -	0004

#### **Cost Sharing Requirements**

1916 1916A 42 CFR 447.50 through 447.57 (excluding 447.55)
The state charges cost sharing (deductibles, co-insurance or co-payments) to individuals covered under Medicaid.
The state assures that it administers cost sharing in accordance with sections 1916 and 1916A of the Social Security Act and 42 CFR 447.50 through 447.57.
General Provisions
The cost sharing amounts established by the state for services are always less than the amount the agency pays for the service.
No provider may deny services to an eligible individual on account of the individual's inability to pay cost sharing, except as elected by the state in accordance with 42 CFR 447.52(e)(1).
The process used by the state to inform providers whether cost sharing for a specific item or service may be imposed on a beneficiary and whether the provider may require the beneficiary to pay the cost sharing charge, as a condition for receiving the item or service, is (check all that apply):
The state includes an indicator in the Medicaid Management Information System (MMIS)
The state includes an indicator in the Eligibility and Enrollment System
The state includes an indicator in the Eligibility Verification System
The state includes an indicator on the Medicaid card, which the beneficiary presents to the provider
Other process
Description:
Cost sharing amounts and policies for all populations are outlined in the Indiana Health Coverage Program (IHCP) Provider Manual. Provider reference materials, such as the medical policy manual and the modules, describing Medicaid policy is available on IndianaMedicaid.com. Providers are instructed to utilize the modules during IHCP provider workshops, at the IHCP annual seminar, within banners and bulletins, during provider association meetings, and when communicating with OMPP staff. Providers were informed of the cost-sharing policy via bulletin which was disseminated by email and is currently archived on IndianaMedicaid.com. The Indiana Office of Medicaid Policy and Planning has formed a communications team to efficiently distribute material and policy changes to providers. The team has a timeline for publications to describe the processes affected by CoreMMIS and any policy updates. Once CoreMMIS has been implemented, tentatively scheduled for January 2, 2017, providers will have the enhanced ability to view cost-sharing liability within the EVS.
<ul> <li>Contracts with managed care organizations (MCOs) provide that any cost-sharing charges the MCO imposes on Medicaid enrollees are in accordance with the cost sharing specified in the state plan and the requirements set forth in 42 CFR 447.50 through 447.57.</li> <li>Cost Sharing for Non-Emergency Services Provided in a Hospital Emergency Department</li> </ul>



The state imposes cost sharing for non-emergency services provided in a hospital emergency department. Yes The state ensures that before providing non-emergency services and imposing cost sharing for such services, that the hospitals providing care: Conduct an appropriate medical screening under 42 CFR 489.24, subpart G to determine that the individual does not need emergency services; Inform the individual of the amount of his or her cost sharing obligation for non-emergency services provided in the emergency department; Provide the individual with the name and location of an available and accessible alternative non-emergency services provider; Determine that the alternative provider can provide services to the individual in a timely manner with the imposition of a lesser cost sharing amount or no cost sharing if the individual is otherwise exempt from cost sharing; and Provide a referral to coordinate scheduling for treatment by the alternative provider. The state assures that it has a process in place to identify hospital emergency department services as non-emergency for purposes of imposing cost sharing. This process does not limit a hospital's obligations for screening and stabilizing treatment of an emergency medical condition under section 1867 of the Act; or modify any obligations under either state or federal standards relating to the application of a prudent-layperson standard for payment or coverage of emergency medical services by any managed care organization. The process for identifying emergency department services as non-emergency for purposes of imposing cost sharing is: Hospitals operationalize this process by performing the required EMTALA screening on the enrollee. The provider is reimbursed for the screening. If a non-emergency based on the prudent layperson standard is determined to exist, the hospital collects the co-payment. Cost sharing for non-emergency services provided in a hospital emergency department is only applicable to individuals in HIP 2.0 as authorized under the state's section 1115 demonstration waiver. **Cost Sharing for Drugs** The state charges cost sharing for drugs. Yes The state has established differential cost sharing for preferred and non-preferred drugs. No All drugs will be considered preferred drugs.

#### **Beneficiary and Public Notice Requirements**

Consistent with 42 CFR 447.57, the state makes available a public schedule describing current cost sharing requirements in a manner that ensures that affected applicants, beneficiaries and providers are likely to have access to the notice. Prior to submitting a SPA which establishes or substantially modifies existing cost sharing amounts or policies, the state provides the public with advance notice of the SPA, specifying the amount of cost sharing and who is subject to the charges, and provides reasonable opportunity for stakeholder comment. Documentation demonstrating that the notice requirements have been met are submitted with the SPA. The state also provides opportunity for additional public notice if cost sharing is substantially modified during the SPA approval process.

