

Frequently Asked Questions on Newborn Presumptive Eligibility

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Important Note: TennCare implemented the Newborn PE (NPE) program on August 18, 2014. In the interest of expediency, we implemented the Newborn PE program without executing formal agreements with participating hospitals. In the coming months, TennCare will circulate a Newborn PE agreement, which hospitals must execute to continue to perform Newborn PE determinations. Additionally, these hospitals must begin using a new interface at TennCare Online Services later this year. However, hospitals that participate in the Hospital PE program and sign a Hospital PE agreement will **not** need to sign a second agreement for Newborn PE – and they can use the Hospital PE interface for all PE transactions (including those for newborns). To find out more about Hospital PE, visit <http://tn.gov/tenncare/section/providers>.

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Overview of NPE

1. What is newborn presumptive eligibility?

The newborn presumptive eligibility (NPE) process allows a qualified entity to quickly enroll eligible newborns (age 12 months or younger) in TennCare. Effective August 18, 2014, a hospital or birthing center acting as a qualified entity can immediately and presumptively enroll eligible newborns in TennCare for a specified period while the parents complete the full TennCare application and await a formal determination.

2. What is the process for applying for NPE?

The NPE process works in the following manner:

- The applicant completes TennCare's one-page NPE Form at a qualified entity and signs and dates the form.

- A trained employee of the qualified entity shall then compare the applicant's self-reported household income and household size on the NPE Form to the TennCare income limit (on the back of the form). Based on this comparison of self-reported information to the income table, the employee of the qualified entity shall **determine** NPE.
- The employee shall sign and date the NPE Form and explain the NPE determination to the applicant.

The employee of the qualified entity must also explain the next steps of the process to the applicant:

- If the employee approves NPE, the employee shall explain to the applicant that he or she must complete a full TennCare application at www.healthcare.gov by the end of the next month. The employee must also explain that if the applicant does not apply by this time, the baby may lose eligibility.
- If the employee denies NPE, the employee shall explain that the applicant can also apply at www.healthcare.gov for TennCare and other programs.
- Whether approved or denied, the employee shall give the applicant a hard copy of the application form for the federally-facilitated marketplace (FFM).

The employee should also fill out and give to the applicant an NPE Eligibility Notice. A template notice is located under the Providers tab at www.tn.gov/tenncare

Finally, the employee should transmit data for approvals for NPE to TennCare via TennCare Online Services. See FAQ #31 for more information about the submission process. Employees should submit data **only** for approvals; employees should not transmit information on cases that they deny (e.g., because the applicant was over the TennCare income limit).

3. When does NPE period start?

If the qualified entity approves a newborn's NPE application, the newborn's NPE period begins on the date of the NPE application. For example, an NPE applicant applies on August 22, 2014 for a baby born on August 18, 2014. The NPE period will begin on August 22, 2014 (i.e., the date of the NPE application).

Please note that the effective date for NPE is determined by federal rules. See 42 CFR § 435.1101 (stating that the presumptive period "...begins on the date on which a qualified entity determines that a child is presumptively eligible...").

4. How long does NPE period last?

If the applicant applies for TennCare through the regular process at healthcare.gov by the end of the following month, then the newborn will remain in the NPE period until the FFM makes a formal TennCare eligibility determination. If the applicant does not apply by the end of the following month, then the newborn's NPE eligibility period will end at that time.

For example, Sandi applies for her newborn through the NPE process on August 18th. If she completes a full TennCare application for her newborn by September 30th, then her newborn's NPE period will continue until the FFM makes a formal decision. If she does not apply by September 30th, then her newborn's NPE period will end on that date.

If the FFM determines that the applicant is ineligible for TennCare, then the applicant's coverage in TennCare will end on the date of that determination. However, the newborn's NPE period will remain intact up until that day. Please also note that some such newborns will be eligible for CoverKids and will transition to that program. Others may be eligible for coverage in qualified health plans.

5. Does NPE cover the delivery?

No. By definition, NPE is only for the newborn. For questions about coverage of the mother's delivery, see FAQs #29 and #31.

NPE Process Clarifications

6. Does the family need to also apply for TennCare for the newborn using the regular process?

Yes. See FAQs #2 and #4. Qualified entities should help all NPE applicants apply via healthcare.gov and/or provide a hard copy of the FFM application form.

