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**State/Territory Name: WI**

**State Plan Amendment (SPA) #: 18-0004**

This file contains the following documents in the order listed:

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

June 21, 2018

Heather K. Smith, Medicaid Director
Division of Medicaid Services
Department of Health Services
1 West Wilson Street, Room 350
Madison, WI 53702

ATTN: Al Matano, SPA Coordinator

RE: Transmittal Number (TN) 18-0004

Dear Ms. Smith:

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

Managed Care Enrollment for SSI-Eligible Members

Effective Date: January 1, 2018

Approval date: June 21, 2018

If you have any questions, please have a member of your staff contact Mai Le-Yuen at (312) 353-2853 or by email at mai.le-yuen@cms.hhs.gov.

Sincerely,

/s/
Ruth A. Hughes
Associate Regional Administrator
Division of Medicaid and Children's Health Operations

Enclosure

DEPARTMENT OF HEALTH AND HUMAN SERVICES
HEALTH CARE FINANCING ADMINISTRATION

FORM APPROVED
OMB NO. 0938-0193

**TRANSMITTAL AND NOTICE OF APPROVAL OF STATE PLAN MATERIAL**

**FOR: HEALTH CARE FINANCING ADMINISTRATION**

1. TRANSMITTAL NUMBER: 18-0004

2. STATE: Wisconsin

3. PROGRAM IDENTIFICATION: TITLE XIX OF THE SOCIAL SECURITY ACT (MEDICAID)

TO: REGIONAL ADMINISTRATOR
HEALTH CARE FINANCING ADMINISTRATION
DEPARTMENT OF HEALTH AND HUMAN SERVICES

4. PROPOSED EFFECTIVE DATE
01/01/2018

5. TYPE OF PLAN MATERIAL *(Check One)*:

☐ NEW STATE PLAN ☐ AMENDMENT TO BE CONSIDERED AS NEW PLAN ☒ AMENDMENT

COMPLETE BLOCKS 6 THRU 10 IF THIS IS AN AMENDMENT *(Separate Transmittal for each amendment)*

6. FEDERAL STATUTE/REGULATION CITATION:
Section 1932 of the Social Security Act.

7. FEDERAL BUDGET IMPACT:
a. FFY 2018 ..... $0K
b. FFY 2019 ..... $0K

8. PAGE NUMBER OF THE PLAN SECTION OR ATTACHMENT:
Attachment 3.1-F pages 1 to 12 and 12.a. to ~~12.c.~~ 12.d. .....

9. PAGE NUMBER OF THE SUPERSEDED PLAN SECTION OR ATTACHMENT *(If Applicable)*:
Attachment 3.1-F pages 1 to 12.

10. SUBJECT OF AMENDMENT:
Managed care enrollment for SSI-eligible members.

11. GOVERNOR'S REVIEW *(Check One)*:
☒ GOVERNOR'S OFFICE REPORTED NO COMMENT
☐ COMMENTS OF GOVERNOR'S OFFICE ENCLOSED
☐ NO REPLY RECEIVED WITHIN 45 DAYS OF SUBMITTAL
☐ OTHER, AS SPECIFIED: [redacted]

12. SIGNATURE OF STATE AGENCY OFFICIAL: [redacted]

13. TYPED NAME:
Heather K. Smith

14. TITLE:
State Medicaid Director

15. DATE SUBMITTED:
March 27, 2018

16. RETURN TO:
Heather K. Smith
State Medicaid Director
Division of Health Care Access and Accountability
1 W. Wilson St.
P.O. Box 309
Madison, WI 53701-0309

**FOR REGIONAL OFFICE USE ONLY**

17. DATE RECEIVED:
March 27, 2018

18. DATE APPROVED:
June 21, 2018

PLAN APPROVED – ONE COPY ATTACHED

19. EFFECTIVE DATE OF APPROVED MATERIAL:
January 1, 2018

20. SIGNATURE OF REGIONAL OFFICIAL:
/s/

21. TYPED NAME:
Ruth A. Hughes

22. TITLE:
Associate Regional Administrator

23. REMARKS:

State: Wisconsin

| Citation | Condition or Requirement |
|---|---|

1932(a)(1)(A)

A. Section 1932(a)(1)(A) of the Social Security Act.

The State of Wisconsin enrolls Medicaid beneficiaries on a mandatory basis into managed care entities (managed care organization [MCOs], primary care case managers [PCCMs], and/or PCCM entities) in the absence of section 1115 or section 1915(b) waiver authority. This authority is granted under section 1932(a)(1)(A) of the Social Security Act (the Act). Under this authority, a state can amend its Medicaid state plan to require certain categories of Medicaid beneficiaries to enroll in managed care entities without being out of compliance with provisions of section 1902 of the Act on statewideness (42 CFR 431.50), freedom of choice (42 CFR 431.51) or comparability (42 CFR 440.230).

