



March 13, 2018

Group VIII Work Requirements and Community Engagement 1115 Wavier  
Bureau of Health Plan Policy  
Ohio Department of Medicaid  
50 W. Town St.; 5th Floor  
Columbus, OH 43215

Re: Comments Regarding the Implementation of Medicaid Work Requirements

To Whom It May Concern,

A number of questions and concerns arose after reading the proposed Group VIII Work Requirement and Community Engagement Demonstration Waiver and the impact that this will have on individuals who will be required to participate in a work activity for Medicaid, as well as the impact to county agencies mandated to implement the program. These concerns fell into three main categories:

1. The implementation of the proposed Group VIII Work Requirement and Community Engagement Demonstration Waiver will create mandated, unfunded costs for local county agencies, including a minimum of \$11 million in new costs to Cuyahoga County.
2. The proposed Group VIII Work Requirement and Community Engagement Demonstration Waiver contains multiple areas that need additional clarity, consideration, or modification prior to implementation.
3. The proposed timing of the Group VIII Work Requirement and Community Engagement Demonstration Waiver is at odds with its successful implementation.

My comments and recommendations regarding the draft waiver are listed below within these three categories.

**The implementation of the proposed Group VIII Work Requirement and Community Engagement Demonstration Waiver will create mandated, unfunded costs for local county agencies, including a minimum of \$11 million in new costs to Cuyahoga County.**

The federal government requires 1115 waivers to be budget neutral<sup>1</sup> and ODM predicts that they will be able to do this at the state level. This will not be true at the county level

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<sup>1</sup> See, State Medicaid Director Letter, "Opportunities to Promote Work and Community Engagement Among Medicaid Beneficiaries" at p. 7 and Group VIII Work Requirement and Community Engagement 1115 Demonstration Waiver at p. 12.

and this is recognized in part by ODM.<sup>2</sup> However, the full impact to funding and resources is not acknowledged by ODM in the 1115 waiver request.

## **Increased Staffing Costs**

### **Appraisal Interviews**

The staffing and programmatic impact of the 1115 waiver is significant at the local level. Currently, an interview is not required to determine Medicaid eligibility.<sup>3</sup> The addition of the work and community engagement requirements to the Expansion Medicaid program would change this for Group VIII individuals. Individuals who are not exempted from Medicaid work requirements based on SNAP eligibility would be forced to complete an appraisal interview.

An appraisal interview is still needed to determine if the individual is exempt from the work requirement, is meeting the work requirement, or needs an assignment to comply with the work requirement.<sup>4</sup> As a consequence, county agencies will need to increase their staffing levels to complete these appraisal interviews.

Cuyahoga County is anticipating that they will need to complete over 29,000 appraisal interviews annually during renewals.<sup>5</sup> This is in addition to the appraisals required for any new applications received.

As a result of the appraisal and exemption process, Cuyahoga County is anticipating that of the more than 29,000 appraisals approximately 8,000 to 10,000 individuals will be required to participate in a work activity in order to maintain their Medicaid eligibility.<sup>6</sup> To implement this level of appraisal and assignment activity with the appropriate staffing, would cost approximately \$10.8 million to complete the appraisal interviews in Cuyahoga County.<sup>7</sup> Consequently, funding is needed from the State in order to implement this program at the local level.

### **Passive Renewals**

In addition to the appraisal interviews, there are other potential staffing costs. Under the current Medicaid eligibility processes, some individuals are eligible for Medicaid under a passive renewal. This means that everything was verified electronically and a caseworker does not have to complete the renewal. With the addition of the work requirements for

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<sup>2</sup> "If additional individuals participate in the WEP program in order to meet the Work and Community Engagement Requirement, this will require additional county funds to pay for additional worker's compensation insurance program." (Group VIII Work Requirement and Community Engagement 1115 Demonstration Waiver at p. 11.)

<sup>3</sup> OAC 5160: 1-2-01(I)(1)

<sup>4</sup> See, Group VIII Work Required and Community Engagement 1115 Demonstration Waiver at p. 8

<sup>5</sup> The number calculated for annual appraisals at renewal is 29,302. This number is based off the number of Group VIII individuals 18-50 in Cuyahoga County after excluding individuals who receive long-term-care benefits, Specialized Recovery Resources, Alien Emergency Medical Coverage, incarcerated, or receiving SNAP (food assistance) benefits.