7. Can a mother already enrolled in TennCare use the NPE process?

No. The NPE process is for women who do not have TennCare at the time that they deliver. If a new mother is already enrolled in TennCare when she presents for delivery, she should **not** complete the NPE Form. Once the birth to the mother enrolled in TennCare is reported, TennCare will simply "deem" or add the newborn to the mother's case (and her managed care organization or "MCO"). See FAQ #26.

8. Can a mother with commercial coverage use the NPE process?

Yes. The NPE process is for women who do not have TennCare at the time that they deliver. Women with commercial coverage (e.g., employer-sponsored health insurance) can use the NPE process as long as they do not already have TennCare. The fact that a woman has commercial insurance does **not** disqualify her or her infant from being eligible for TennCare.

For example, a 22-year-old female on her parent's health insurance delivers a newborn. The 22-year-old does not have TennCare at the time of delivery, but she would like to apply for her newborn. She can complete the NPE process and enroll her eligible newborn. She will subsequently need to notify TennCare of any other health insurance that the newborn has (once enrolled in the other insurance).

9. Can a newborn born prior to August 18, 2014 enroll in TennCare via the NPE process?

Yes, any newborn (age 12 months or younger) may enroll through a qualified entity using the NPE process. However, the effective date of coverage will be the date the eligibility determination. See FAQ #3.

10. Can a child older than 12 months enroll through the NPE process?

No. The NPE process is only for newborns (those children 12 months or younger). Older children who need coverage through TennCare or CoverKids may apply at healthcare.gov or by calling 1-800-318-2596 – or enroll via the Hospital PE process at a participating hospital.

11. Can a family over 195% FPL enroll a newborn in CoverKids or TennCare Spenddown through the NPE process?

No. If an applicant self-reported monthly household income above the TennCare income limit for newborns (i.e., 195% FPL), then the employee of the qualified entity would need to deny NPE. The employee would then explain that the applicant could apply at healthcare.gov for TennCare and other programs (including CoverKids) and provide an NPE Eligibility Notice noting the denial. See FAQ #2.

12. Can noncitizen mothers use the NPE process for their U.S.-born newborns?

Yes. The NPE process is based upon the citizenship of the newborns, who are natural-born U.S. citizens. For questions about coverage of the mother's delivery, see FAQs #29 and #31.

13. Can a parent apply through the NPE process if the baby does not yet have a name?

Applicants must have a name for the baby in order to use the NPE process. Because the effective date of coverage is the date of the eligibility determination, the mother should sign this form on her date of delivery if at all possible – even if she has not yet named the child. The mother may add the newborn's name to the NPE Form a day later if necessary. However, the hospital or birthing center **must** transmit the information within five (5) working days to TennCare via TennCare Online Services. Please note that five-day reporting requirement is determined by federal rules. See 42 CFR § 435.1102(b)(2)(ii).

14. Must the parent complete all fields on the NPE Form?

The only fields that are optional on the NPE Form are the baby's SSN and the mother's SSN. All other fields (including the baby's name) are required fields for a complete form.

Hospitals and birthing centers **cannot** process incomplete forms and **should not** submit data for such newborns to the State via TennCare Online Services.

15. If the parents apply for SSI for the newborn, can they also apply for TennCare using the NPE process?

Yes. Parents may apply for SSI and also use the NPE process to ensure that the newborn has coverage as quickly as possible. Please remind the parents that, like any other NPE applicant, they must apply for TennCare at www.healthcare.gov by the end of the next month or they may lose TennCare coverage. This is especially important if the newborn's SSI application remains pending. Even though SSI, if approved, is retroactive to the date of application, there could be a coverage gap if the parents do not apply for TennCare while the SSI application is pending.

Newborns Entering DCS Custody

16. Can a newborn entering DCS custody apply through the NPE process?

Yes. Newborns that may enter DCS custody can, and should, apply through the NPE process to ensure they have coverage as quickly as possible. Hospitals and birthing centers should complete the NPE form and indicate on the form that the newborn will be entering DCS custody but is not in DCS custody yet. All fields must be completed as described above; however, the mother's information will not be included. TennCare will only accept NPE forms without the mother's information if the NPE form indicates that the newborn is entering DCS custody but is not in DCS custody yet. Once the newborn is in DCS custody they will be enrolled through the "Immediate Eligibility" process with DCS. While hospitals and birthing centers shall transmit data for all other newborns using the electronic process, they can fax this small subset of newborns to 615-734-5388.