This authority may ***not*** be used to mandate enrollment in Prepaid Inpatient Health Plans (PIHPs), Prepaid Ambulatory Health Plans (PAHPs), nor can it be used to mandate the enrollment of Medicaid beneficiaries described in 42 CFR 438.50(d).

Where the state's assurance is requested in this document for compliance with a particular requirement of 42 CFR 438 et seq., the state shall place a check mark to affirm that it will be in compliance no later than the applicable compliance date. All applicable assurances should be checked, even when the compliance date is in the future. **Please see Appendix A of this document for compliance dates for various sections of 42 CFR 438.**

1932(a)(1)(B)(i)
1932(a)(1)(B)(ii)
42 CFR 438.2
42 CFR 438.6
42 CFR 438.50(b)(1)-(2)

B. Managed Care Delivery System.

The State will contract with the entity(ies) below and reimburse them as noted under each entity type.

1. ✓ MCO
   a. ✓ Capitation
   b. ✓ The state assures that all applicable requirements of 42 CFR 438.6, regarding special contract provisions related to payment, will be met.

2. ☐ PCCM (individual practitioners)
   a. ☐ Case management fee
   b. ☐ Other (please explain below)

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| Citation | Condition or Requirement |
|---|---|

3. ☐ PCCM entity
   a. ☐ Case management fee
   b. ☐ Shared savings, incentive payments, and/or financial rewards (see 42 CFR 438.310(c)(2))
   c. ☐ Other (please explain below)

If PCCM entity is selected, please indicate which of the following function(s) the entity will provide (as in 42 CFR 438.2), in addition to PCCM services:

- ☐ Provision of intensive telephonic case management
- ☐ Provision of face-to-face case management
- ☐ Operation of a nurse triage advice line
- ☐ Development of enrollee care plans
- ☐ Execution of contracts with fee-for-service (FFS) providers in the FFS program
- ☐ Oversight responsibilities for the activities of FFS providers in the FFS program
- ☐ Provision of payments to FFS providers on behalf of the State.
- ☐ Provision of enrollee outreach and education activities.
- ☐ Operation of a customer service call center.
- ☐ Review of provider claims, utilization and/or practice patterns to conduct provider profiling and/or practice improvement.
- ☐ Implementation of quality improvement activities including administering enrollee satisfaction surveys or collecting data necessary for performance measurement of providers.
- ☐ Coordination with behavioral health systems/providers.
- ☐ Coordination with long-term services and supports systems/providers.
- ☐ Other (please describe): _____

_____

_____

42 CFR 438.50(b)(4)

C. Public Process.

Describe the public process including tribal consultation, if applicable, utilized for both the design of the managed care program and its initial implementation. In addition, describe what methods the state will use to ensure ongoing public involvement once the state plan managed care program has been implemented. *(Example: public meeting, advisory groups.)*

The State has established a process to involve the public in both the design and implementation of the SSI-Medicaid Managed Care Program. In 2015 the Department established a Community Advisory Committee (CAC) that consists of disability advocates, medical and mental health providers, and federally qualified health centers (FQHCs), minority coalitions, culturally competent organizations, and housing agencies. The CAC meetings are scheduled on a monthly basis and

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| Citation | Condition or Requirement |
|---|---|

C. Public Process, continued.

last 2 hours. The CAC has provided the Department direct input on the design and implementation of the managed care expansion project include the MCO contracts, State Plan Amendment, and member communications. The CAC will remain intact during and following the implementation to assist the Department in monitoring and making adjustments. Additionally, during the implementation phase the Department will hold public town hall meetings throughout the state.

Member letters will be mailed prior to the implementation of each area in the state and will inform members of the changes and invite them to attend the town hall meetings. While Native Americans and Tribal members are not impacted by this change the Department nevertheless consulted with the tribes.

If the program will include long term services and supports (LTSS), please indicate how the views of stakeholders have been, and will continue to be, solicited and addressed during the design, implementation, and oversight of the program, including plans for a member advisory committee. (42 CFR 438.70 and 438.110)

D. State Assurances and Compliance with the Statute and Regulations.
If applicable to the state plan, place a check mark to affirm that compliance with the following statutes and regulations will be met.

