

PROVIDER BULLETIN NO. 10-01

January 25, 2010

TO: Medicaid Providers/Presumptive Providers

FROM: Vivianne M. Chaumont Director,
Medicaid and Long-Term Care

RE: Clarification of Medicaid Coverage for Pregnant Women and Unborn

EFFECTIVE DATE: Immediately

PLEASE SHARE THIS INFORMATION WITH ADMINISTRATIVE, CLINICAL AND BILLING
STAFF

Nebraska Medicaid has been informed by the Centers for Medicare and Medicaid Services (CMS), the federal agency which administers the Medicaid program, that Medicaid does not allow coverage for an unborn child. CMS has asked Nebraska Medicaid to submit an action plan for correcting the situation. We want to share with you how we intend to proceed.

The Department of Health and Human Services will be sending a notice to all pregnant women whose eligibility has been based on the unborn child informing them that the unborn child is no longer eligible for Medicaid benefits effective March 1, 2010. Since this change is necessary for compliance with federal requirements, clients are not entitled to a hearing on this issue. As of March 1, 2010, you may not bill for any services to the unborn or to the pregnant woman under the unborn's Medicaid number.

Although unborn child eligibility is not available, pregnant women may qualify for Medicaid if they meet all eligibility requirements and have income that is not greater than 185% of the Federal Poverty Level (FPL). Starting immediately, eligibility for all pregnant women will be redetermined to see if they are eligible under this or any other applicable standard. Any woman that is not found eligible will be provided a Notice of Action indicating that she is no longer eligible for benefits effective March 1, 2010. The Notice will include information about her right to request a hearing on the determination. If a woman is found to be eligible, her case will remain open.

The process above is the same for all women regardless of their legal status. However, because federal law prohibits Medicaid from paying for services for undocumented clients, undocumented woman will not be eligible for Medicaid. Federal law does require Medicaid to pay for emergency services for undocumented person if they are otherwise eligible for Medicaid. Delivery and birthing services are considered emergency services. Any other emergency medical services continue to be covered. We will provide information on the billing process in the next few weeks.

Questions regarding this memo should be addressed to your Medicaid Program Specialist, or Margaret Ahola in Eligibility Policy at (402) 471-1689. See the following web site: <http://www.hhs.state.ne.us/med/contacts.htm> .