

**Medicaid Work Requirements & Employment and Training Stakeholder
Workgroup Meeting Minutes
April 4, 2018
9:30 AM to 10:30 AM (CST)
Conference Call/[Skype Meeting](#)
Richard F. Kneip Building, DSS Conference Room
700 Governors Drive, Pierre, SD**

Members Present via Skype: Kathy Bad Moccasin, Jerilyn Church, Cindy Dannenbring, Terry Dosch, Carroll Forsch, Barb Garcia, and Sarah Petersen.

Members Present at Meeting Location: Sarah Aker, Matthew Ballard, Carrie Johnson, Sam Masten, Bill McEntaffer, Julie Miller, Bill Snyder, and Andy Szlvasi.

Members Absent: Senator Troy Heinert, Tiffany Howe, Marcia Hultman, Eddie Johnson, Jr., and Hannah Kagey.

Introductions

Bill Snyder welcomed members to the third Medicaid Work Requirements & Employment and Training Stakeholder Workgroup meeting and introductions were made.

Review Minutes from February 28, 2018 Meeting

Members reviewed and approved the minutes from the February 28, 2018 meeting.

Review Draft Waiver

The goals of the 1115 waiver demonstration are to improve the participant's health and encourage the development of healthy habits and to empower participants to be successful in today's workforce. The Career Connector program will be piloted in Minnehaha and Pennington counties. These two counties were identified as pilot locations to operate the program based on population and access to employment and training. Both Minnehaha and Pennington counties have a Department of Labor and Regulation office that will provide supports for individuals in the program through a contractual agreement with the Department of Social Services. It is estimated that 1,300 recipients residing in these two counties will meet the criteria for the Career Connector program. The state is seeking to implement the 1115 Waiver demonstration for a five-year period. Expansion opportunities will be reviewed based on the success of the program.

Adults who are enrolled in the Low Income Families coverage group and reside in Minnehaha or Pennington county will be required to participate in the work component unless they qualify for an exemption, (i.e. work 80 hours or more a month at the time of their Medicaid application or as of their annual renewal are exempt until their next annual renewal; individuals age 18 or younger; individuals age 60 or older; pregnant women; individuals whose eligibility has been determined on the basis of disability or

who have been determined disabled by the Social Security Administration; individuals who are medically frail; individuals meeting SNAP or TANF work requirements; parents of dependent children under one year old; non-parent caretakers of dependent children; and primary caretakers of elderly or disabled individuals.

Discussion was held that some states specifically exempted American Indians; however, it is not South Dakota's intent to exempt American Indians from the work component. The intent of the Career Connector program is to help individuals gain training and employment, ideally with health insurance. Members were reminded that the program is only focused on Minnehaha and Pennington counties at this time; however, in the future the program may expand to other areas where it's likely to succeed, and based upon what's learned during the pilot.

Jerilyn Church indicated there is disparity between American Indians and other populations in those counties (Minnehaha and Pennington) making it harder for American Indians to obtain jobs due to barriers. Sarah Peterson appreciated Jerilyn's concern and suggested that the case management component will be key to helping individuals obtain employment. A concern was raised that the program may result in American Indians not signing up for Medicaid, which would cause a barrier to accessing health insurance. Jerilyn indicated previous messaging has been that Medicaid is an extension of the treaty obligation. Most American Indians want to work; but, on the reservation there is limited opportunity. Jerilyn shared that data is clear that it is harder for American Indians to obtain jobs off the reservation compared to other populations. She mentioned a relative that had issues getting hired and thinks it may be due to racism. Jerilyn also expressed concern that transportation may be a barrier. The group discussed that to address these concerns, messaging will be critically important. Carrie Johnson and Bill Snyder indicated the State does not want to see this program discourage people from applying for Medicaid, and offered to assist with outreach if it would be helpful. The State is interested in working with Jerilyn on appropriate messaging and combining Department of Social Services and Department of Labor and Regulation resources to help people get jobs. The State team emphasized that the intent of the program is to help people gain employment and training and promote health, and therefore the goal is to be inclusive as possible. State staff also reiterated that the initial focus on Minnehaha and Pennington counties is intended to reduce and mitigate potential barriers such as travel, scarcity of jobs and limited training resources.