#### **Other Relevant Information**



#### PRA Disclosure Statement

According to the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number. The valid OMB control number for this information collection is 0938-1148. The time required to complete this information collection is estimated to average 40 hours per response, including the time to review instructions, search existing data resources, gather the data needed, and complete and review the information collection. If you have comments concerning the accuracy of the time estimate(s) or suggestions for improving this form, please write to: CMS, 7500 Security Boulevard, Attn: PRA Reports Clearance Officer, Mail Stop C4-26-05, Baltimore, Maryland 21244-1850.

V.20140415



-

State Name: Indiana

OMB Control Number: 0938-1148

Transmittal Number: IN -15-0004

Expiration	date:	10/31	/2014

Cost Sharing Amounts -	Categorical	ly Needy	Individua	ıls		G	G2a
1916 1916A 42 CFR 447.52 through 54							
The state charges cost sharing to Services or Items with the					Options for Coverage) individu	als. Ye	es 🗸
Service or Item	Amount	Dollars or Percentage			Explanation		X
Services or Items with Co	st Sharing Am		Vary by In				
Service or Item: Trans	portation - For	which Med	icaid pays \$	10 or less		Remove Ser or Item	
Indicate the income ran	nges by which	the cost shar	ring amount	for this servic	e or item varies.	-	
Greater than than	-	Amount 0.50	Dollars or Percentage	Unit	Explanati		V
			\$	Trip	reimbursement amount.		X
Service or Item: Trans	portation - For	which Medi	icaid pays \$	10.01 to \$50		Remove Ser or Item	
Indicate the income rai	nges by which	the cost shar	ring amount	for this servic	e or item varies.		
Greater than that		Amount	Dollars or Percentage	Unit	Explanati		
<b>+</b> \$27/month FPL	·	1.00	\$ -	Trip	Copayment amount charge reimbursement amount.	ed is based on the	X
Service or Item: Trans	portation - For	which Medi	icaid pays \$	50.01 or more		Remove Ser or Item	
Indicate the income ran	nges by which	the cost shar	ring amount	for this servic	e or item varies.		
Incomes Incomes Incomes Incomes	comes Less n or Equal to	Amount	Dollars or Percentage	Unit	Explanati	on	
	-	2.00	\$ -	Trip	Copayment amount charge reimbursement amount.	ed is based on the	X
Service or Item: Pharm	nacy					Remove Ser or Item	
Indicate the income rai	nges by which	the cost shar	ring amount	for this servic	e or item varies.		
Incomes Ind Greater than that	comes Less n or Equal to		Dollars or Percentage	Unit	Explanati	on	
+ \$27/month FPL	-	2 00		Prescription	Copayment charged for ea dispensed.		X



Add Service or Item

Cost Sharing for Non-preferred Drugs Charged to Otherwise <u>Exempt</u> Individuals	
If the state charges cost sharing for non-preferred drugs (entered above), answer the following question:	
The state charges cost sharing for non-preferred drugs to otherwise exempt individuals.	No 🗸
Cost Sharing for Non-emergency Services Provided in the Hospital Emergency Department Charged to Otherwise <u>Exempt</u> Individuals	
If the state charges cost sharing for non-emergency services provided in the hospital emergency department (entered above), the following question:	, answer
The state charges cost sharing for non-emergency services provided in the hospital emergency department to otherwise <u>exempt</u> individuals.	No 🗸

#### PRA Disclosure Statement

According to the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number. The valid OMB control number for this information collection is 0938-1148. The time required to complete this information collection is estimated to average 40 hours per response, including the time to review instructions, search existing data resources, gather the data needed, and complete and review the information collection. If you have comments concerning the accuracy of the time estimate(s) or suggestions for improving this form, please write to: CMS, 7500 Security Boulevard, Attn: PRA Reports Clearance Officer, Mail Stop C4-26-05, Baltimore, Maryland 21244-1850.

V.20140415



State Name: Indiana

Transmittal Number: IN - 15 - 0004

#### **Cost Sharing Amounts - Medically Needy Individuals**

1916 1916A 42 CFR 447.52 through 54

The state charges cost sharing to all medically needy individuals.