17. Can a newborn whose mother decides to utilize the Safe Haven program apply through the NPE process?

Yes. Newborns who are a part of the "Safe Haven" program can, and should, apply through the NPE process to ensure they have coverage as quickly as possible. Hospitals and birthing centers should complete the NPE form and indicate on the form that the newborn is a part of the "Safe Haven" program. All fields must be completed as described above; however, the mother's information will not be included. TennCare will only accept NPE forms without the mother's information if the NPE form indicates that the newborn is a part of the "Safe Haven" program. Once the newborn is in DCS custody they will be enrolled through the "Immediate Eligibility" process with DCS. While hospitals and birthing centers shall transmit data for all other newborns using the electronic process, they can fax this small subset of newborns to 615-734-5388.

18. What is the effective date of eligibility for newborns entering DCS custody who apply through the NPE process?

If a newborn is entering DCS custody and his/her mother is currently enrolled in TennCare, the hospital or birthing center should indicate this on the NPE Form and the newborn will receive eligibility beginning from the date of birth. If a newborn is entering DCS custody and the mother is not enrolled in TennCare or CoverKids on the newborn's date of birth, the newborn will receive eligibility beginning from the date of the eligibility determination.

NPE Form Explanations

19. Who counts as part of the applicant's household size?

The household consists of the following individuals who live together:

- the new mother;
- her spouse;
- her newborn baby; and
- her natural, adopted, or step-children under age 21.

The applicant should not count an unmarried father as part of the household since he is not being claimed as a tax dependent by anyone in the household.

For example, a single 29-year-old woman who gives birth to twins would be a household of three if she has no other children or married spouse. If she were married and had two other minor children, then she would have a household of a six (herself, her husband, her twins, and her two other minor children).

The same rules generally apply for mothers under age 19. In most cases, the household for the newborn would consist of the newborn, the minor mother, her spouse (if any), and any of her other children in the home. The newborn's household would generally not include any grandparents. Follow this approach when using the NPE process.

For example, an unmarried, pregnant 17-year-old lives with her parents. The 17-year-old has no other children. When she gives birth, the newborn's household size would be two (the 17-year-old mother and the infant). The only income counted for the newborn's household would be the 17-year-old mother's. The grandparents would not be part of the newborn's household, and the grandparents' income would not be considered.

20. What counts in terms of monthly income for the applicant's household?

As noted on the NPE Form, the applicant should include the **before-tax** amounts of wages, salaries, and self-employed income received by adult household members. The applicant should also include unemployment, alimony received, and Social Security Disability Income (SSDI) for household members. However, the applicant should **not** include Supplemental Security Income (SSI) or child support.

For example, a pregnant, 31-year-old divorcee receives \$1,050 per month in alimony, and she nets \$1,400 per month in self-employed income as a nail technician. She also works part-time as a receptionist and earns \$400 each month before taxes in wages. In addition, she receives \$600 in child support for her eight-year-old son. Her countable income is \$2,850 (i.e., \$1,050 in alimony received + \$1,400 in self-employed income + \$400 in wages).

21. Does the applicant need to attest that the newborn is a U.S. citizen or eligible immigrant?

Yes. Please note that newborns born in the U.S. are automatically U.S. citizens and should answer “yes” to this question on the NPE Form. For more information about which immigrants are eligible for TennCare, see the “Immigration Reference Table” on p. 7 the guidance entitled “Providing Eligibility Assistance for Pregnant Women and Newborns: A Step-by-Step Guide for Hospitals and Birthing Centers” located under the providers tab at www.tn.gov/tenncare.

Qualified Entities

22. Who actually determines eligibility under the NPE process?

Employees of qualified entities determine newborn presumptive eligibility. See FAQ #2.

