

State	<i>Ohio</i>
Demonstration name	<i>Group VIII Work Requirement and Community Engagement 1115 Demonstration Waiver</i>
Approval date	<i>March 15, 2019</i>
Approval period	<i>March 15, 2019 – February 29, 2024</i>
Implementation date	<i>January 1, 2021 (Temporarily delayed due to the Families First Coronavirus Response Act [FFCRA] maintenance of effort [MOE] requirement)</i>
Demonstration year	<i>Demonstration Year 3: March 1, 2021 – February 28, 2022</i>
Reporting period	<i>Waiver Quarter 1: March 1, 2021 – May 31, 2021</i>

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Submitted on July 29, 2021

Executive Summary

Following approval of Ohio's *Group VIII Work Requirement and Community Engagement Demonstration* (the Demonstration) on March 15, 2019, the Ohio Department of Medicaid (ODM) developed and began implementing a comprehensive strategy to prepare for go-live on January 1, 2021. With the extension of the Coronavirus 19 (COVID-19) public health emergency (PHE), go-live has been temporarily delayed to the first day of the month following the quarter in which the PHE ends. A work plan has been developed to provide a roadmap for development of the Work and Community Engagement Requirement (the Requirement), which has been, and will continue to be, used by ODM to monitor progress toward implementation.

Like previous Quarterly Monitoring reports, the DY3 first Quarterly Monitoring Report provides a general operational status regarding implementation rather than reporting on the components described in special terms and conditions (STC) 35. The DY3 first Quarterly Monitoring Report uses the same format as previous reports and organizes information in the following subsections: Implementation Plan, Communication Strategy, Evaluation Design, System Development, Monitoring Protocol, Outstanding Issues, and Challenges and Barriers. ODM remains committed to transparency and oversight and will continue to work with the Centers for Medicare & Medicaid Services (CMS) to summarize appropriate and relevant information in this and future monitoring reports.

Implementation Plan

The draft Implementation Plan was submitted to CMS on October 11, 2019, and CMS returned feedback to ODM on February 19, 2020. ODM continues to modify the Implementation Plan for resubmission and incorporation into the STCs.

Communication Strategy

ODM described several of the key components of its broad Communication Plan in previous Monitoring Reports (e.g., plans for website updates, member communication via mail, beneficiary notices, etc.). ODM continues to work with internal and external partners to refine and improve the activities described in its Communication Plan. Due to COVID-19 impacts, ODM has decided not to procure a communication vendor at this time and will utilize internal agency and current vendor support for communications.

Evaluation Design

A final revised draft Evaluation Design was submitted to CMS on July 28, 2020. Once approved by CMS, ODM will post for publication on the state's website within 30 days of CMS's approval of the final version.

System Development

All system development work, including all IT systems and system outputs (e.g., beneficiary compliance determinations, Notices of Action [NOAs], etc.), have been developed and thoroughly tested.

The following IT systems are impacted by the Requirement:

- Ohio Benefits
- OhioMeansJobs
- Interactive Voice Response (IVR)
- Enterprise Document Management System (EDMS)
- Medicaid Information Technology System (MITS)
- Enterprise Data Warehouse (EDW)

Monitoring Protocol

CMS has acknowledged that the Implementation Plan, which is still under development, must be finalized before the Monitoring Protocol can be completed. Accordingly, ODM received an extension from CMS to submit the draft Monitoring Protocol. ODM is in the process of reviewing required and recommended monitoring metrics and considering existing or new data sources as the Monitoring Protocol is drafted. Relevant information related to these decisions will be described in the Monitoring Protocol draft as appropriate.

Outstanding Issues

ODM has started program design for implementation, and a few design features have yet to be developed or finalized due to COVID-19 impacts. The following is a list of some of these design features (also listed in previous Monitoring Reports), the development status of which will be reported in future Monitoring Reports¹:

- Policies and procedures
- Outreach and education materials
- Training materials

Challenges and Barriers

There are several challenges and barriers described in previous Monitoring Reports that remain the same and are described below. As noted previously, ODM will monitor these and other potential barriers on an ongoing basis to develop proactive strategies for timely resolutions.

Successful implementation will require that ODM address potential barriers and challenges for non-exempt Group VIII beneficiaries to meeting the Requirement, including: 1) availability of sufficient and reliable transportation to and from Requirement activities; 2) adequate communication to beneficiaries and providers about program design, requirements, and supports; and 3) access to sufficient work and community engagement opportunities. ODM will prioritize mitigating these potential barriers for beneficiaries in program design and development.

¹ This is not intended to be an exhaustive list; rather, the list captures the features that are more critical to implementation.

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ODM also notes other potential barriers such as additional service costs needed to help Group VIII beneficiaries meet the Requirement, but which may not be eligible for federal financial participation. As noted in comments received during the public comment period, several commenters raised concerns regarding additional work for already stretched county JFS caseworkers. Based on conversations with the Ohio Department of Job and Family Services, these concerns remain. ODM will closely monitor these and other potential barriers.

The challenges and barriers noted above are further complicated by the COVID-19 pandemic. Due to the maintenance of effort requirement identified in section 6008(b)(1) of the Families First Coronavirus Response Act (FFCRA), ODM is unable to implement the Requirement until the first day of the month following the quarter in which the public health emergency ends. Additionally, on September 8, 2020, due to high unemployment rates resulting from the COVID-19 pandemic, the Ohio Department of Job and Family Services (ODJFS) issued a Family Assistance Letter (FAL) which waived the able-bodied adults without dependents (ABAWDs) work participation requirement for all 88 counties in Ohio for federal fiscal year 2021. Because of the statewide ABAWD waiver, if the Requirement is implemented in federal fiscal year 2021, the entire Group VIII population will be exempt from the Requirement.

ODM will continue monitoring the impact of COVID-19 on program go-live.

On March 11, 2021, ODM submitted a response to the letter sent to ODM on February 12, 2021 by the Acting Administrator of CMS which indicated that CMS “has preliminarily determined that allowing work and other community engagement requirements to take effect in Ohio would not promote the objectives of the Medicaid program.” In the response letter, ODM requested that CMS not rescind Ohio’s approved Community Engagement 1115 Demonstration Waiver and outlined several reasons why Ohio’s community engagement program design will not result in loss of coverage for beneficiaries.