<sup>6</sup> This is an estimate based the individuals with earned income or children in the household.

<sup>7</sup> The cost for Medicaid appraisals and assignments is based off the staffing and costs currently required to address the SNAP ABAWD required individuals. Cuyahoga County has around 5200 ABAWD individuals required to participate in the appraisal and assignment process for SNAP. While counties receive funding for SNAP ABAWD programs, it is significantly under-funded and does not meet the costs incurred by counties.

Medicaid, these applications and renewals will likely need to be processed by caseworkers rather than going through the passive process.

If the applications and renewals are still able to go through the passive process, then the caseworker will have to be notified of the need for the appraisal interview through alerts. Alerts are notifications of actions that need to be taken in the eligibility system by the caseworker.

Whether the passive renewals become interviews or alerts, they become actions required on a Medicaid case that was not previously required. This leads to the need for additional staffing and resources in order to ensure that individuals receive the medical benefits to which they are entitled.

The \$10.8 million mentioned above is only to have staff for the appraisals. It does include the need to have additional staff to process passive renewals, alerts, or to address the questions and concerns in the community about the Medicaid work requirements.

### **Increased Printing and Mailing Costs**

Staffing will not be the only financial impact at the local level. As appraisal appointments and assignments are made, counties will experience an increase to printing and mailing costs with the implementation of the work requirements for Medicaid. First, there will be the additional printing and mailing costs associated with appointment notices for the appraisal appointment. Second, as part of the appraisal process, self-attestation forms<sup>8</sup> and work requirement plans<sup>9</sup> must be signed. If the appraisal interview is completed over the phone, these documents must be mailed to the individuals to obtain signatures and returned in a pre-addressed, postage paid envelope.<sup>10</sup>

As a result of all of these additional costs, including additional staffing along with printing and mailing costs, Cuyahoga County is anticipating over \$11 million in expenditures without any additional funding from the Ohio Department of Medicaid. We respectfully request that the Group VIII Work Requirement and Community Engagement 1115 Demonstration Waiver only be implemented if funding can be provided to counties to

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<sup>8</sup> “As noted above, during the appraisal, individuals will have the opportunity to indicate whether they meet any of the exemptions and, if they do, will be **required to attest through signed documentation regarding the exemption** following the appraisal interview.” (Group VIII Work Requirement and Community Engagement 1115 Demonstration Waiver at p. 8 – emphasis added)

<sup>9</sup> “During the appraisal process, individuals will agree to a plan to meet the Work and Community Engagement Requirement. This plan will require the individual to meet the ABAWD work requirement policies . . .” (Group VIII Work Requirement and Community Engagement 1115 Demonstration Waiver at p. 9) While there is no direct mention of signing the plan, there is an assumption that one is required due to the need to modify the plan if the individual does not meet their work requirements. “If the individual does not qualify for an exemption, **the individual’s work and community engagement plan will be modified**. If the individual does not agree to the modified plan, the individual have his or her Medicaid coverage terminated.” (Group VIII Work Requirement and Community Engagement 1115 Demonstration Waiver at p. 9 – emphasis added) It is further assumed that a signature is required based on the assessment and appraisal requirements for SNAP and the Ohio Department of Medicaid’s stated desire to align as much as possible with these rules. [See, OAC 5101:4-3-29(B)(2)]

<sup>10</sup> There is nothing in the draft waiver that indicates whether a postage paid return envelope must be included with the documents to send back to the county agency. However, it is a best practice to include postage paid return envelopes when requiring documents in order to remove any barriers to eligibility.

implement the program locally and effectively.

**The proposed Group VIII Work Requirement and Community Engagement Demonstration Waiver contains multiple areas that need additional clarity, consideration, or modification prior to implementation.**

The Group VIII Work Requirement and Community Engagement 1115 Demonstration Waiver raises a number of questions related to the implementation and impact of the program. Because this list is lengthy, although not exhaustive, it has been broken down below into three main areas for review: Exemptions, Participation, and General Processing. Then each specific area are concerns along with recommendations.

