**BadgerCare Plus Release 22-02**

**Presented** By: Erin Heiman

**Release/Effective Date: 08/01/2022**

**7.7 Health Insurance Premium Payment**

This section was updated to list the HIPP eligible applicant or member types.

HIPP will be considered for the following BadgerCare Plus members when it is cost

effective to do so:

• Children

• Pregnant Women

• Parents and Caretakers

HIPP is not available for childless adults.

**9.9.13 Huber Law Exemption**

Applicants and members who are incarcerated but allowed to leave jail under the Huber

Law can become or remain eligible for full-benefit BadgerCare Plus if the reason for the

release is to return home to care for their minor children (see SECTION 45.8.4 HUBER LAW

for the Huber Law exemption criteria).

To qualify for the Huber Law exemption, verification that the applicant or member is

returning home to care for minor children is required.

Acceptable verification sources include:

• Agency Form

• Court Order

• City or County Records, such as from the correctional facility

• Lawyer Statement or Record

• Other Acceptable Written or Verbal Statement, such as from the court or

correctional facility staff

If the verification shows that the person is only allowed to leave jail under the Huber

Law for a reason other than caring for a minor child, they are not eligible for the Huber

Law exemption.

**16.2 Income types not counted.**

ABLE Accounts in other state

* Do not count contributions to the account from someone other than the member, any interest or dividends earned, or other appreciation in value as income.
* Note: Someone using their earned or unearned income to contribute to an ABLE account does not make the income exempt for purposes of Medicaid eligibility. Income received by the designated beneficiary and deposited into their ABLE account is still income to the designated beneficiary. For example, an applicant can have contributions automatically deducted from their paycheck and deposited into an ABLE account. In this case, the income used to make the ABLE account contribution is included in the Medicaid eligibility determination as income, even though the ABLE account is an exempt asset.
* Exempt all distributions from these accounts to the beneficiary as long as they are for qualified disability expenses and are not more than the beneficiary's qualified disability expenses.
* Certain Payment Types Related to the Covid-19 Pandemic
* Economic relief payments paid directly from a tribal government to a tribal

member using local government relief funds provided through the CARES Act

* A Paycheck Protection Program (PPP) loan. The loan itself is not counted as

income. However, if the loan is being used to pay employee wages, the wages

are counted as income for the employee who receives them.

* 1. **Other income**

**24. Virtual Currency**

Virtual currency is counted as income when it is received in the following situations:

• Received as payment for goods or services

• Received by an independent contractor for performing services

• Received from an employer as remuneration for services (i.e., wages)

If virtual currency is sold, income received from the sale is counted as income for

BadgerCare Plus only if the income is regular and predictable or if the sale occurs as

part of a trade or business.

**19.4 Premium Payment Methods**

Member can now pay ongoing premiums by credit or debit card

**28.3. Unrecoverable Overpayments**

**28.3.5 Eligibility and Premium Determinations Based on Reasonable Compatibility**

If a member is not required to verify their earned income at the eligibility or premium

determination due to reasonable compatibility and then verifies their earned income at a

later date (for example, because verification is required for another program), the

verified earnings must be used to determine eligibility and premium amounts. The

member cannot be subject to an overpayment because the initial determination was

based on income that was reasonably compatible with a data exchange.

If a member is not required to verify their earned income at the eligibility or premium

determination due to reasonable compatibility and subsequently fails to report a

required income change, the member can only be subject to an overpayment if their

new income amount is more than 20% greater than the total income amount that was

used to make the eligibility or premium determination.

**38.4.3 Open Enrollment and Lock-in Periods**

Once a member has been assigned to an HMO, they will have a three-month open

enrollment period beginning from their initial HMO enrollment date in which they can

change HMOs freely. After the three-month open enrollment period, the member enters

a lock-in period for nine months. During the lock-in period, they cannot change HMOs or

disenroll from the HMO without a qualifying reason such as an exemption or a change

to an enrollment status that does not require HMO enrollment

**Medicaid Eligibility Handbook Release 22-02**

**Presented** by Kathy King and Erin Heiman

**Release Date/Effective Date: 08/01/2022**

**7.3.3.3 Iraqis and Afghans with Special Immigrant Status**

**7.3.3.4 Afghan Parolees**

Section was added regarding Special Immigrants and Parolees from Iraq or Afghanistan treated like refugees. Please refer to MEH for processing updates.

**15.3 Exempt/Disregarded Income**

**15.3.31 Cash and In-Kind Items Received in Conjunction with Medical and Social Services**

The treatment of cash and in-kind items received in conjunction with medical and social services depends on whether they are provided by a governmental or nongovernmental organization. To be considered governmental, the program must be authorized by federal, state, or local law, statute, or ordinance to provide medical or social services

Disregard any cash provided by a governmental medical or social services program. Disregard in-kind items (including food or shelter) provided by a governmental medical or social services program unless the items are provided as payment for sheltered employment or as incentive payments

For cash and in-kind items provided by a nongovernmental medical or social services organization, disregard the following:

* Room and board provided during an inpatient stay.
* In-kind items (other than food or shelter) provided for medical or social services purposes. Food or shelter is not exempt unless excluded under some other provision (such as room and board provided during an inpatient stay).
* Cash, if either of the following conditions is met:
  + The cash is for approved medical or social services already received.
  + The cash is only for the future purchase of medical- or social service-related items

**15.4 Unearned Income**

**15.4.26 Virtual Currency**

If virtual currency is sold, income received from the sale is counted as income. See SECTION 15.5.19 VIRTUAL CURRENCY for information about treatment of virtual currency that the applicant or member has earned through work.

