

Notice of Change to the TennCare III Program Coverage of Pregnant Women

September 13, 2023

The Commissioner of the Tennessee Department of Finance & Administration is providing official notification of a planned change to the TennCare program. This change entails enhancements to coverage for low-income pregnant women under TennCare. TennCare is publishing this notice pursuant to 42 CFR § 431.408 and the terms and conditions of the TennCare demonstration in order to solicit public input on this planned change.

Description of Planned Program Change

TennCare provides coverage for low-income pregnant women in Tennessee. TennCare's current income threshold for pregnant women is 195 percent of the federal poverty level, meaning that to be eligible for TennCare in this category of coverage, an individual's income must be equivalent to 195 percent of the federal poverty level or lower.

Effective January 1, 2024, TennCare's income threshold for pregnant women will be raised to 250 percent of the federal poverty level.

Individuals enrolled in TennCare as low-income pregnant women receive coverage for the duration of their pregnancy and for 12 months following the end of pregnancy. Benefits covered for pregnant women with incomes below 250 percent of the federal poverty level will be the same as those covered for all other TennCare enrollees. Pregnant women with incomes below 250 percent of the federal poverty level who enroll in TennCare will receive their care through TennCare's managed care service delivery system like all other TennCare enrollees.

Expected Impact on Enrollment and Expenditures

Increasing TennCare's income threshold for pregnant women to 250 percent of the federal poverty level is anticipated to result in an increase in TennCare enrollment of approximately 2,400 people. This change is projected to result in an increase in annual aggregate expenditures of approximately \$11 million under the TennCare program.

Evaluation Impact

TennCare does not anticipate modifying its evaluation design based on this planned change. This change is expected to contribute to key goals of the TennCare demonstration already reflected in the demonstration's evaluation design (currently under CMS review). These

include enhancing coverage and benefits available under the TennCare demonstration and supporting improved health outcomes.

Waiver and Expenditure Authorities Requested

TennCare is not requesting any new waiver or expenditure authorities under Section 1115 of the Social Security Act to implement this change.

- Section 1902(a)(10)(A)(ii)(XX) of the Social Security Act allows state Medicaid programs to provide coverage to individuals who:
 - Are under age 65;
 - Are not otherwise eligible for and enrolled in Medicaid; and
 - Have incomes that exceed 133 percent of the federal poverty level but are at or below a threshold established by the state.

Under the terms of the TennCare III demonstration, Tennessee may make changes that add allowable benefits and coverage to the TennCare program without seeking additional approval of a demonstration amendment from the Centers for Medicare & Medicaid Services (CMS).

Public Notice Process

TennCare has taken a variety of steps to ensure that members of the public are notified of this planned change to the TennCare program. These measures include the development and maintenance of this webpage, as well as notices published in newspapers of general circulation in Tennessee communities with 50,000 or more residents.

This planned change was presented by TennCare as a budget request during Tennessee's 2023 legislative session and was approved by the Tennessee General Assembly as part of the state budget through a public legislative process.

In addition, TennCare has disseminated information about this proposed change via its social media accounts (e.g., Facebook, Twitter).

Public Input Process

TennCare is seeking feedback on this planned change. Members of the public are invited to offer comments regarding this change from September 13, 2023, through October 13, 2023.

Members of the public who wish to comment on this planned change may do so through either of the following options:

- Comments may be sent by email to public.notice.tennCare@tn.gov.
- Comments may be mailed to

Aaron Butler, Director of Policy
Division of TennCare
310 Great Circle Road
Nashville, TN 37243.

Individuals who prefer to make their comments verbally may participate in one of the following public hearings to comment on this planned change:

In-Person Hearing

Location: Room 320.3E of the TennCare Building, 310 Great Circle Road, Nashville, TN.

Date: September 26, 2023

Time: 2:00 p.m. CT

Virtual Hearing

Location: <https://tn.webex.com/tn/j.php?MTID=m9b4d9e77e1275b7d3a9ac93b4cfecf1>

Date: September 27, 2023

Time: 10:00 a.m. CT

TennCare always appreciates input. In order to be considered prior to implementation of this change, feedback must be received no later than October 13, 2023. Individuals wishing to view comments submitted by members of the public may submit their requests to the same physical address and/or email address at which comments are being accepted.

TennCare Demonstration

A copy of the TennCare Demonstration is available at

<https://www.tn.gov/content/dam/tn/tenncare/documents/tenncarewaiver.pdf>.

TennCare Page on CMS Web Site

As the federal agency with oversight authority over all Medicaid programs, CMS offers its own online resources regarding the TennCare Demonstration. Interested parties may view these materials at

https://www.medicaid.gov/medicaid/section-1115-demo/demonstration-and-waiver-list/waivers_faceted.html.