## **Exemptions**

### **Exemptions without Appraisals**

Based on the draft waiver, the State is anticipating that 50% of individuals (or approximately 18,000 individuals) who are required to participate will fail to participate with their work activity.<sup>11</sup> This calculation leaves out the potentially exempt individuals who will be required to complete an appraisal prior to being exempted from the work requirement.<sup>12</sup> Since all Group VIII individuals, who are not excluded due to the SNAP program, will be required to complete an appraisal,<sup>13</sup> then we can assume that potentially many more individuals will lose Medicaid coverage than anticipated in the draft waiver. Using the same expectation that 50% will not participate but using the number who will be required to complete their appraisal, then the number is much higher. According to the numbers provided from the Office of Health Transformation, there are approximately 186,411 individuals that would need to be appraised statewide.<sup>14</sup> If 50% of these individuals do not complete their appraisal, then potentially 93,206 individuals could lose medical coverage and access to health care due to this policy.

In addition, completing an appraisal interview to determine an exemption for Medicaid work requirement places an unnecessary burden on Medicaid individuals and on the counties. Currently, Medicaid does not require that an interview be completed to apply for

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<sup>11</sup> "... we are estimating that 50% of the 36,036 (or 18,018 individuals) subject to the requirement will not comply and will lose their Medicaid eligibility." (Group VIII Work Requirement and Community Engagement 1115 Demonstration Waiver at p. 10)

<sup>12</sup> "Individuals who are currently meeting SNAP or ABAWD work requirements will be deemed to be meeting the Work and Community Engagement Requirement. Individuals who are exempt from SNAP or ABAWD work requirements will be deemed exempt from the Work and Community Engagement Requirement. **All other Group VIII individuals will be appraised** to determine (i) if they meet any of the SNAP or ABAWD exemptions, (ii) if they meet the ABAWD work requirements, (iii) if they need supports to meet the Community Engagement Requirement, and (iv) if they face barriers to participating in work or community engagement activities." (Group VIII Work Requirement and Community Engagement 1115 Demonstration Waiver at p. 7 – emphasis added)

<sup>13</sup> This inference is made based on the requirement to exempt individuals after the completion of their appraisal interview. (See, Group VIII Work Requirement and Community Engagement 1115 Demonstration Waiver at p. 8)

<sup>14</sup> These numbers are based off of individuals being required up to age 55. They also remove all parent/caretakes, individuals with chronic conditions, and SNAP/ABAWD exclusions. [Figure 1. Ohio Medicaid Expansion Proposed Work Requirement (illustrative impact based on July 2017 data) from the Ohio Medicaid Proposed Work Requirements, Office of Health Transformation issued February 16, 2018]

or renew Medicaid benefits.<sup>15</sup> Thus, requiring an appraisal interview to determine if an individual is exempt from work requirement creates a barrier to medical coverage for them. It also increases unfunded administrative costs to the counties for staffing, printing, postage, etc. as mentioned above.

Consequently, we recommend that individuals may be exempted without completing an appraisal interview. Furthermore, we recommend that the Ohio Department of Medicaid use information that it already has available to auto-exempt individuals from the work requirements.

### **Working 20 Hours per Week Equals Exempt**

Under the draft waiver, individuals who are required to participate in the Medicaid work requirements can meet their requirement by working “for a minimum of 20 hours per week (80 hours averaged monthly).”<sup>16</sup> However, an individual who is already employed 20 hours per week is not currently listed as being exempt<sup>17</sup>, and thus, required to complete an appraisal interview.<sup>18</sup> Since the individual is working and meeting their requirement, completing an appraisal interview places a strain on their participation and their employment. We recommend removing this burden and instead exempt individuals from the work requirement when they are working 20 hours per week (80 hours averaged monthly), including removing the appraisal interview requirement.

### **Drug or Alcohol Treatment Program Wait Lists**

Under the draft waiver, individuals may be exempt from participating in the Medicaid work requirement if they are participating in a drug or alcohol treatment program.<sup>19</sup> There are times where individuals are on a wait list to be accepted into a drug or alcohol treatment program. We recommend that individuals on a waiting list to enter a treatment program are also considered exempt from Medicaid work requirements.