#### PRA Disclosure Statement

•

According to the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number. The valid OMB control number for this information collection is 0938-1148. The time required to complete this information collection is estimated to average 40 hours per response, including the time to review instructions, search existing data resources, gather the data needed, and complete and review the information collection. If you have comments concerning the accuracy of the time estimate(s) or suggestions for improving this form, please write to: CMS, 7500 Security Boulevard, Attn: PRA Reports Clearance Officer, Mail Stop C4-26-05, Baltimore, Maryland 21244-1850.

V.20140415

G2b

No

OMB Control Number: 0938-1148

Expiration date: 10/31/2014



State Name: Indiana

Transmittal Number: IN - 15 - 0004

#### **Cost Sharing Amounts - Targeting**

1916 1916A 42 CFR 447.52 through 54

The state targets cost sharing to a specific group or groups of individuals.

#### PRA Disclosure Statement

-

According to the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number. The valid OMB control number for this information collection is 0938-1148. The time required to complete this information collection is estimated to average 40 hours per response, including the time to review instructions, search existing data resources, gather the data needed, and complete and review the information collection. If you have comments concerning the accuracy of the time estimate(s) or suggestions for improving this form, please write to: CMS, 7500 Security Boulevard, Attn: PRA Reports Clearance Officer, Mail Stop C4-26-05, Baltimore, Maryland 21244-1850.

V.20140415

OMB Control Number: 0938-1148

Expiration date: 10/31/2014

G2c

No



Transmittal Number: IN - 15 - 0004

## **CMS** Medicaid Premiums and Cost Sharing

State Name: Indiana

OMB Control Number: 0938-1148

Expiration date: 10/31/2014

Cost Sharing Limitations G3			
CFR 447.56 16 16A			
The state administers cost sharing in accordance with the limitations described at 42 CFR 447.56, and 1916(a)(2) and (j) and 1916A(b) of the Social Security Act, as follows:			
emptions			
Groups of Individuals - Mandatory Exemptions			
The state may not impose cost sharing upon the following groups of individuals:			
Individuals ages 1 and older, and under age 18 eligible under the Infants and Children under Age 18 eligibility group (42 CFR 435.118).	}		
Infants under age 1 eligible under the Infants and Children under Age 18 eligibility group (42 CFR 435.118), whose inco does not exceed the <u>higher</u> of:	ome		
■ 133% FPL; and			
If applicable, the percent FPL described in section 1902(1)(2)(A)(iv) of the Act, up to 185 percent.			
Disabled or blind individuals under age 18 eligible for the following eligibility groups:			
SSI Beneficiaries (42 CFR 435.120).			
Blind and Disabled Individuals in 209(b) States (42 CFR 435.121).			
Individuals Receiving Mandatory State Supplements (42 CFR 435.130).			
Children for whom child welfare services are made available under Part B of title IV of the Act on the basis of being a ch in foster care and individuals receiving benefits under Part E of that title, without regard to age.	hild		
Disabled children eligible for Medicaid under the Family Opportunity Act (1902(a)(10)(A)(ii)(XIX) and 1902(cc) of the Act).			
Pregnant women, during pregnancy and through the postpartum period which begins on the last day of pregnancy and extends through the end of the month in which the 60-day period following termination of pregnancy ends, except for cos sharing for services specified in the state plan as not pregnancy-related.	ist		
Any individual whose medical assistance for services furnished in an institution is reduced by amounts reflecting availab income other than required for personal needs.	ole		
An individual receiving hospice care, as defined in section 1905(o) of the Act.			
Indians who are <u>currently receiving or have ever received</u> an item or service furnished by an Indian health care provider of through referral under contract health services.	or		
Individuals who are receiving Medicaid because of the state's election to extend coverage to the Certain Individuals Need Treatment for Breast or Cervical Cancer eligibility group (42 CFR 435.213).	ding		

