

Minnesota Prepaid Medical Assistance Project Plus (PMAP+) §1115 Waiver No. 11-W-0039/5

Demonstration Year 28

**Second Quarter Report
October 1, 2022, through December 31, 2022**

Submitted to:

U.S. Department of Health & Human Services
Centers for Medicare & Medicaid Services
Center for Medicaid and CHIP Services

Submitted by:

Minnesota Department of Human Services
540 Cedar Street
St. Paul, Minnesota 55164-0983

State of Minnesota
Department of Human Services
This document may be reproduced without permission.

TABLE OF CONTENTS

INTRODUCTION.....	1
BACKGROUND.....	1
PMAP+ WAIVER RENEWAL	1
ENROLLMENT INFORMATION	2
OUTREACH AND MARKETING	3
EDUCATION AND ENROLLMENT	3
PMAP PURCHASING	3
PMAP PURCHASING FOR AMERICAN INDIAN RECIPIENTS	3
OPERATIONAL AND POLICY DEVELOPMENTS	4
BUDGET NEUTRALITY DEVELOPMENTS.....	5
CONSUMER ISSUES	5
COUNTY ADVOCATES	5
GRIEVANCE SYSTEM.....	5
POST AWARD PUBLIC FORUM ON PMAP+ WAIVER.....	5
QUALITY ASSURANCE AND MONITORING	6
COMPREHENSIVE QUALITY STRATEGY	6
MCO INTERNAL QUALITY IMPROVEMENT SYSTEM.....	6
EXTERNAL REVIEW PROCESS	7
CONSUMER SATISFACTION	7
DEMONSTRATION EVALUATION	7
STATE CONTACT	8

LIST OF ATTACHMENTS

- A Tribal Health Directors Meeting Agenda, November 4, 2022
- B State Fair Hearing Summary for the Fourth Quarter of Calendar Year 2022

FORWARD

As required by the terms and conditions approving §1115(a) waiver No. 11 -W-00039/5, entitled "Minnesota Prepaid Medical Assistance Project Plus (PMAP+)," this document is submitted to the Centers for Medicare & Medicaid Services (CMS) of the U.S. Department of Health and Human Services as the second quarter report for the period of October 1, 2022, through December 31, 2022. This document provides an update on the status of the implementation of the PMAP + Program.

Introduction

Background

The PMAP+ Section 1115 Waiver has been in place for over 30 years, primarily as the federal authority for the MinnesotaCare program, which provided comprehensive health care coverage through Medicaid funding for people with incomes in excess of the standards in the Medical Assistance program. On January 1, 2015, MinnesotaCare was converted to a basic health plan, under section 1331 of the Affordable Care Act. As a basic health plan, MinnesotaCare is no longer funded through Medicaid. Instead, the state receives federal payments based on the premium tax credits and cost-sharing subsidies that would have been available through the health insurance exchange.

The PMAP+ waiver also provided the State with longstanding federal authority to enroll certain populations eligible for Medical Assistance into managed care who otherwise would have been exempt from managed care under the Social Security Act. In December of 2014, CMS notified the Department of Human Services (DHS) that it would need to transition this portion of its PMAP+ waiver authority to a section 1915(b) waiver. Therefore, on October 30, 2015, DHS submitted a request to transfer this authority to its Minnesota Senior Care Plus section 1915(b) waiver.

During this process, DHS determined that continued waiver authority was unnecessary for all of the groups historically included under the PMAP+ waiver. Because of the state's updated eligibility and enrollment processes for Medical Assistance, some of these populations are no longer mandatorily enrolled into managed care. Instead, they can enroll in managed care on a voluntary or an optional basis.

Therefore, the amendment to the MSC+ 1915(b) waiver only sought to continue federal waiver authority to require the following groups to enroll in managed care:

- American Indians, as defined in 25 U.S.C. 1603(c), who otherwise would not be mandatorily enrolled in managed care;
- Children under age 21 who are in state-subsidized foster care or other out-of-home placement; and
- Children under age 21 who are receiving foster care under Title IV-E.

CMS approved the amendment to the MSC+ waiver on December 22, 2015 with an effective date of January 1, 2016.