| | |
|---|---|
| 1932(a)(1)(A)(i)(I)<br>1903(m)<br>42 CFR 438.50(c)(1) | 1. ✓ The state assures that all of the applicable requirements of section 1903(m) of the Act, for MCOs and MCO contracts will be met. |
| 1932(a)(1)(A)(i)(I)<br>1905(t)<br>42 CFR 438.50(c)(2)<br>1902(a)(23)(A) | 2. ☐ The state assures that all the applicable requirements of section 1905(t) of the Act for PCCMs and PCCM contracts (including for PCCM entities) will be met. |
| 1932(a)(1)(A)<br>42 CFR 438.50(c)(3) | 3. ✓ The state assures that all the applicable requirements of section 1932 [including subpart (a)(1)(A)] of the Act, for the state's option to limit freedom of choice by requiring beneficiaries to receive their benefits through managed care entities will be met. |
| 1932(a)(1)(A)<br>42 CFR 431.51<br>1905(a)(4)(C)<br>42 CFR 438.10(g)(2)(vii) | 4. ✓ The state assures that all the applicable requirements of 42 CFR 431.51 regarding freedom of choice for family planning services and supplies as defined in section 1905(a)(4)(C) will be met. |
| 1932(a)(1)(A) | 5. ✓ The state assures that it appropriately identifies individuals in the mandatory exempt groups identified in 1932(a)(1)(A)(i). |

State: Wisconsin

| Citation | Condition or Requirement |
|---|---|
| | D. State Assurances and Compliance with the Statute and Regulations, continued. |
| 1932(a)(1)(A)<br>42 CFR 438<br>1903(m) | 6. ✓ The state assures that all applicable managed care requirements of 42 CFR Part 438 for MCOs, PCCMs, and PCCM entities will be met. |
| 1932(a)(1)(A)<br>42 CFR 438.4<br>42 CFR 438.5<br>42 CFR 438.7<br>42 CFR 438.8<br>42 CFR 438.74<br>42 CFR 438.50(c)(6) | 7. ✓ The state assures that all applicable requirements of 42 CFR 438.4, 438.5, 438.7, 438.8, and 438.74 for payments under any risk contracts will be met. |
| 1932(a)(1)(A)<br>42 CFR 447.362<br>42 CFR 438.50(c)(6) | 8. ☐ The state assures that all applicable requirements of 42 CFR 447.362 for payments under any non-risk contracts will be met. |
| 42 CFR 440.262 | 9. ✓ The State assures that all requirements of 42 CFR 440.262 to have methods to promote access and delivery of services in a culturally competent manner to all beneficiaries are met. |
| 45 CFR 75.326 | 10. ✓ The state assures that all applicable requirements of 45 CFR 75.326 for procurement of contracts will be met. |
| 42 CFR 438.66 | 11. Assurances regarding state monitoring requirements:<br>✓ The state assures that all applicable requirements of 42 CFR 438.66(a), (b), and (c), regarding a monitoring system and using data to improve the performance of its managed care program, will be met.<br>✓ The state assures that all applicable requirements of 42 CFR 438.66(d), regarding readiness assessment, will be met.<br>✓ The state assures that all applicable requirements of 42 CFR 438.66(e), regarding reporting to CMS about the managed care program, will be met. |

State: Wisconsin

| Citation | Condition or Requirement |
|---|---|
| 1932(a)(1)(A)<br>1932(a)(2) | E. Populations and Geographic Area. |
| | 1. **Included Populations.** Please check which eligibility groups are included, if they are enrolled on a **Mandatory (M)** or **Voluntary (V)** basis (as defined in 42 CFR 438.54(b)) or **Excluded (E),** and the geographic scope of enrollment. Under the **Geographic Area** column, please indicate whether the nature of the population's enrollment is on a statewide basis, or if on less than a statewide basis, please list the applicable counties/regions. Also, if type of enrollment varies by geographic area (for example, mandatory in some areas and voluntary in other areas), please note specifics in the **Geographic Area** column.<br><br>Under the **Notes** column, please note any additional relevant details about the population or enrollment. |
| | |

**A. Mandatory Eligibility Groups (Eligibility Groups to which a state must provide Medicaid coverage)**

**1. Family/Adult**

| Eligibility Group | Citation (Regulation [42 CFR] or SSA) | M | V | E | Geographic Area (include specifics if M/V/E varies by area) | Notes |
|---|---|---|---|---|---|---|
| 1. Parents and Other Caretaker Relatives | §435.110 | X | | | STATEWIDE | BC + |
| 2. Pregnant Women | §435.116 | X | | | STATEWIDE | BC + |
| 3. Children Under Age 19 (Inclusive of Deemed Newborns under §435.117) | §435.118 | X | | | STATEWIDE | BC + |
| 4. Former Foster Care Youth (up to age 26) | §435.150 | X | | | STATEWIDE | BC + |
| 5. Adult Group (Non-pregnant individuals age 19-64 not eligible for Medicare with income no more than 133% FPL ) | §435.119 | X | | | STATEWIDE | BC + |
| 6. Transitional Medical Assistance (Includes adults and children, if not eligible under §435.116, §435.118, or §435.119) | 1902(a)(52), 1902(e)(1), 1925, and 1931(c)(2) of SSA | X | | | STATEWIDE | BC + |
| 7. Extended Medicaid Due to Spousal Support Collections | §435.115 | X | | | STATEWIDE | BC + |