### **Child in the Household**

Under the draft waiver, individuals may be exempt from participating in the Medicaid work requirement if they are the parent or caretaker of a minor child in their household.<sup>20</sup> In the SNAP program, an ABAWD individual can be exempt from participating if there is a minor child in their SNAP assistance group.<sup>21</sup> This same principle could be applied work required Medicaid individuals. We recommend this exemption be broadened to include anyone living in a household with a minor child.

### **GED/Aspire Greater Cleveland**

Under the draft waiver, an individual may be exempt from participating in the Medicaid work requirement if they are attending school at least ½ time.<sup>22</sup> The SNAP program does

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<sup>15</sup> See, Group VIII Work Required and Community Engagement 1115 Demonstration Waiver at p. 8

<sup>16</sup> Group VIII Work Required and Community Engagement 1115 Demonstration Waiver at p. 5

<sup>17</sup> Group VIII Work Required and Community Engagement 1115 Demonstration Waiver at p. 4

<sup>18</sup> See, Group VIII Work Required and Community Engagement 1115 Demonstration Waiver at p. 8

<sup>19</sup> Group VIII Work Required and Community Engagement 1115 Demonstration Waiver at p. 4

<sup>20</sup> Group VIII Work Required and Community Engagement 1115 Demonstration Waiver at p. 4

<sup>21</sup> See, OAC 5101:4-3-20(A)(1)(d)

<sup>22</sup> Group VIII Work Required and Community Engagement 1115 Demonstration Waiver at p. 4

not include GED and ABLÉ programs in the exemption.<sup>23</sup> We recommend that if an individual is participating in a GED program or programs like Aspire Greater Cleveland,<sup>24</sup> then they should be exempt from the Medicaid work requirements.

### **Incarcerated individuals**

Under the draft waiver, there is no mention of incarcerated individuals.<sup>25</sup> While these individuals are not specifically included, we recommended that they are specifically excluded from the Medicaid work requirements.

## **Participation**

### **Wage Equivalency**

Under the draft waiver, an individual required to participate in an activity can meet this requirement by working 20 hours per week (80 hours per month).<sup>26</sup> We think there should be another way to meet the participation requirement through employment – wage equivalency. Sometimes individuals are able to find employment at a higher rate of pay but for reduced hours. Using a wage equivalency, the individual would be allowed to work 20 hours per week OR earn the wage equivalent to 20 hours per week (80 hours per month) multiplied by the federal minimum wage. The Supplemental Nutrition Assistance Program (SNAP) or food assistance has a similar policy, which allows individuals to meet their SNAP Employment and Training requirement.<sup>27</sup> We recommend that a wage equivalency for participation be added to the Community Engagement 1115 Demonstration Waiver.

### **Job Search/Job Readiness Programs – Longer than 30 Days**

Under the draft waiver, an individual who is required to participate in a work activity can meet this requirement by participating in a job search/job readiness program. However, the draft waiver limits this to a maximum of 30 days.<sup>28</sup> We find that while some individuals may find employment within 30 days, it takes most individuals more than 30 days. We recommend that individuals actively engaged in a job search/job readiness program beyond 30 days are considered to meet the work participation requirement.

### **Work Experience Program (WEP)**

Under the draft waiver, an individual required to participate in an activity can meet this requirement by participating in a Work Experience Program (WEP).<sup>29</sup> However, there is no designation of how the number of WEP hours would be determined. This will need to be clarified.

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<sup>23</sup> See, OAC 5101:4-3-11(B)(8) and OAC 5101:4-6-04

<sup>24</sup> Aspire Greater Cleveland is a partnership between Cuyahoga County and the local library systems where individuals can work on their GED, training, and job search at their local library. See, the Aspire Greater Cleveland Website at [www.aspiregreatercleveland.org](http://www.aspiregreatercleveland.org)

<sup>25</sup> See, Group VIII Work Required and Community Engagement 1115 Demonstration Waiver

<sup>26</sup> Group VIII Work Required and Community Engagement 1115 Demonstration Waiver at p. 5

<sup>27</sup> An individual who is employed or self-employed whose weekly pay is equal to 30 hours multiplied by the federal minimum wage, is exempt from the SNAP work registration requirements. [See, OAC 5101:4-3-11(B)(10)]

<sup>28</sup> Group VIII Work Required and Community Engagement 1115 Demonstration Waiver at p. 5