23. What are the requirements to be a qualified entity?

Only participating hospitals and birthing centers can be qualified entities for the NPE process. Qualified entities must also have legal agreements and SFTP2 access with TennCare, and they must train employees to perform this function. More information is available in the provider transmittal from TennCare dated August 7, 2014 under the providers tab at www.tn.gov/tenncare.

24. Can a qualified entity use the NPE process for a newborn transferred there?

Yes. Qualified entities can use the NPE process even for newborns who are born at another facility. However, please ensure that the other facility has not already completed the NPE process for the newborn.

25. Can hospitals and birthing centers that are qualified entities delegate NPE determinations to contractors?

No. Federal rules at 42 CFR § 435.1102(b)(2)(vi) for presumptive eligibility for children (in our case, newborns) do not allow qualified entities to delegate presumptive eligibility determinations to another party. Employees of qualified entities, not contractors, must determine newborn presumptive eligibility. Note, though, that this restriction with the NPE process affects only a relatively small number of cases (i.e., those in which the mothers present for delivery without TennCare coverage).

While contractors cannot determine eligibility under the NPE process, contractors can help in a number of critically important ways. First, contractors can still help NPE applicants complete the full TennCare application process at healthcare.gov. Second, contractors can help the much larger number of pregnant women who present with TennCare and CoverKids at the time of their delivery to report their births. Third, contractors can help uninsured pregnant women apply for CoverKids if they are ineligible for TennCare. This is an alternative to the “emergency TennCare” process; see FAQs #29 and #31.

Distinguishing NPE and Existing Programs

26. What is the difference between the existing “deeming” process in TennCare and NPE?

If a new mother is already enrolled in TennCare at the time she delivers, TennCare will simply “deem” or add the newborn to the mother’s case and MCO. If instead a new mother is under TennCare income limit but **not** enrolled in TennCare at the time that she delivers, TennCare cannot “deem” the infant. In this circumstance, the new mother can sign up her newborn for TennCare through the NPE process.

For example, Sarah is enrolled in TennCare when she gives birth. When TennCare learns of the birth, it will “deem” Sarah’s baby as eligible for TennCare and add the newborn to Sarah’s case and MCO. Jane, in contrast, is not enrolled in TennCare when she gives birth even though she is under the TennCare income limit. Jane can enroll her newborn in TennCare using the NPE process; separately, she can also apply for TennCare (or CoverKids, if appropriate) to cover her delivery if she gets her application in by the day of delivery.

Hospitals can report newborns born to mothers already in TennCare using the newborn interface on TennCare Online Services. TennCare will then “deem” these newborns and process their eligibility accordingly. As has been our policy, TennCare will cover an infant born to a mother enrolled in TennCare for up to 30 days under the mother’s ID number.

27. Does this new NPE program change the existing pregnancy presumptive eligibility process in TennCare?

No. Eligible pregnant women can still go to a local health department¹ to apply for presumptive eligibility for TennCare in order to cover their prenatal services. This process remains unchanged. As long as a presumptively-eligible pregnant woman completes a full TennCare application by the end of the following month, she will retain her TennCare coverage at least until the FFM makes a determination for full TennCare based on her FFM application. If the FFM determines her to be eligible under the pregnancy category, she will retain coverage at least for the remainder of her pregnancy and the 60-day post-partum period. If the mother is enrolled in TennCare at the time the baby is born, the baby will be “deemed” eligible for TennCare when the mother reports the birth.

Of course, some applicants will not be eligible for pregnancy presumptive eligibility. These pregnant women may be eligible for CoverKids.² As before, they can apply for coverage of prenatal services and delivery at www.healthcare.gov – or by faxing the CoverKids application directly to CoverKids. If the mother has CoverKids at the time that she gives birth, CoverKids will determine whether the baby is eligible for TennCare or CoverKids and will take the appropriate action to facilitate coverage for the newborn.

¹ A list of local health departments by county is available at <http://health.state.tn.us/localdepartments.htm>.

² Generally speaking, a pregnant woman must be a U.S. citizen or eligible immigrant in order to qualify for TennCare coverage. However, the unborn children of noncitizens at or below 250% FPL are eligible for coverage through CoverKids. This means that pregnant noncitizens at or below 250% FPL can receive both prenatal care and delivery services through CoverKids if they are ineligible for Medicaid because of their immigration status.