State: Wisconsin

Citation | Condition or Requirement

**2. Aged/Blind/Disabled Individuals**

| Eligibility Group | Citation (Regulation [42 CFR] or SSA) | M | V | E | Geographic Area (include specifics if M/V/E varies by area) | Notes |
|---|---|---|---|---|---|---|
| 8. Individuals Receiving SSI age 19 and over only (See E.2. below regarding age <19) | §435.120 | M | | | STATEWIDE | SSI |
| 9. Aged and Disabled Individuals in 209(b) States | §435.121 | | | | | SSI |
| 10. Individuals Who Would be Eligible for SSI/SSP but for OASDI COLA Increase since April, 1977 | §435.135 | X | | | | SSI |
| 11. Disabled Widows and Widowers Ineligible for SSI due to an increase of OASDI | §435.137 | X | | | | SSI |
| 12. Disabled Widows and Widowers Ineligible for SSI due to Early Receipt of Social Security | §435.138 | | | X | | SSI |
| 13. Working Disabled under 1619(b) | 1619(b), 1902(a)(10)(A)(i)(II), and 1905(q) of SSA | | X | | | SSI |
| 14. Disabled Adult Children | 1634(c) of SSA | X | | | | SSI |

**B. Optional Eligibility Groups**

**1. Family/Adult**

| Eligibility Group | Citation (Regulation [42 CFR] or SSA) | M | V | E | Geographic Area (include specifics if M/V/E varies by area) | Notes |
|---|---|---|---|---|---|---|
| 1. Optional Parents and Other Caretaker Relatives | §435.220 | | | | | BC + |
| 2. Optional Targeted Low-Income Children | §435.229 | X | | | | BC + |
| 3. Independent Foster Care Adolescents Under Age 21 | §435.226 | | | E | | BC + |
| 4. Individuals Under Age 65 with Income Over 133% | §435.218 | | | | | BC + |
| 5. Optional Reasonable Classifications of Children Under Age 21 | §435.222 | X | | | | BC + |
| 6. Individuals Electing COBRA Continuation Coverage | 1902(a)(10)(F) of SSA | | | E | | BC + |

State: Wisconsin

Citation | Condition or Requirement

**2. Aged/Blind/Disabled Individuals**

| Eligibility Group | Citation (Regulation [42 CFR] or SSA) | M | V | E | Geographic Area (include specifics if M/V/E varies by area) | Notes |
|---|---|---|---|---|---|---|
| 7. Aged, Blind or Disabled Individuals Eligible for but Not Receiving Cash | §435.210 and §435.230 | X | | | | SSI |
| 8. Individuals eligible for Cash except for Institutionalized Status | §435.211 | X | | | | SSI |
| 9. Individuals Receiving Home and Community-Based Waiver Services Under Institutional Rules | §435.217 | | | E | | SSI |
| 10. Optional State Supplement Recipients - 1634 and SSI Criteria States – with 1616 Agreements | §435.232 | | | | | SSI |
| 11. Optional State Supplemental Recipients- 209(b) States and SSI criteria States without 1616 | §435.234 | | | | | SSI |
| 12. Institutionalized Individuals Eligible under a Special Income Level | §435.236 | | | E | | SSI |
| 13. Individuals Participating in a PACE Program under Institutional Rules | 1934 of the SSA | | | E | | SSI |
| 14. Individuals Receiving Hospice Care | 1902(a)(10)(A)(ii)(VII) and 1905(o) of the SSA | X | | | | SSI |
| 15. Poverty Level Aged or Disabled | 1902(a)(10)(A)(ii)(X) and 1902(m)(1) of the SSA | X | | | | SSI |
| 16. Work Incentive Group | 1902(a)(10)(A)(ii)(XIII) of the SSA | | X | | | SSI |
| 17. Ticket to Work Basic Group | 1902(a)(10)(A)(ii)(XV) of the SSA | | | | | SSI |
| 18. Ticket to Work Medically Improved Group | 1902(a)(10)(A)(ii)(XVI) of the SSA | | | | | SSI |
| 19. Family Opportunity Act Children with Disabilities | 1902(a)(10)(A)(ii)(XIX) of the SSA | | | E | | SSI |
| 20. Individuals Eligible for State Plan Home and Community-Based Services | §435.219 | | | E | | SSI |

Citation | Condition or Requirement

**3. Partial Benefits**

| Eligibility Group | Citation (Regulation [42 CFR] or SSA) | M | V | E | Geographic Area (include specifics if M/V/E varies by area) | Notes |
|---|---|---|---|---|---|---|
| 21. Family Planning Services | §435.214 | | | X | | |
| 22. Individuals with Tuberculosis | §435.215 | | | X | | |
| 23. Individuals Needing Treatment for Breast or Cervical Cancer (under age 65) | §435.213 | | | X | | |