PMAP+ Waiver Renewal

The PMAP+ waiver continues to be necessary to continue certain elements of Minnesota's Medical Assistance program. On February 11, 2016, CMS approved DHS's request to renew the PMAP+ waiver for the period of January 1, 2016 through December 31, 2020.

The current waiver provides continued federal authority to:

- Cover children as “infants” under Medical Assistance who are 12 to 23 months old with income eligibility above 275 percent and at or below 283 percent of the federal poverty level (FPL) (referred to herein as “MA One Year Olds”);
- Waive the federal requirement to redetermine the basis of Medical Assistance eligibility for caretaker adults with incomes at or below 133 percent of the FPL who live with children age 18 who are not full-time secondary school students;
- Provide Medical Assistance benefits to pregnant women during the period of presumptive eligibility; and
- Fund graduate medical education through the Medical Education Research Costs (MERC) trust fund.

On June 29, 2020 a request to renew the PMAP+ waiver for an additional five year period was submitted to CMS. On December 21, 2020, CMS approved a temporary extension of the PMAP+ waiver through December 31, 2021 in order to allow the state and CMS to continue working together on approval of the extension of this demonstration. On December 9, 2021, CMS approved a second temporary extension of the PMAP+ waiver through December 31, 2022.

On December 27, 2022, CMS approved a third temporary extension of the PMAP+ waiver through June 30, 2023. CMS’ award letter (of December 27) included a revision to the special terms and conditions that sunsets Minnesota’s authority to disburse graduate medical education funds collected under the waiver. More information about this is in the Operational and Policy Development section of this report. Minnesota must accept the special terms and conditions by January 25, 2023, to continue the waiver.

Enrollment Information

Please refer to the table below for PMAP+ enrollment activity for the period of October 1, 2022, through December 31, 2022.

Demonstration Populations (as hard coded in the CMS 64)	Enrollees at close of quarter Dec. 31, 2022	Current Enrollees (as of data pull on Feb. 2, 2023)	Disenrolled in Current Quarter (Oct. 1, 2022 through Dec. 31, 2022)
MA One-Year-Olds with incomes above 275% FPL and at or below 283% FPL	43	45	24
Medicaid Caretaker Adults with incomes at or below 133% FPL living with a child age 18	4,521	4,565	1,239

Pregnant Women in a Hospital Presumptive Eligibility Period

Eligibility Month	Eligibility Year	Unique Enrollees
October	2022	21
November	2022	20
December	2022	11

Outreach and Marketing

Education and Enrollment

DHS utilizes a common streamlined application for Medical Assistance, MinnesotaCare and MNsure coverage. Medical Assistance and MinnesotaCare applicants have the option of applying online through the [MNsure Website](#) or by mail with a paper application.

The [MNsure Website](#) provides information on Minnesota's health care programs. The site is designed to assist individuals with determining their eligibility status for insurance affordability programs in Minnesota. The site provides a description of coverage options through qualified health plans, Medical Assistance and MinnesotaCare. It also provides information about the application, enrollment and appeal processes for these coverage options.

In-person assisters and navigators are also available to assist individuals with the eligibility and enrollment process through the MNsure website. MNsure has a navigator grantee outreach program that does statewide activities to help individuals with enrollment.

Applicants and enrollees who receive Medical Assistance through fee for service can call the DHS [Member Help Desk](#) for assistance with questions about eligibility, information on coverage options, status of claims, spenddowns, prior authorizations, reporting changes that may affect program eligibility, and other health care program information.

PMAP Purchasing

Coverage for a large portion of enrollees in Medical Assistance is purchased on a prepaid capitated basis. The remaining recipients receive services from enrolled providers who are paid on a fee-for-service basis. Most of the fee-for-service recipients are individuals with disabilities. DHS contracts with MCOs in each of Minnesota's 87 counties.

PMAP Purchasing for American Indian Recipients

The Minnesota Legislature enacted a number of provisions, subsequently authorized by CMS, to address issues related to tribal sovereignty that prevent Indian Health Service (IHS) facilities

from entering into contracts with MCOs, and other provisions that have posed obstacles to enrolling American Indian recipients who live on reservations into PMAP. The legislation allows American Indian beneficiaries who are enrolled in managed care to receive covered services under Medical Assistance through an IHS or other tribal provider (commonly referred to as “638s”) whether or not these providers are in the MCO’s network.