CoverKids

28. How can a CoverKids enrollee report the birth to CoverKids?

If a pregnant woman is already enrolled in CoverKids when she gives birth, simply call CoverKids at 1-866-620-8864 (toll-free) to report the birth. CoverKids will determine whether the baby is eligible for TennCare or CoverKids and will take the appropriate action to facilitate coverage for the newborn. Please encourage mothers to call CoverKids to report her baby as promptly as possible.

Do **not** report births of CoverKids enrollees via TennCare Online Services.

Several hospitals asked whether they could report births of CoverKids enrollees to the CoverKids program on behalf of the new mothers (provided that the hospitals had the mothers' authorization). We now offer a process in which hospitals and birthing centers can fax a "CoverKids Birth Reporting Form" to CoverKids to accomplish this goal. The new form is available under the Providers tab at www.tn.gov/tenncare. **Note:** This is a "fillable" form, and we ask you to type the information into the form to expedite processing.

29. Can CoverKids cover the delivery of women who are not eligible for TennCare?

Yes, if the women meet the income requirements and if she applies on or before the date of her delivery. More information is available in the guidance entitled "Providing Eligibility Assistance for Pregnant Women and Newborns: A Step-by-Step Guide for Hospitals and Birthing Centers" under the Providers tab at www.tn.gov/tenncare.

Please use the NPE process to assess the **newborn** for NPE if the woman does not have CoverKids or TennCare at the time of her delivery – even if the woman is applying for coverage for her delivery. This will allow TennCare to add eligible newborns even while the mother's application is pending at CoverKids or TennCare.

30. What is the effective date of coverage for a newborn whose mother was enrolled in CoverKids at the time of delivery?

The newborn will receive coverage effective as of the date of birth. Depending on the household's income and size, the newborn's coverage may be through TennCare or through CoverKids. In either case, the family can simply call 1-866-620-8864 to add the baby. We will add the newborn to the appropriate program and begin coverage on the date of birth.

Submitting Information to TennCare

31. How do I submit newborn information to TennCare?

Hospitals should submit all newborn information (for both presumptively eligible and deemed newborns) via TennCare Online Services. For more information about TennCare Online Services, visit <http://www.tn.gov/main/article/tenncare>.

32. Do I need to submit NPE Forms that I deny to TennCare?

No. You should submit data only for approvals; you should **not** transmit information on cases that you deny (e.g., because the applicant was over the TennCare income limit).

33. Once I submit a newborn's information via TennCare Online Services, do I still need to fax birth certificates for deemed newborns?

No, you simply report all information for newborns via TennCare Online Services.

34. Can we report births to CoverKids enrollees via TennCare Online Services?

No. TennCare Online Services is only for “deemed” newborns and presumptively eligible newborns whom we need to enroll in TennCare. See FAQ #28 about reporting births to CoverKids.

35. How will a provider be able to confirm a newborn's TennCare enrollment?

Health care providers typically verify TennCare eligibility using our TN Anytime/TennCare Online Services system. Our system requires the patient's SSN in order to perform the eligibility lookup. However, few if any of newborns eligible through the NPE process will have SSNs. As a result, health care providers will be unable to confirm the eligibility of these newborns using the TN Anytime/TennCare Online Services.

Even so, providers have several options. First, those providers that use Emdeon, Passport, or similar vendor are often able to look up patients using name and date of birth. Second, providers can look up eligibility for United HealthCare members through either Optum Cloud or their RV eservices website using only name and DOB without needing SSN. Similarly, providers can do a name lookup using the BlueCross BlueShield of Tennessee portal. AmeriGroup does not allow for name lookups on their portal but allows providers to call their Customer Service Line at 1-800-454-3730 for assistance. Third, TennCare will mail the newborn's welcome packet within two business days of completing the enrollment; the packet confirms eligibility, MCO assignment, and effective date – and the MCO will follow with member ID cards shortly thereafter. In the event that providers are still unable to verify eligibility for a specific newborn after exhausting these options, they may contact Brian Haile at TennCare.

36. Does a hospital or birthing center need to keep copies of the NPE Forms even after submitting the information via TennCare Online Services?

Yes. As noted in the instructions on the NPE Form, “Qualified hospitals and birthing centers shall retain this form for seven (7) years.”