-



Groups of Individuals - Optional Exemptions
The state may elect to exempt the following groups of individuals from cost sharing:
The state elects to exempt individuals under age 19, 20 or 21, or any reasonable category of individuals 18 years of age No 💌
The state elects to exempt individuals whose medical assistance for services furnished in a home and community-based setting is reduced by amounts reflecting available income other than required for personal needs.
Services - Mandatory Exemptions
The state may not impose cost sharing for the following services:
Emergency services as defined at section 1932(b)(2) of the Act and 42 CFR 438.114(a).
Family planning services and supplies described in section 1905(a)(4)(C) of the Act, including contraceptives and pharmaceuticals for which the state claims or could claim federal match at the enhanced rate under section 1903(a)(5) of the Act for family planning services and supplies.
Preventive services, at a minimum the services specified at 42 CFR 457.520, provided to children under 18 years of age regardless of family income, which reflect the well-baby and well child care and immunizations in the Bright Futures guidelines issued by the American Academy of Pediatrics.
Pregnancy-related services, including those defined at 42 CFR 440.210(a)(2) and 440.250(p), and counseling and drugs for cessation of tobacco use. All services provided to pregnant women will be considered pregnancy-related, except those services specificially identified in the state plan as not being related to pregnancy.
Provider-preventable services as defined in 42 CFR 447.26(b).
Enforceability of Exemptions
The procedures for implementing and enforcing the exemptions from cost sharing contained in 42 CFR 447.56 are (check all that apply):
To identify that American Indians/Alaskan Natives (AI/AN) are currently receiving or have ever received an item or service furnished by an Indian health care provider or through referral under contract health services in accordance with 42 CFR 447.56(a)(1)(x), the state uses the following procedures:
The state accepts self-attestation
The state runs periodic claims reviews
X The state obtains an Active or Previous User Letter or other Indian Health Services (IHS) document
The Eligibility and Enrollment and MMIS systems flag exempt recipients
☐ ●ther procedure
Additional description of procedures used is provided below (optional):
To identify all other individuals exempt from cost sharing, the state uses the following procedures (check all that apply):



The MMIS system flags recipients who are exempt
The Eligibility and Enrollment System flags recipients who are exempt
The Medicaid card indicates if beneficiary is exempt
The Eligibility Verification System notifies providers when a beneficiary is exempt
Other procedure
Description:
The MMIS system does not deduct the co-payment for exempt populations. For example: (i) when a pregnancy diagnosis or family planning diagnosis is on the claim no co-payment is deducted; and (ii) the claims processing system compares the date of birth on the eligibility file to the date of service on the claim and if under 18 no co- payment is deducted. Providers are responsible for identifying exempt individuals utilizing information included in the provider manual. Core MMIS will be implemented by January 2, 2017 and that information will be in EVS once the Core MMIS is live.
Additional description of procedures used is provided below (optional):
For HIP 2.0 cost sharing, authorized under the State's Section 1115 Demonstration Waiver, the MMIS system flags recipients who are exempt and the Eligibility Verification system notifies providers when a beneficiary is exempt.
Payments to Providers
The state reduces the payment it makes to a provider by the amount of a beneficiary's cost sharing obligation, regardless of whether the provider has collected the payment or waived the cost sharing, <u>except</u> as provided under 42 CFR 447.56(c).
Pavments to Managed Care Organizations
The state contracts with one or more managed care organizations to deliver services under Medicaid.
The state calculates its payments to managed care organizations to include cost sharing established under the state plan for beneficiaries not exempt from cost sharing, regardless of whether the organization imposes the cost sharing on its recipient members or the cost sharing is collected.
Aggregate Limits
Medicaid premiums and cost sharing incurred by all individuals in the Medicaid household do not exceed an aggregate limit of 5 percent of the family's income applied on a quarterly or monthly basis.
The percentage of family income used for the aggregate limit is:



5%
C 4%
C 3%
○ 2%
C 1%
C Other: %
The state calculates family income for the purpose of the aggregate limit on the following basis:
• Quarterly
C Monthly
The state has a process to track each family's incurred premiums and cost sharing through a mechanism that does not rely on beneficiary documentation.
Describe the mechanism by which the state tracks each family's incurred premiums and cost sharing (check all that apply):
As claims are submitted for dates of services within the family's current monthly or quarterly cap period, the state applies the incurred cost sharing for that service to the family's aggregate limit. Once the family reaches the aggregate limit, based on incurred cost sharing and any applicable premiums, the state notifies the family and providers that the family has reached their aggregate limit for the current monthly or quarterly cap period, and are no longer subject to premiums or cost sharing.
Managed care organization(s) track each family's incurred cost sharing, as follows:
For Healthy Indiana Plan (HIP) cost sharing, for which the cost sharing amounts and procedures are authorized under the State's Section 1115 Demonstration Waiver, the managed care organizations (MCOs) receive family income data from the State's fiscal agent. This amount is updated and provided to the MCO whenever the member reports a change in income. The MCOs are contractually required to track the POWER Account contributions, premiums, co-payments and any other cost-sharing information against the total family income data provided by the State's fiscal agent. When a family's total cost-sharing expenditures approach the 5% quarterly family limit, the MCO is required to notify the State. Cost sharing is then suspended until a new quarterly cap period begins.
Other process:
As an interim solution, until the launch of CoreMMIS is executed, the State does not currently charge cost sharing to Medicaid recipients with income less than \$27/month. This protects the most high-risk demographics from incurring out-of-pocket costs and exceeding the 5% threshold. Upon the successful demonstration of CoreMMIS, the State will evaluate the interim methodology for efficiency and continue monitoring cost-sharing while making necessary adjustments for improvement. For all other fee-for-service members, the state is utilizing an interim tracking solution through which provider claims data is aggregated in the data warehouse and members are notified of their cost-sharing eligibility as they meet the 5% limit. Notification occurs via a letter being mailed by the State's fiscal agent.
Describe how the state informs beneficiaries and providers of the beneficiaries' aggregate family limit and notifies beneficiaries and providers when a beneficiary has incurred premiums and cost sharing up to the aggregate family limit and individual family members are no longer subject to premiums or cost sharing for the remainder of the family's current monthly or quarterly cap period:



For HIP cost sharing, authorized under the State's Section 1115 Demonstration Waiver, beneficiaries are notified of
the aggregate family limit through MCO welcome notices. MCOs are also contractually required to develop provider
education, subject to state review and approval on the 5% cap on cost-sharing and the requirement to reduce or waive
member co-payments when notified by the MCO or State that the member's family has exceeded the 5% cap on
member cost-sharing.

Beneficiaries are notified in writing when the 5% limit has been reached, including the time period for which cost sharing will no longer apply. Providers are required to verify eligibility at every visit. Although not yet implemented until end of Q3, providers would be alerted if the cost sharing limit had been reached and cost sharing can no longer be applied. This will available through both the MCE call centers and State eligibility verification systems.

As result of the changes made to allow for the immediate implementation of the interim solution, providers are no longer receiving a letter from the State. The decision was made to send letters to the member directly in hopes of preventing communication from being sent to the wrong provider or the wrong address. Each Medicaid provider is required to submit four addresses for an enrollment: mail-to, service location, pay-to, and legal address. In lieu of notifying the provider by letter, providers were informed of the 5% cost-share requirement by a bulletin posted on IndianaMedicaid.com along with an email alert. The member notification instructs the member to present the letter to his or her provider and inform the office of the cost-share exemption. At this time, EVS does not have the ability to reflect the member's cost-sharing eligibility. The final solution to update the EVS, requiring CoreMMIS implementation, will work in tandem with the launch of a new Provider Healthcare Portal and allow real-time updates to a member's cost-sharing eligibility status.

The state has a documented appeals process for families that believe they have incurred premiums or cost sharing over the aggregate limit for the current monthly or quarterly cap period.

Describe the appeals process used:

HIP MCOs are contractually required to operate a grievance and appeal process. HIP members have the opportunity to appeal to their MCO and if dissatisfied with the outcome of the MCO appeal process can file an appeal with the State.

Individuals enrolled in FFS can file an appeal directly with the State.

Describe the process used to reimburse beneficiaries and/or providers if the family is identified as paying over the aggregate limit for the month/quarter:

For HIP enrollees, MCOs reimburse beneficiaries and adjust claims to providers in the event a family is identified as paying over the aggregate limit. For FFS enrollees, the State would direct the Fiscal Agent to process a manual reimbursement to the member and manual claims adjustment to the provider.

Describe the process for beneficiaries to request a reassessment of their family aggregate limit if they have a change in circumstances or if they are being terminated for failure to pay a premium:

Individuals contact the Family and Social Services Administration (FSSA), Division of Family Resources (DFR) to request a reassessment. DFR then processes to determine if the family aggregate limit needs to be updated.

The state imposes additional aggregate limits, consistent with 42 CFR 447.56(f)(5).

Yes

No



#### PRA Disclosure Statement

According to the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number. The valid OMB control number for this information collection is 0938-1148. The time required to complete this information collection is estimated to average 40 hours per response, including the time to review instructions, search existing data resources, gather the data needed, and complete and review the information collection. If you have comments concerning the accuracy of the time estimate(s) or suggestions for improving this form, please write to: CMS, 7500 Security Boulevard, Attn: PRA Reports Clearance Officer, Mail Stop C4-26-05, Baltimore, Maryland 21244-1850.

V.20140415