<sup>29</sup> Group VIII Work Required and Community Engagement 1115 Demonstration Waiver at p. 5

Under the SNAP program, an ABAWD individual meets their requirement with WEP when they participate monthly in the number hours determined by their SNAP allotment divided by the State minimum wage, in accordance with the Fair Labor Standards Act (FLSA).<sup>30</sup> For example, a single individual receiving \$166 per month in SNAP benefits would be required to participate 20 hours per month.<sup>31</sup>

Since Medicaid does not have a defined benefit issuance amount each month in the same way that SNAP does, in fact most months would not have any issuance for Medicaid, how would the WEP hours be determined in order to be in compliance with the FLSA? We recommend that a cap of 20 hours per month in WEP be determined as meeting the work requirement for Medicaid.

### **Supportive Services**

We appreciate that the Ohio Department of Medicaid has requested federal monies to pay for supportive services.<sup>32</sup> If money for supportive services, such as transportation, is not provided, counties will not be able to fund the services needed to implement the work requirements. Consequently, individuals required to participate will not have the supports that they need to successfully participate. Based on the draft waiver, individuals who fail to participate will lose their Medicaid eligibility.<sup>33</sup> We recommend that if the money for supportive services is not provided that the Group VIII Work Requirement and Community Engagement program not be implemented.

## **General Processing**

### **Impact to Retroactive Medicaid**

When an individual applies for Medicaid, the caseworker is able to look back 90 days (3 months) prior to the date of application and determine if the individual was eligible for Medicaid during any of those 3 months.<sup>34</sup> It is unclear what the impact to retroactive Medicaid coverage will be with the implementation of the Group VIII Work Requirement and Community Engagement 1115 Demonstration Waiver as the draft waiver is silent on this issue. We recommend that the work requirement not come into play until the month after the month the caseworker makes the approval.

### **Modifications to Application and Renewal Forms**

We recommend that the Medicaid application and renewal forms be modified to allow individuals to report exemptions. We also recommend that the exemption statement on the application be accepted as meeting the self-attestation requirement.<sup>35</sup> This would reduce the number of appraisal interviews that need to be completed. It would also minimize the amount of paper to be printed and mailed. It would assist in streamlining the exemption process and reduce the burden placed on individuals that are exempt.

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<sup>30</sup> See, OAC 5101:4—3-31(A)(1)

<sup>31</sup> The minimum wage in Ohio is currently \$8.30. \$166 divided by \$8.30 is 20.

<sup>32</sup> See, Group VIII Work Required and Community Engagement 1115 Demonstration Waiver at p. 9

<sup>33</sup> See, Group VIII Work Required and Community Engagement 1115 Demonstration Waiver at p. 9

<sup>34</sup> See, OAC 5160:1-2-01(L)(1)(b)

<sup>35</sup> See, Group VIII Work Requirement and Community Engagement 1115 Demonstration Waiver at p. 8

## Information for the Work Requirements

It appears that work requirement information is being mailed to ALL Group VIII individuals<sup>36</sup> rather than to the specific individuals who are potentially required to participate in the Work and Community Engagement program for Medicaid. This will create confusion for individuals who do not need to participate. In addition, it is unnecessary printing and mailing costs. We recommend that mailings should only be sent to the individuals potentially required to participate.

## Mailings for Signatures

Under the draft waiver, signatures of needed for an exemption self-attestation<sup>37</sup> and work requirement plans.<sup>38</sup> If the appraisal is done over the phone, then the forms must be mailed to the individual to be signed and the customer must them mail back the signed document. This causes a time delay in processing, it increases printing and postage costs, and it creates opportunities for barriers to eligibility to occur.

We recommend that a verbal confirmation of the exemption reason and notation in the journal notes in the case record should be sufficient to document the exemption, rather than getting a signature on paper. If a signature is required, we recommend accepting audio signatures.

## Work Participation Failures and Re-appraisals – Clarification

Under the draft waiver, it appears as though than an individual who fails their work activity assignment will be required to be re-appraised prior to closing the Medicaid benefits.<sup>39</sup> While our desire is to have every individual for Medicaid benefits receiving those benefits, the requirement for re-appraisals on all work activity failures is not sustainable at the county level. Please provide clarification regarding failures and re-appraisals.