**C. Medically Needy**

| Eligibility Group | Citation (Regulation [42 CFR] or SSA) | M | V | E | Geographic Area (include specifics if M/V/E varies by area) | Notes |
|---|---|---|---|---|---|---|
| 1. Medically Needy Pregnant Women | §435.301(b)(1)(i) and (iv) | X | | | | BC + |
| 2. Medically Needy Children under Age 18 | §435.301(b)(1)(ii) | X | | | | BC + |
| 3. Medically Needy Children Age 18 through 20 | §435.308 | X | | | | BC + |
| 4. Medically Needy Parents and Other Caretaker Relatives | §435.310 | X | | | | BC + |
| 5. Medically Needy Aged | §435.320 | X | | | | SSI |
| 6. Medically Needy Blind | §435.322 | X | | | | SSI |
| 7. Medically Needy Disabled | §435.324 | X | | | | SSI |
| 8. Medically Needy Aged, Blind and Disabled in 209(b) States | §435.330 | | | | | SSI |

State: Wisconsin

| Citation | Condition or Requirement |
|---|---|
| | 2. **Voluntary Only or Excluded Populations.** Under this managed care authority, some populations cannot be subject to mandatory enrollment in an MCO, PCCM, or PCCM entity [per 42 CFR 438.50(d)]. Some such populations are Eligibility Groups separate from those listed above in E.1., while others (such as American Indians/Alaskan Natives) can be part of multiple Eligibility Groups identified in E.1. above.<br><br>Please indicate if any of the following populations are excluded from the program, or have only voluntary enrollment (even if they are part of an eligibility group listed above in E.1. as having mandatory enrollment): |

| Population | Citation [Regulation (42 CFR) or SSA] | V | E | Geographic Area | Notes |
|---|---|---|---|---|---|
| **Medicare Savings Program –** Qualified Medicare Beneficiaries, Qualified Disabled Working Individuals, Specified Low Income Medicare Beneficiaries, and/or Qualifying Individuals | 1902(a)(10)(E), 1905(p), 1905(s) of the SSA | V | | STATEWIDE | |
| **"Dual Eligibles" not described under Medicare Savings Program** - Medicaid beneficiaries enrolled in an eligibility group other than one of the Medicare Savings Program groups who are also eligible for Medicare | | V | | | |
| **American Indian/Alaskan Native—** Medicaid beneficiaries who are American Indians or Alaskan Natives and members of federally recognized tribes | §438.14 | V | | | |
| **Children Receiving SSI who are Under Age 19** - Children under 19 years of age who are eligible for SSI under title XVI | §435.120 | | E | | |
| **Qualified Disabled Children Under Age 19 -** Certain children under 19 living at home, who are disabled and would be eligible if they were living in a medical institution. | §435.225<br>1902(e)(3) of the SSA | | E | | |
| **Title IV-E Children -** Children receiving foster care, adoption assistance, or kinship guardianship assistance under title IV-E * | §435.145 | | E | | |
| **Non-Title IV-E Adoption Assistance Under Age 21*** | §435.227 | | E | | |
| **Children with Special Health Care Needs -** Receiving services through a family-centered, community-based, coordinated care system that receives grant funds under section 501(a)(1)(D) of Title V, and is defined by the State in terms of either program participation or special health care needs. | | | E | | |

* Note. Individuals in these two Eligibility Groups who are age 19 and 20 can have mandatory enrollment in managed care, while those under age 19 cannot have mandatory enrollment. Use the Notes column to indicate if you plan to mandatorily enroll 19 and 20 year olds in these Eligibility Groups.

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| Citation | Condition or Requirement |
|---|---|
| | 3. **(Optional) Other Exceptions.** The following populations (which can be part of various Eligibility Groups) can be subject to mandatory enrollment in managed care, but states may elect to make exceptions for these or other individuals. Please indicate if any of the following populations are excluded from the program, or have only voluntary enrollment (even if they are part of an eligibility group listed above in E.1. as having mandatory enrollment): |

| Population | V | E | Notes |
|---|---|---|---|
| **Other Insurance--**Medicaid beneficiaries who have other health insurance | | | |
| **Reside in Nursing Facility or ICF/IID--** Medicaid beneficiaries who reside in Nursing Facilities (NF) or Intermediate Care Facilities for Individuals with Intellectual Disabilities (ICF/IID). | | E | |
| **Enrolled in Another Managed Care Program--**Medicaid beneficiaries who are enrolled in another Medicaid managed care program | | E | |
| **Eligibility Less Than 3 Months--**Medicaid beneficiaries who would have less than three months of Medicaid eligibility remaining upon enrollment into the program | | | |
| **Participate in HCBS Waiver--**Medicaid beneficiaries who participate in a Home and Community Based Waiver (HCBS, also referred to as a 1915(c) waiver). | | E | |
| **Retroactive Eligibility–**Medicaid beneficiaries for the period of retroactive eligibility. | | E | |
| **Other (Please define):** | | | |

