

PROVIDER ALERT

Uninsured Eligibility

February 26, 2021

Uninsured Eligibility refers to a participant’s eligibility for State funding covering certain services in the Public Behavioral Health System (PBHS). This funding is provided contingent on the availability of State General funds. Guidance on the criteria and workflow for obtaining Uninsured Eligibility follows.

Uninsured Eligibility Criteria and Special Conditions Criteria

There are two tables which, taken in combination, outline all of the criteria considered when determining eligibility for Uninsured coverage.

Table 1: Eligibility Criteria	
1.	The consumer requires treatment for one or more behavioral health diagnoses covered by the Public Behavioral Health System (PBHS).
2.	The consumer meets the financial criteria (under 250% of federal poverty level) and is not covered by Medicaid or other insurance. <ul style="list-style-type: none"> The service provider is responsible for collecting and maintaining documentation from the consumer that validates the consumer’s financial need. This may include documentation of application and outcome for benefits, pay stubs, other income, etc. to document that the consumer meets the financial criteria.
3.	The consumer has a verifiable Social Security Number
4.	The consumer is a Maryland resident.
5.	The consumer has applied for Medicaid or the Health Care Exchange and, if the individual has had or is expected to have an illness/disability for 12 months or more, Supplemental Security Income (SSI) or Social Security Disability Insurance (SSDI). <ul style="list-style-type: none"> If the consumer is not eligible for Medicaid, SSI, or SSDI, documentation from Medicaid or Social Security stating the reason for ineligibility must be provided and maintained in the consumer’s medical record. <p>OR The consumer is currently a Medicare beneficiary, but is NOT Qualified Medicare Beneficiary (QMB) eligible or Specified Low-Income Medicare Beneficiary (SLMB) eligible AND the service request is for a service that is not fully Medicare reimbursable.</p>

6.	<p>The individual meets U.S. citizenship requirements</p> <p>OR</p> <p>Is a qualified, non-citizen alien who meets one or more of the following criteria:</p> <ul style="list-style-type: none"> a. Has permanent U.S. resident status. b. Was granted parole for at least one year under §212(d)(5) of the Immigration and Naturalization Act (INA). c. Has been battered or treated with extreme cruelty by his or her spouse who is a U.S. citizen or legal permanent resident or by the spouse’s family living with the individual and his or her spouse. <p>AND has lived continuously in the U.S for at least 5 years since becoming a qualified alien, UNLESS the individual meets one or more of the following:</p> <ul style="list-style-type: none"> a. Is an honorably discharged Veteran of the U.S. Armed Forces b. Is on active duty in the U.S. Armed Forces. c. Is the lawfully admitted spouse of a U.S. citizen, including a surviving spouse who has not yet remarried. d. Was lawfully admitted to the U.S. as an Amerasian immigrant with permanent legal status under §584 of the Foreign Operations, Export Financing and Related Programs Act of 1988. e. Was admitted to the U.S. as a refugee under §207 of the INA. f. Was granted asylum under §208 of the INA. g. Is having deportation withheld under §243(h) of the INA as in effect prior to April 1, 1997; or §241(b)(3) of the INA, as amended. h. Is a Cuban or Haitian entrant to the U.S., as defined by §501(e) of the Refugee Education Assistance Act of 1980. i. Was granted conditional entry to the U.S. under §203(a)(7) of the INA in effect before April 1, 1980 j. Is a child receiving federal payments for foster care or adoption assistance under Part B or E of Title IV of the Social Security Act, if the child’s foster or adoptive parent is considered a U.S. citizen or qualified alien. k. Is a victim of a severe form of trafficking in accordance with §103(b)(1) of the Trafficking Victims Protection Act of 2000, who has been subjected to: <ul style="list-style-type: none"> i. sex trafficking, if the act is induced by force, fraud, or coercion, or the individual who was induced to perform the act was younger than 18 years old on the date that the visa application was filed; or ii. involuntary servitude,
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Table 2: Special Conditions Eligibility Criteria	
1	Is under the age of 19.
2	Has been released from prison, jail or Department of Corrections facility within the last three months.
3	Is pregnant.

4	Is an injection drug user (an individual who habitually injects by means of a hypodermic needle, hypodermic syringe, or equivalent implement an illicit substance, usually, but not necessarily limited to, heroin, into the individual's own vein or who is in treatment for intravenous substance use) .
5	Is receiving medication to treat an opioid use disorder.
6	Has HIV/AIDS.
7	Was discharged from a Maryland-based psychiatric hospital within the last three months.
8	Was discharged from a Maryland-based medically monitored residential treatment facility within the last 30 days (American Society of Addiction Medicine Level 3.7).
9	Is requesting services required by HG §8-507 order or referred by drug or probate court.
10	Is receiving services as required by an order of conditional release
11	Requested Service is one of the following: <ul style="list-style-type: none"> • Supported Employment • Residential Crisis • MDRN • Respite
12	Is currently receiving SSDI for mental health reasons (disregard #2, #5 in Table 1)
13	Is homeless within the state of Maryland (disregard #2, #4 in Table 1)
14	Is a veteran (disregard #2, #3, #5 in Table 1)
15	Has received a special exception from BHA