## Work Participation Failures and Reinstatements

Under the draft waiver, if an individual does not meet their work requirement, then their

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<sup>36</sup> “A written statement detailing the above information will be provided to **all Group VIII individuals. All Group VIII individuals will be required** to sign an acknowledgement of the information as part of their Medicaid eligibility application.” (Notice of Ohio’s 1115 Waiver Demonstration Application at p.3 – emphasis added)

<sup>37</sup> “As noted above, during the appraisal, individuals will have the opportunity to indicate whether they meet any of the exemptions and, if they do, will be **required to attest through signed documentation regarding the exemption** following the appraisal interview.” (Group VIII Work Requirement and Community Engagement 1115 Demonstration Waiver at p. 8 – emphasis added)

<sup>38</sup> “During the appraisal process, individuals will agree to a plan to meet the Work and Community Engagement Requirement. This plan will require the individual to meet the ABAWD work requirement policies . . .” (Group VIII Work Requirement and Community Engagement 1115 Demonstration Waiver at p. 9) While there is no direct mention signing the plan, there is an assumption that one is required due to the need to modify the plan if the individual does not meet their work requirements. “If the individual does not qualify for an exemption, **the individual’s work and community engagement plan will be modified**. If the individual does not agree to the modified plan, the individual have his or her Medicaid coverage terminated.” (Group VIII Work Requirement and Community Engagement 1115 Demonstration Waiver at p. 9 – emphasis added) It is further assumed that a signature is required based on the assessment/appraisal requirements for SNAP and Medicaid’s alignment with these rules. [See, OAC 5101:4-3-29(B)(2)]

<sup>39</sup> “If an individual is not meeting his or her Work and Community Engagement Requirement, the individual will be re-appraised.” (Group VIII Work Requirement and Community Engagement 1115 Demonstration Waiver at p. 9)



Medicaid benefits will be closed.<sup>40</sup> Currently, when an individual's benefits are closed for failing to cooperate in the process, the benefits can be reopened or reinstated if the individual provides the information within 90 days of the closure.<sup>41</sup> It is unclear in the draft waiver whether the individual whose Medicaid coverage has closed, will be required to complete a new application for Medicaid or if they will be permitted to obtain Medicaid through the reinstatement process (if closure occurred within the last 90 days).

### **No Longer Exempt for or Participating in SNAP**

Under the draft waiver, an individual is exempt for Medicaid if they are exempt for the SNAP program or if they are meeting their SNAP requirements. In addition, they are not required to complete an appraisal interview for Medicaid.<sup>42</sup> However, what happens if the individual no longer meets their SNAP exemption or is no longer participating? Does it make a difference if the individual is still receiving SNAP and are no longer exempt as opposed to no longer receiving SNAP benefits? We recommend that the individual remain exempt for Medicaid until their Medicaid renewal, at which point, exemptions or assignments can be re-explored.

### **The proposed timing of the Group VIII Work Requirement and Community Engagement Demonstration Waiver is at odds with its successful implementation.**

The Ohio Department of Medicaid has a target implementation date for the Work Requirement and Community Demonstration of July 1, 2018.<sup>43</sup> This is a challenging time to implement a new program that will also require system updates. The summer months into early fall are the months with the highest annual redeterminations for SNAP and TANF households. In addition to these standard challenges, counties are also faced with the implementation of the Electronic Document Management System and the conversion of SNAP and TANF cases into Ohio Benefits. Thus, an environment will exist at the State and local levels during the summer and fall of 2018 that will create extraordinary barriers to successful implementation of this new program.

### **Electronic Data Management System**

During May and June 2018, the Ohio Department of Administrative Services (DAS), the Ohio Department of Medicaid (ODM), the Ohio Department of Jobs and Family Services (ODJFS) and Northwoods, in coordination with the local county agencies, will be implementing a statewide Electronic Data Management System (EDMS). County staff will need to learn this new system, including its document taxonomy and system workflows. At the same time, they will continue to access the legacy imaging system (or paper records) for previously obtained documents not yet in EDMS.<sup>44</sup>

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<sup>40</sup> "Non-exempt Group VIII individuals who fail to meet the Work and Community Engagement Requirement will have their Medicaid coverage terminated." (Group VIII Work Required and Community Engagement 1115 Demonstration Waiver at p. 9)