| | |
|---|---|
| 1932(a)(4)<br>42 CFR 438.54 | F. Enrollment Process.<br>Based on whether mandatory and/or voluntary enrollment are applicable to your program [see E. Populations and Geographic Area and definitions in 42 CFR 438.54(b)], please complete the below: |
| | 1. For **voluntary** enrollment: [see 42 CFR 438.54(c)]<br>a. Please describe how the state fulfills its obligations to provide information as specicifed in 42 CFR 438.10(c)(4), 42 CFR 438.10(e) and 42 CFR 438.54(c)(3).<br><br>**Wisconsin is not making changes to the enrollment process for populations eligible for voluntary enrollment.** |

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| | States with voluntary enrollment must have an enrollment choice period or passive enrollment. Please indicate which will apply to the managed care program:<br><br>b.☐ If applicable, please check here to indicate that the state provides an **enrollment choice period**, as described in 42 CFR 438.54(c)(1)(i) and 42 CFR 438.54(c)(2)(i), during which individuals who are subject to voluntary enrollment may make an active choice to enroll in the managed care program, or will otherwise continue to receive covered services through the fee-for-service delivery system.<br><br>Please indicate the length of the enrollment choice period: _____ |
| | c.☐ If applicable, please check here to indicate that the state uses a **passive enrollment** process, as described in 42 CFR 438.54(c)(1)(ii) and 438.54(c)(2)(ii), for individuals who are subject to voluntary enrollment.<br>i. If so, please describe the algorithm used for passive enrollment and how the algorithm and the state's provision of information meets all of the requirements of 42 CFR 438.54(c)(4),(5),(6),(7), and (8).<br>ii. Please indicate how long the enrollee will have to disenroll from the plan and return to the fee-for-service delivery system: _____ |
| | 2. For mandatory enrollment: [see 42 CFR 438.54(d)] |
| | a. Please describe how the state fulfills its obligations to provide information as specified in 42 CFR 438.10(c)(4), 42 CFR 438.10(e) and 42 CFR 438.54(d)(3).<br><br>**The State requires MCOs to use standard definitions for managed care terminology and standard enrollee handbook language provided in the MCO Contract with the State. The State provides the information specified in 42 CFR 438.10(e) at the time a member becomes eligible to enroll in managed care by sending the potential enrollee a managed care Program Guide and Choice Booklet with all required information.**<br><br>**In regards to priority for enrollment, members previously enrolled in an MCO are automatically re-enrolled into the same MCO if that re-enrollment occurs within 90 days regardless of whether they MCO has exceeded its capacity.** |
| | b. ✓ If applicable, please check here to indicate that the state provides an **enrollment choice period**, as described in 42 CFR 438.54(d)(2)(i), during which individuals who are subject to mandatory enrollment may make an active choice to select a managed care plan, or will otherwise be enrolled in a plan selected by the State's default enrollment process.<br><br>Please indicate the length of the enrollment choice period:<br><br>**Approximately one month.** |

State: Wisconsin

| Citation | Condition or Requirement |
|---|---|
| | c. ✓ If applicable, please check here to indicate that the state uses a **default** enrollment process, as described in 42 CFR 438.54(d)(5), for individuals who are subject to mandatory enrollment.<br>i. If so, please describe the algorithm used for default enrollment and how it meets all of the requirements of 42 CFR 438.54(d)(4), (5), (7), and (8).<br>**If the recipient fails to choose an MCO during the enrollment choice period, the State will assign the recipient to an MCO. These recipients are automatically assigned on a rotational basis to MCOs that are below their maximum enrollment to ensure equitable distribution to individual MCOs.** |
| | d. ☐ If applicable, please check here to indicate that the state uses a **passive enrollment** process, as described in 42 CFR 438.54(d)(2), for individuals who are subject to mandatory enrollment.<br>i. If so, please describe the algorithm used for passive enrollment and how it meets all of the requirements of 42 CFR 438.54(d)(4), (6), (7), and (8). |
| 1932(a)(4)<br>42 CFR 438.54 | 3. State assurances on the enrollment process.<br>Place a check mark to affirm the state has met all of the applicable requirements of choice, enrollment, and re-enrollment. |
| 42 CFR 438.52 | A. ✓ The state assures that, per the choice requirements in 42 CFR 438.52: |
| | i. Medicaid beneficiaries with mandatory enrollment in an MCO will have a choice of at least two MCOs unless the area is considered rural as defined in 42 CFR 438.52(b)(3); |
| | ii. Medicaid beneficiaries with mandatory enrollment in a primary care case management system will have a choice of at least two primary care case managers employed by or contracted with the State; |
| | iii. Medicaid beneficiaries with mandatory enrollment in a PCCM entity may be limited to a single PCCM entity and will have a choice of at least two PCCMs employed by or contracted with the PCCM entity. |
| 42 CFR 438.52 | b. ☐ The state plan program applies the rural exception to choice requirements of 42 CFR 438.52(a) for MCOs in accordance with 42 CFR 438.52(b). Please list the impacted rural counties:<br>✓ This provision is not applicable to this 1932 State Plan Amendment. |
| 42 CFR 438.56(g) | c. ✓ The state applies the automatic reenrollment provision in accordance with 42 CFR 438.56(g) if the recipient is disenrolled solely because he or she loses Medicaid eligibility for a period of 2 months or less.<br>☐ This provision is not applicable to this 1932 State Plan Amendment. |