Contracts with MCOs include provisions designed to facilitate access to providers for American Indian recipients, including direct access to IHS and 638 providers. IHS and 638 providers may refer recipients to MCO-network specialists without requiring the recipient to first see a primary care provider. DHS has implemented the PMAP+ out-of-network purchasing model for American Indian recipients of Medical Assistance who are not residents of reservations.

Summary Data. The following is a summary of the number of people identified as American Indians who were enrolled in Medical Assistance during calendar year 2021.

**Medical Assistance Enrollees who are American Indian
Calendar Year 2021**

Population	Enrollees
Families and Children	36,087
Disabled	4,438
Elderly	1,553
Adults with no Children	12,634
Total	54,712

Tribal Health Workgroup. The quarterly Tribal and Urban Indian Health Directors workgroup was formed to address the need for a regular forum for formal consultation between tribes and state employees. The workgroup meets on a quarterly basis and is regularly attended by Tribal and Urban Indian Health Directors, Tribal Human Services Directors, and representatives from the Indian Health Service, the Minnesota Department of Health and DHS. The work group met on November 4, 2022. Please see Attachment A for a copy of the meeting agenda. The next work group meeting is planned for February 24, 2023.

Operational and Policy Developments

During this reporting period (October 1, 2022, through December 31, 2022), there was a significant change to the waiver. Minnesota was unsuccessful in its negotiation with CMS to continue to disburse funding for graduate medical education (GME) under the waiver. Minnesota was seeking an additional waiver extension to permit GME disbursements to continue until an amendment to state law could be sought to provide an alternative funding option.

GME disbursements have been covered under the waiver with funds collected through a carve-out of Medicaid capitation rates that are paid to Minnesota’s managed care providers. A proposal for alternative funding was introduced in the 2022 state Legislative session, but session concluded without action on GME. A similar proposal is anticipated to be introduced in Minnesota’s 2023 Legislative session. However, the special terms and conditions in CMS’

award letter (received December 27, 2022) to extend the waiver through June 30, 2023, ended Minnesota's authority to disburse GME funds.

Minnesota has to January 25, 2023, to accept CMS' special terms and conditions to continue the waiver which sunsets the GME authority. Minnesota will work with CMS to confirm the state's plan to distribute the final GME funds under the waiver's current authority. Specifically, payments attributable to state fiscal year 2022 will be made in April of 2023 and claimed on the CMS-64 report (for the quarter ending June 30, 2023). Minnesota's authority for GME payments authorized through the state plan are not affected.

Budget Neutrality Developments

Demonstration expenditures are reported quarterly using Form CMS-64, 64.9 and 64.10. DHS also provides quarterly budget neutrality status updates, including baseline and member months data, using the budget neutrality monitoring tool provided through the performance metrics database and analytics (PMDA) system.

Consumer Issues

County Advocates

Under Minnesota law, county advocates are required to assist managed care enrollees in each county. The advocates assist enrollees with resolving issues related to their MCO. When unable to resolve issues informally, the county advocates educate enrollees about their rights under the grievance system. County advocates provide assistance in filing grievances through both formal and informal processes, and are available to assist in the appeal or state fair hearing process. State ombudsmen and county advocates meet regularly to identify issues that arise and to cooperate in resolving problematic cases.

Grievance System

The grievance system is available to managed care enrollees who have problems accessing necessary care, billing issues or quality of care issues. Enrollees may file a grievance or an appeal with the MCO and may file a state fair hearing through DHS. A county advocate or a state managed care ombudsman may assist managed care enrollees with grievances, appeals, and state fair hearings. The provider or health plan must respond directly to county advocates and the state ombudsman regarding service delivery and must be accountable to the state regarding contracts with Medical Assistance funds. Please refer to Attachment B for a summary of state fair hearings closed in the fourth quarter of calendar year 2022.

Post Award Public Forum on PMAP+ Waiver

DHS held a virtual public forum on April 29, 2022 to provide the public with an opportunity to comment on the progress of the PMAP+ demonstration. A notice was published on the DHS Public Participation web site on March 30, 2022 informing the public of the date and time of the

forum and instructions on how to join the forum. There were no members of the public in attendance at the forum.