**15.5 Earned income**

**15.5.19 Virtual Currency**

Virtual currency is counted as income when it is:

* Received as payment for goods or services
* Received by an independent contractor for performing services
* Received from an employer as remuneration for services (i.e., wages) See SECTION 15.4.26 VIRTUAL CURRENCY for information about the sale of virtual currency.

**16.7 Liquid Assets**

**16.7.1 Personal Property**

Virtual Currency was added as a personal property asset

**20.3 Mandatory Verification Items**

**20.3.10 Huber Law Exemption**

To qualify for the Huber Law exemption, verification that the applicant or member is returning home to care for minor children is required. Acceptable verification sources include:

• Agency Form

• Court Order

• City or County Records, such as from the correctional facility

• Lawyer Statement or Record

• Other Acceptable Written or Verbal Statement, such as from the court or correctional facility staff If the verification shows that the person is only allowed to leave jail under the Huber Law for a reason other than caring for a minor child, the person is not eligible for the Huber Law exemption

**22.2 Overpayments**

**22.2.1.2.4 Eligibility and Premium Determinations Based on Reasonable Compatibility**

If a member is not required to verify their earned income at the eligibility or premium determination due to reasonable compatibility and then verifies their earned income at a later date (for example, because verification is required for another program), the verified earnings must be used to determine eligibility and premium amounts. The member cannot be subject to an overpayment because the initial determination was based on income that was reasonably compatible with a data exchange.

If a member is not required to verify their earned income at the eligibility or premium determination due to reasonable compatibility and subsequently fails to report a required income change, the member can only be subject to an overpayment if their new income amount is more than 20% greater than the total income amount that was used to make the eligibility or premium determination.

**Process Help Release 22-04**

**Presented** By: Kathy King

**Release/Effective Date: 08/01/2022**

**46.2 Organizing Case Comments**

This section was updated to reflect that workers must include the connection ID for all phone calls in case comments.

**FoodShare Release 22-02**

**Presented** By: Melissa Dybas

**Release/Effective Date: 08/01/2022**

**1.2.1.3 Responsibility for Verification**

Information was added stating: IM workers have responsibility for verifying information such as:

* Out-of-state time-limited benefit months (TLBs)

In the instance of out-of-state TLBs, best available information may include a lack of response by the other state within the standard processing timeframe.

**1.2.3.5 Wisconsin Residency Verification**

Language was changed from “*Living in WI*” to State Residency.

\*\*\*Please Note: These are only the newly added exceptions for WI residency verification:

Applicants newly arrived in Wisconsin.

FoodShare members temporarily absent from the food unit

**New Section-1.2.3.10 Huber Law**

Applicants and members who are incarcerated but allowed to leave jail under the Huber Law can become or remain eligible for FoodShare if the reason for the release is to return home to care for their minor children (see SECTION 3.2.1.2.2 INCARCERATION AND HUBER LAW PRISONERS). To qualify for the Huber Law exemption, verification that the applicant or member is returning home to care for minor children is required. Verification may include court documents, jail documents, or other written or verbal verification provided by court or jail staff (see SECTION 1.2.6.1 REQUIRED VERIFICATION TO DETERMINE ELIGIBILITY). If the verification shows that the person is allowed to leave jail under the Huber Law for a different reason, they are not eligible for the Huber Law exemption.

**1.2.6.1 Required Verification to Determine Eligibility**

Wisconsin Residency-Written Statement has been allowed, the term “ from non-relative” was removed.

Primary Person’s ID-Government ID was added, and Voter Registration Card was removed.

New Sections were added for the below and the list of acceptable verifications:

* ABAWD Hours worked
* ABAWD Countable Months in Another State
* Huber Status: PLEASE NOTE this was removed from Verify Only If Questionable and moved to Required

**2.1.3.2.1 Required Interview Topics**

This section was updated to include information about the Work Requirements and that it must be read if the food unit includes an applicant or member subject to a work requirement. It was also updated to state*: IM workers must identify which applicant(s) or member(s) are subject to FoodShare basic work rules and FoodShare work requirements and provide the required information.*

The section then details the information that is required. It closes by stating: *The appropriate sections of the "FoodShare Basic Work Rules and FoodShare Work Requirements Script for IM Workers" must be read to meet the above requirements.*

**3.16.1.7 Good Cause**

Gender Identity was added as a good cause reason, if the employer discriminates against the applicant or member for that reason.

**3.17.1 Able-Bodied Adults Without Dependents (ABAWDs)**

This section was updated to reflect the new verbiage and policy related to how TLB’s are determined. These updates were discussed at the 6/24/22 EST regarding Ops Memo 22-11.

**4.6.4.1 Allowable Medical Expenses**

Monthly HealthShare contributions was added.

**4.7.5 Prorated Deeming**

The following was added:

*Note: ABAWDs who are disqualified from FoodShare eligibility and become a pro-rated deemer will automatically regain eligibility if they are part of an open FoodShare assistance group when the three-year clock restarts.*

**7.1.1.4 Minimum Allotment for One or Two Person Food Units**

Section updated to reflect the minimum allotment is $20.