Uninsured Workflow

Responses to the Eligibility Criteria questions and the Special Conditions Criteria questions (Table 1 and Table 2) determine eligibility for uninsured spans as follows:

- A. Individuals meeting **all of the Eligibility Criteria in Table 1** above will be granted a ninety (90) day Behavioral Health Administration (BHA) Uninsured eligibility span through the Administrative Services Organization (ASO), Optum Maryland. This is handled through the Incedo portal.
 - a. A second 90-day span will be granted upon request, if the individual continues to meet these criteria.
 - b. To continue to be eligible for any further spans after the second 90-day span within a year, the individual must also meet Special Conditions criteria as defined in B, C or D, below

- B. (Applicable to all spans, 1st, 2nd and any subsequent) Individuals who meet **all the Eligibility criteria in Table 1 without exception** and who meet at least **one of the Special Conditions** criteria in Table 2, will be granted 90-day spans through the ASO. As long as the individual meets all the criteria specified in Table 1 and at least one criterion in Table 2, the individual will continue to qualify for uninsured eligibility.

- C. Individuals who meet **all the Eligibility Criteria, Table 1, except # 2** (financial criteria) and who meet at least one of the Special Conditions criteria in Table 2, will be granted 90-day spans through the ASO as long as the individual continues to meet these requirements.
- D. (Applicable to all spans, 1st, 2nd and any subsequent.) **Some other Special Conditions Criteria do not require the individual to meet all specific Table 1 Eligibility requirements** in order to qualify for ASO-granted 90-day spans. These criteria are shown in Table 2, #12-14 as well as below:
- Response of Yes to 'Is currently receiving SSDI for mental health reasons' then Response to Table 1, question 2 and/or 5 may be disregarded
 - Response of Yes to 'Is homeless within the State of Maryland' then Response to Table 1, question 2 and/or 4 may be disregarded
 - Response of Yes to 'Is a veteran' then Response to Table 1, question 2 and/or 3 and/or 5 may be disregarded

This chart is provided to illustrate the above workflow and approved spans.

Scenario	1st 90 day span	2nd 90 day span	Subsequent 90 day spans
A. Individuals meeting all of the Eligibility Criteria in Table 1	Yes	Yes	No
B. Individuals who meet all the Eligibility Criteria, Table 1, except # 2 (financial criteria) and who meet at least one of the Special Conditions criteria in Table 2	Yes	Yes	Yes
C. Individuals who meet all the Eligibility criteria and who meet at least one of the Special Conditions criteria in Table 2,	Yes	Yes	Yes
D. Response of Yes to 'Is currently receiving SSDI for mental health reasons' then Response to Table 1, question 2 and/or 5 may be disregarded			
Response of Yes to 'Is homeless within the state of Maryland' then Response to Table 1, question 2 and/or 4 may be disregarded	Yes	Yes	Yes
Response of Yes to 'Is a veteran' then Response to Table 1, question 2 and/or 3 and/or 5 may be disregarded			

- E. Individuals not qualifying under A, B, C, or D above will be denied uninsured coverage. The individual or provider may file an **uninsured exception request form in Incedo. The request will be assigned to the CSA/LBHA/LAA** for the jurisdiction in which the consumer resides, which will have the ability to grant a maximum number of two 30-day eligibility spans. Further exceptions require specific written approval from the BHA medical director or designee.

- F. If the Individual does not meet the requirements for U.S. Citizenship, providers will **always** need to complete the **uninsured exception request form** in Incedo. The request will get assigned to the CSA/LBHA/LAA for the jurisdiction in which the consumer resides.
- G. Individuals qualifying for QMB (Qualified Medicare Beneficiary) or SLMB (Specified Low Income Medicare Beneficiary) are identified to Optum in the regular transfer of data from Medicaid's MMIS system. These individuals are auto-enrolled and do not need to apply for uninsured spans.

Important Notes:

- When to add a consumer record or uninsured span:
 - If adding a new individual (with no Medicaid ID, active or inactive), verify that the individual does not already exist in Incedo Provider Portal by searching for the individual via the "Member Search" (not the claims search) screen. Use first name, last name, gender and date of birth.
 - Only add a new participant record if the individual does not already exist in Incedo (whether or not active).
 - Only add an Uninsured span if an individual does not have an active Medicaid span.
 - When adding the individual, complete the uninsured request forms and select insurance "**Uninsured**" plus plan "**Uninsured**." Selecting anything other than these values will delay the request.
 - A new Uninsured span may be requested up to 30 days before an existing span expires. The "registration date" entered should be the day after the current open span ends.
- **Retroactive eligibility** for Uninsured spans may be obtained under the following conditions:
 - **Loss of Medicaid coverage** automatically authorizes a 30-day uninsured span. This provides an opportunity to apply for a full 90-day uninsured span without any gap in eligibility.
 - **Eligibility during the Estimated Payment Period** (January-August 2, 2020) may be granted retroactively if the provider has documentation to support that they meet criteria.
 - **Eligibility from August 3, 2020 to April 30, 2021.** Uninsured applications may currently be submitted for retroactive eligibility for individuals meeting criteria back to August 3, 2020 until April 30, 2021.
 - **Eligibility from May 1, 2021 on.** Uninsured applications may be submitted for retroactive eligibility back 14 days from the date of submission of the application.

Thank you,

Optum Maryland Team