The next public forum was anticipated to be held in the fall of 2022. Two meetings in calendar year 2022 were planned. One was carried over from 2021. However, it was not held due to reasons related to the public health emergency. Due to state staffing changes, the forum planned for the fall of 2022 was not held. Minnesota will seek direction from CMS and possibly move the fall 2022 meeting to 2023 and hold a second meeting later in 2023. However, because the PMAP+ waiver has been operating for nearly 30 years and in recent years there has been little or no public input, CMS may not require a second meeting in 2023.

Quality Assurance and Monitoring

Comprehensive Quality Strategy

Minnesota's quality strategy is an overarching comprehensive and dynamic continuous quality improvement strategy integrating all aspects of the quality improvement programs, processes and requirements across Minnesota's Medicaid managed care program. Minnesota has incorporated into its quality strategy measures and processes related to the programs affected by this waiver. The current version of the quality strategy can be accessed on the DHS website at [Managed Care Reporting](#).

The quality strategy is developed in accordance with 42 C.F.R. §438.340, which requires the state Medicaid agency to have a written strategy for assessing and improving the quality of health care services offered by MCOs.

The quality strategy assesses the quality and appropriateness of care and services provided by MCOs for all managed care program enrollees. It incorporates elements of current DHS/MCO contract requirements, State licensing requirements (Minnesota Statutes, Chapters 62D, 62M, 62Q), and federal Medicaid managed care regulations (42 C.F.R. Part 438). The combination of these requirements (contract and licensing) and standards (quality assurance and performance improvement) is the core of DHS' responsibility to ensure the delivery of quality care and services in managed health care programs. DHS assesses the quality and appropriateness of health care services, monitors and evaluates the MCO's compliance with state and federal Medicaid and Medicare requirements and, when necessary, imposes corrective actions and appropriate sanctions if MCOs are not in compliance with these requirements and standards. The outcome of DHS' quality improvement activities is included in the Annual Technical Report by a contracted external quality review organization.

The quality strategy will evolve over time as the external quality review activities continue. DHS intends to review the effectiveness of the quality strategy.

MCO Internal Quality Improvement System

MCOs are required to have an internal quality improvement system that meets state and federal standards set forth in the contract between the MCO and DHS. These standards are consistent

with those required under state HMO licensure requirements. The Minnesota Department of Health conducts triennial audits of the HMO licensing requirements.

External Review Process

Each year the state Medicaid agency must conduct an external quality review of managed care services. The purpose of the external quality review is to produce the Annual Technical Report (ATR) that includes:

- Determination of compliance with federal and state requirements,
- Validation of performance measures, and performance improvement projects, and
- An assessment of the quality, access, and timeliness of health care services provided under managed care.

Where there is a finding that a requirement is not met, the managed care organization (MCO) is expected to take corrective action to come into compliance with the requirement.

The external quality review organization (EQRO) conducts an overall review of Minnesota's managed care system for Minnesota Health Care Programs enrollees. Part of the EQRO's charge is to identify areas of strength and weakness and to make recommendations for change. Where the ATR describes areas of weakness or makes recommendations, the MCO is expected to consider the information, determine how the issue applies to its situation and respond appropriately. The EQRO follows up on the MCO's response to the areas identified in the past year's ATR. The ATR is shared with all MCOs under contract and other interested parties and is available upon request. The ATR is published on the DHS website at [Managed Care Reporting](#).

Consumer Satisfaction

DHS sponsors an annual satisfaction survey of public program managed care enrollees using the Consumer Assessment of Health Plans Survey (CAHPS®) instrument and methodology to assess and compare the satisfaction of enrollees with services and care provided by MCOs. DHS contracts with a certified CAHPS vendor to administer and analyze the survey. Survey results are published on the DHS website at [Managed Care Reporting](#).

Demonstration Evaluation

The evaluation plan for the PMAP+ waiver period from January 1, 2015 through December 31, 2018 was initially submitted with Minnesota's PMAP+ waiver extension request in December of 2014. In May of 2016 the evaluation plan was revised to reflect the approved terms of our waiver with an end date of 2020 instead of the previous draft timeline which ended in 2018. The evaluation plan was updated in November 2016, and again in June 2017, to address CMS comments. In August, 2017, CMS approved the PMAP+ evaluation plan. The PMAP+ STCs were updated to incorporate the approved evaluation plan as Attachment B of the STCs.