<sup>41</sup> See, OAC 5160:1-2-01(J)

<sup>42</sup> See, Group VIII Work Requirement and Community Engagement 1115 Demonstration Waiver at p. 7

<sup>43</sup> "Ohio's target date for implementing the Work and Community Engagement Requirement statewide is July 1, 2018." (Group VIII Work Requirement and Community Engagement 1115 Demonstration Waiver at p. 12)

<sup>44</sup> Later in 2018, counties can have their documents converted from their legacy systems to the new statewide EDMS. No projected date of when this will occur has been provided to counties at this time.

### **Conversion of SNAP and TANF into Ohio Benefits**

ODJFS and DAS are in the process of moving Supplemental Nutrition Assistance Program (SNAP) and Temporary Assistance for Needy Families (TANF) benefits from the CRISE eligibility system to the Ohio Benefits eligibility system. DAS is projecting that counties will begin processing applications for SNAP and TANF in Ohio Benefits statewide in mid-July 2018.<sup>45</sup> During this time, counties will process applications in the Ohio Benefits system while continuing to process all previously opened cases in the CRISE legacy system.

DAS is projecting that the statewide conversion of SNAP and TANF will occur at the end of August 2018.<sup>46</sup> At which time, counties will begin processing all SNAP and TANF cases in Ohio Benefits. Consequently, September 2018 will be the first month that counties complete redetermination for SNAP and TANF benefits in Ohio Benefits. It will also be the first month that these benefits will be issued statewide from Ohio Benefits.

With these conversion and program changes occurring throughout the state, it will be incredibly difficult for the local county agencies to take on the additional challenge of successfully implementing work requirements for Medicaid. In addition, it is imperative that the Ohio Benefits eligibility system is prepared to handle the Medicaid work programs component. The appropriate eligibility system supports must be fully in place to address the requirements associated with the work activities for Medicaid. Without these system supports, implementation will not be feasible.

### **Pilot the work programs prior to full implementation**

The use of pilot counties has been instituted previously for new projects to test the feasibility and work through the potential kinks of a new program. Two recent examples are the MyCare Ohio demonstration project and the five pilot counties for the SNAP and TANF conversion to Ohio Benefits. If pilot counties were utilized for the Work Requirement and Community Engagement Demonstration Waiver, it would allow the State to determine if the full implementation of the program would be feasible.

In order for the Medicaid Work and Community Engagement program to be effectively implemented, there must be a systematic, electronic method for recording the requirements and exemptions from the program. Therefore, we respectfully request that the implementation date for the Work and Community Engagement program be moved from July 2018<sup>47</sup> to July 2019, but no earlier than January 2019.

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<sup>45</sup> Projected dates based on Ohio Benefits Communication email sent to System Users on March 2, 2018.

<sup>46</sup> Projected dates based on Ohio Benefits Communication email sent to System Users on March 2, 2018.

<sup>47</sup> "Ohio's target date for implementing the Work and Community Engagement Requirement statewide is July 1, 2018." (Group VIII Work Requirement and Community Engagement 1115 Demonstration Waiver at p. 12)

## Conclusion

The implementation of the proposed Group VIII Work Requirement and Community Engagement Demonstration Waiver will have a significant impact on local area agencies and the individuals we serve. It will create mandated, unfunded costs for local county agencies (over \$11 million in new costs anticipated for Cuyahoga County). Thus, the Demonstration Waiver should not be implemented without funding.

In addition, there are a number of areas that need additional review and clarification before implementation of the Demonstration Wavier. In particular, the areas of exemptions, participation, and general processing have recommendations for modifications.

Finally, the proposed timing of the work requirements for Medicaid (July 2018) is in direct conflict with the potential success of the Demonstration Waiver. With all of the other system changes that the State of Ohio is currently implementing, it would be better to postpone implementation of Medicaid work requirements until July 2019.

Thank you for taking the time to read and consider the questions and recommendations posed within this letter.

Sincerely,

A handwritten signature in cursive script that reads "Christy Nicholls".

Christy Nicholls, MNO, JD  
Interim-Administrator  
Cuyahoga Job and Family Services