State: Wisconsin

| Citation | Condition or Requirement |
|---|---|
| 42 CFR 438.71 | d. ✓ The state assures that all applicable requirements of 42 CFR 438.71 regarding developing and implementing a beneficiary support system that provides support to beneficiaries both prior to and after MCO, PCCM, or PCCM entity enrollment will be met. |
| 1932(a)(4)<br>42 CFR 438.56 | G. Disenrollment.<br>1. The state will ✓/ will not☐ limit disenrollment for managed care. |
| | 2. The disenrollment limitation will apply for **9 months** (up to 12 months). |
| | 3. ✓ The state assures that beneficiary requests for disenrollment (with and without cause) will be permitted in accordance with 42 CFR 438.56. |
| | 4. Describe the state's process for notifying the Medicaid beneficiaries of their right to disenroll without cause during the 90 days following the date of their initial enrollment into the MCO, PCCM, or PCCM entity. (Examples: state generated correspondence, enrollment packets, etc.)<br>**The Department notifies Medicaid beneficiaries of their right to disenroll without cause during the 90 days following the date of their initial enrollment in an MCO through the HMO Program Guide and Choice Packet (aka enrollment packet).** |
| | 5. Describe any additional circumstances of "cause" for disenrollment (if any).<br>**Poor quality of care, lack of access to special services, maintaining continuity of care, or other reasons satisfactory to the state.** |
| | H. Information Requirements for Beneficiaries. |
| 1932(a)(5)(c)<br>42 CFR 438.50<br>42 CFR 438.10 | ✓ The state assures that its state plan program is in compliance with 42 CFR 438.10 for information requirements specific to MCOs, PCCMs, and PCCM entity programs operated under section 1932(a)(1)(A)(i) state plan amendments. |

State: Wisconsin

| Citation | Condition or Requirement |
|---|---|
| 1932(a)(5)(D)(b)<br>1903(m)<br>1905(t)(3) | I. List all benefits for which the MCO is responsible.<br>**Medicaid HMOs cover all medically necessary services identified in Attachment 3.1-A Supplement 1 with the following exceptions as these services are provided through FFS, as appropriate:**<br>**— Prenatal Care Coordination**<br>**— Tuberculosis-related services**<br>**— Chiropractic services (Optional benefit for HMOs)**<br>**----Psychosocial services**<br>**— Prescription drugs and medical supplies listed in the Department's Prescription Drug Index or Disposable Medical Supplies Index (and obtained on a FFS basis), that are not reimbursable as part of the rate paid for a physician office visit or a stay in a hospital or nursing home.**<br>**— Prescription drugs administered by a physician as part of a physician office visit or incident to a physician's service.**<br>**— Non-emergency medical transportation.**<br>**— Dental ( Provided by HMOs in some geographic regions)**<br>**— School-based services.**<br>**— Child care coordination.**<br>**— Crisis intervention.**<br>**— Lead investigations for persons having lead poisoning or lead exposure.**<br>**— Medication therapy management.**<br>**— Behavioral treatment services (autism services).** |