To meet the requirements of the program, participants must either work at least 80 hours per month or achieve monthly milestones in their individualized plan. Individuals will be assessed for participation at the time of the application or at the annual review. Newly enrolled recipients will be provided a three month period from their initial application month before they are required to begin achieving monthly milestones in their individualized plan. Case managers will aid participants in obtaining success in the Career Connector program. Each participant will have an individualized employment assessment and be assigned an integrated resource team (IRT). The case manager will be part of the IRT. The Department will consider adding detail about IRT to the waiver application.

The individualized employment and training plan may include, but is not limited to: English as a second language; health insurance, financial, or disease management courses or other healthy living courses; behavioral health treatment; high school equivalency education; secondary education and training; volunteer work; resume writing and soft skills training; or job search. Additional items may also qualify through the individualized assessment process. Cindy Dannenbring suggested updating secondary education to post-secondary education to which other members agreed; the Department will make this update in the waiver application.

A participant must contact a Department of Labor and Regulation employment specialist within 30 days of the first notice of non-compliance to establish a corrective action plan. Participants are given multiple opportunities to comply before losing Medicaid eligibility. Failure to obtain reinstatement will result in a 90-day ineligibility period of the participant's Medicaid coverage. Prior to disenrollment due to non-compliance, a participant may request a "good cause" exemption. A good cause exemption allows an individual to request an exemption during a non-compliance month. Recognized good cause exemptions may include: the participant has a family member in the home with a disability under federal disability rights laws and was unable to meet the requirement for reasons related to acting as the short-term caretaker of that family member; the participant or an immediate family member who lives in the home with the participant experiences a hospitalization or serious illness; the participant experiences the death of a family member living with the participant; the participant experiences severe inclement weather that renders him/her unable to meet the requirements; or the participant has a family emergency or other life-changing event. A good cause exemption may be obtained for items not explicitly listed in the application.

The Career Connector program is designed to improve health outcomes for participants by helping them find meaningful work. The program will focus on improving health outcomes for participants by increasing identification and treatment of behavioral health conditions including substance use disorders and through promoting the utilization of preventative services.

Support services include services available through the Department of Labor and Regulation (i.e. transportation, clothing and rent assistance) and through the Division of Child Care Services within the Department of Social Services (i.e. assistance to low income families who need help with child care costs while parent work or attend school). These support services are not funded by Medicaid expenditures.

The draft 1115 waiver application contemplates providing individuals whose Transitional Medical Benefits coverage expires and who meet certain requirements with premium assistance. Premium assistance will be provided for a period of up to one year. Individuals who no longer meet the criteria during the one year period will no longer be eligible for premium assistance and will be referred to the Marketplace.

The delivery system and payment rates for medical benefits provided to recipients in the Career Connector program will be the same as under the Medicaid state plan with the exception of the premium assistance program.

Voluntary participation in the Career Connector program will begin July 1, 2018. Mandatory participation will begin within 90 days of the Centers for Medicare and Medicaid Services' approval of the demonstration.

Budget neutrality will be done using a per capita method and statewide historical costs will be used for budget neutrality. The budget neutrality document will be available when the application is put out for public notice. At this time it is not clear how many individuals will increase their income above the Low Income Family income limit or exact member months that would be impacted by the waiver as there is no historical data available.

The state is requesting expenditure authority to provide premium assistance for those individuals transitioning from Transitional Medical Benefits to employer-sponsored health insurance or a qualified health plan. South Dakota is requesting expenditures for premium assistance to assist individuals who found employment, but lack the means to purchase health insurance. Participation in the premium assistance program is contingent on participating in specific wellness activities.

Closing Remarks: The application will be provided to members when it is finalized and ready for public comment. Workgroup members were encouraged to submit comments or questions to the Department for consideration in the application.