State Contact

The state contact person for this waiver is Michelle Long. She can be reached by telephone at (651) 431-2224 or email at michelle.long@state.mn.us

***Tribal and Urban Indian Health Directors Quarterly Meeting
HYBRID (In-Person or Remote)
Location: Shakopee Tribe – “The Link Event Center”***

Join in Remotely
Microsoft Teams meeting
Log-in is in calendar meeting invite

**Thursday, November 4, 2022
9:00 am to 3:00 pm
AGENDA**

9:00 – 9:30 am Welcome opening/prayer and roll call

MDH Agenda Items

**9:30 – 10:00 am OAIH Grant Updates – Jackie Dionne and OAIH staff
 CDC HE Grant Updates – Jackie Dionne and OAIH staff
 Red Star International Contract
 Workplan and Budget
 CDC Vaccination Implementation Grant
 CDC Strengthening the PH Workforce Grant**

10:00 – 11:00 am Office of American Indian Health Updates– Dr. Brooke Cunningham

11:00 – 11:30am MDH Data Vision and Roadmap Project – Jessie Shmool and Jackie Dionne

**11:30 – 12:15 MDH Commissioner Jan Malcolm
 COVID 19 Soft Landing/Surge Preparedness
 SFY '23 Legislative Proposal
 Draft MDH TCP Updated
 Joint Powers Agreement**

**12:15 – 12:30 pm NIHB Updates
 GLITEC Updates/Announcements
 IHS Updates/Announcements**

12:30 – 1:00 pm Lunch Break

DHS Agenda Items (on back)

1:00 – 3:00 pm

- **Welcome and Introduction to Afternoon Session (Vern LaPlante, Office of Indian Policy/Melorie Mokri, Federal Relations)**
- **Medicaid Waivers and State Plan Amendments (Patrick Hultman, Deputy Medicaid Director)**
- **Update on Four Walls (Julie Marquardt, Deputy Assistant Commissioner and Assistant Medicaid Director, Health Care)**
- **COVID-19 Public Health Emergency (PHE) Unwinding: Communications Toolkit (Mehgan Lee, Communications)**
- **Substance Use Disorder (SUD) Summit (Jen Sather, Behavioral Health)**
- **MnCHOICES Revision Launch (Heidi Hamilton, Disability Services)**
- **DHS Legislative Proposals**
 - **Child and Family Services (Jennifer Sommerfeld)**
 - **Health Care (Ann Bobst)**
 - **Disability Services, Behavioral Health, Housing (Kristy Graume)**
 - **Older Adults (Nicole Stockert)**
- **Closing Remarks (Vern LaPlante, Office of Indian Policy/Melorie Mokri, Federal Relations)**

Tribal Health Directors 2023 Proposed Meeting Dates (last Thursday of each quarters month, except Nov 2023):

February 23-24, 2023

May 25-26, 2023

August 17-18, 2023

November 16-17, 2023

Time and Location – Hybrid

Attachment B

Managed Care Ombudsman CMS Report

State Fair Hearings Closed in Quarter 4 of CY 2022 by Metro and Non-Metro Areas

Area	n
Eleven County Metro Area	106
Non-Metro Area	63
Total	169

State Fair Hearings Closed in Quarter 4 of CY 2022 by Type, Service Category and Outcome

	Dismissed	Enrollee Prevailed	HP Prevailed	Resolved after hearing	Resolved before hearing	State Affirmed	Withdrawn	Total
Chemical Dependency					1			1
Chiropractic			2					2
DME-Medical Supplies	3	2	1		7			13
Dental	6	2	15		4			27
Health Plan Change	1	1			5	2	1	10
Home Care	9	2	4	1	6			22
Hospital							1	1
Mental Health	1	1	1	2	1			6
Pharmacy	11	2	7		21		3	44
Professional Medical Services	10	1	2	2	10	1	1	27
Restricted Recipient	6	2	3		1			12
Transportation							1	1
Vision Services	1				1		1	3
Total	48	13	35	5	57	3	8	169

Summary of State Fair Hearings Closed in Quarter 4 of CY 2022 by Outcome

Outcome	n
Dismissed	48
Enrollee Prevailed	13
Health Plan Prevailed	35
Resolved after hearing	5
Resolved before hearing	57
State Affirmed	3
Withdrawn	8
Total	169