State: Wisconsin

| Citation | Condition or Requirement |
|---|---|
| 1932(a)(5)(D)(b)(4)<br>42 CFR 438.228 | J. ✓ The state assures that each MCO has established an internal grievance and appeal system for enrollees. |
| 1932(a)(5)(D)(b)(5)<br>42 CFR 438.62<br>42 CFR 438.68<br>42 CFR 438.206<br>42 CFR 438.207<br>42 CFR 438.208 | K. Services, including capacity, network adequacy, coordination, and continuity. |
| | ✓ The state assures that all applicable requirements of 42 CFR 438.62, regarding continued service to enrollees, will be met. |
| | ✓ The state assures that all applicable requirements of 42 CFR 438.68, regarding network adequacy standards, will be met. |
| | ✓ The state assures that all applicable requirements of 42 CFR 438.206, regarding availability of services, will be met. |
| | ✓ The state assures that all applicable requirements of 42 CFR 438.207, regarding assurances of adequate capacity and services, will be met. |
| | ✓ The state assures that all applicable requirements of 42 CFR 438.208, regarding coordination and continuity of care, will be met. |
| 1932(c)(1)(A)<br>42 CFR 438.330<br>42 CFR 438.340 | L. ✓ The state assures that all applicable requirements of 42 CFR 438.330 and 438.340, regarding a quality assessment and performance improvement program and State quality strategy, will be met. |
| 1932(c)(2)(A)<br>42 CFR 438.350<br>42 CFR 438.354<br>42 CFR 438.364 | M. ✓ The state assures that all applicable requirements of 42 CFR 438.350, 438.354, and 438.364 regarding an annual external independent review conducted by a qualified independent entity, will be met. |
| 1932 (a)(1)(A)(ii) | N. Selective Contracting Under a 1932 State Plan Option. |
| | To respond to items #1 and #2, place a check mark. The third item requires a brief narrative. |
| | 1. The state will ☐/will not ✓ intentionally limit the number of entities it contracts under a 1932 state plan option. |
| | 2. ☐ The state assures that if it limits the number of contracting entities, this limitation will not substantially impair beneficiary access to services. |
| | 3. Describe the criteria the state uses to limit the number of entities it contracts under a 1932 state plan option. (Example: a limited number of providers and/or enrollees.) |
| | 4. ✓ The selective contracting provision is not applicable to this state plan. |

State: Wisconsin

Citation | Condition or Requirement

**Appendix A: Compliance Dates (from Supplementary Information in 81 FR 27497, published 5/6/2016)**

**States must comply with all provisions in effect as of the issuance of this preprint. Additionally, the following compliance dates apply:**

| Compliance Dates | Sections |
|---|---|
| For rating periods for Medicaid managed care contracts beginning before July 1, 2017, States will not be held out of compliance with the changes adopted in the following sections so long as they comply with the corresponding standard(s) codified in 42 CFR part 438 contained in 42 CFR parts 430 to 481, edition revised as of October 1, 2015. **States must comply with these requirements no later than the rating period for Medicaid managed care contracts starting on or after July 1, 2017.** | §§ 438.3(h), 438.3(m), 438.3(q) through (u), 438.4(b)(7), 438.4(b)(8), 438.5(b) through (f), 438.6(b)(3), 438.6(c) and (d), 438.7(b), 438.7(c)(1) and (2), 438.8, 438.9, 438.10, 438.14, 438.56(d)(2)(iv), 438.66(a) through (d), 438.70, 438.74, 438.110, 438.208, 438.210, 438.230, 438.242, 438.330, 438.332, 438.400, 438.402, 438.404, 438.406, 438.408, 438.410, 438.414, 438.416, 438.420, 438.424, 438.602(a), 438.602(c) through (h), 438.604, 438.606, 438.608(a), and 438.608(c) and (d) |
| For rating periods for Medicaid managed care contracts beginning before July 1, 2018, states will not be held out of compliance with the changes adopted in the following sections so long as they comply with the corresponding standard(s) codified in 42 CFR part 438 contained in the 42 CFR parts 430 to 481, edition revised as of October 1, 2015. **States must comply with these requirements no later than the rating period for Medicaid managed care contracts starting on or after July 1, 2018.** | §§ 438.4(b)(3), 438.4(b)(4), 438.7(c)(3), 438.62, 438.68, 438.71, 438.206, 438.207, 438.602(b), 438.608(b), and 438.818 |
| **States must be in compliance with the requirements at § 438.4(b)(9) no later than the rating period for Medicaid managed care contracts starting on or after July 1, 2019.** | § 438.4(b)(9) |
| **States must be in compliance with the requirements at § 438.66(e) no later than the rating period for Medicaid managed care contracts starting on or after the date of the publication of CMS guidance.** | § 438.66(e) |
| **States must be in compliance with § 438.334 no later than 3 years from the date of a final notice published in the Federal Register.** | § 438.334 |
| **Until July 1, 2018,** states will not be held out of compliance with the changes adopted in the following sections so long as they comply with the corresponding standard(s) codified in 42 CFR part 438 contained in the 42 CFR parts 430 to 481, edition revised as of October 1, 2015. | §§ 438.340, 438.350, 438.354, 438.356, 438.358, 438.360, 438.362, and 438.364 |
| States must begin conducting the EQR-related activity described in § 438.358(b)(1)(iv) (relating to the mandatory EQR-related activity of validation of network adequacy) **no later than one year from the issuance of the associated EQR protocol.** | § 438.358(b)(1)(iv) |
| States may begin conducting the EQR-related activity described in § 438.358(c)(6) (relating to the optional EQR-related activity of plan rating) **no earlier than the issuance of the associated EQR protocol.** | § 438.358(c)(6) |