

December 7, 2023

VIA ELECTRONIC SUBMISSION

The Honorable Xavier Becerra, Secretary
U.S. Department of Health and Human Services
200 Independence Avenue, S.W.
Washington, DC 20201

Re: Maryland Section 1115 Demonstration Amendment

Dear Secretary Becerra,

The Center on Budget and Policy Priorities and the Georgetown University Center for Children and Families appreciate the opportunity to comment on Maryland's proposed amendment to its Maryland HealthChoice Program section 1115 demonstration.

The Center on Budget and Policy Priorities (CBPP) is a nonpartisan research and policy organization based in Washington, D.C. Founded in 1981, CBPP conducts research and analysis to inform public debates and policymakers about a range of budget, tax and programmatic issues affecting individuals and families with low or moderate incomes. The Georgetown University Center for Children and Families (CCF) is an independent, nonpartisan policy and research center founded in 2005 with a mission to expand and improve high quality, affordable health coverage for America's children and families. As part of the McCourt School of Public Policy, Georgetown CCF conducts research, develops strategies, and offers solutions to improve the health of America's children and families, particularly those with low and moderate incomes.

Both during the COVID-19 pandemic and over the last year as states are "unwinding" the pandemic's continuous coverage requirements, the Centers for Medicare & Medicaid Services has provided states with important flexibilities to reduce burdens on enrollees and the states, and to ensure efficient programmatic operations. As these flexibilities are due to expire, we support Maryland's efforts to continue two important flexibilities: Express Lane Eligibility (ELE) for certain adults who qualify for Medicaid based on Supplemental Nutrition Assistance (SNAP) verified income as well as a waiver of the Four Walls Requirement for clinics. Our comments focus on the former request.

Express Lane Eligibility for Adults will Promote Continuity of Care and Better Health Outcomes

During unwinding of the continuous eligibility provisions of the Families First Coronavirus Response Act (FFCRA), Maryland received approval under §1902(e)(14)(A) of the Social Security Act to temporarily renew Medicaid eligibility for individuals who are also receiving benefits under SNAP, including both children and adults. Under this authority, the State renews Medicaid eligibility for SNAP participants using gross income as determined by SNAP without conducting a separate income determination. This temporary authority will remain in effect until April 30, 2024. The state plans to submit a State Plan Amendment (SPA) to make ELE for redeterminations of children permanent. The waiver amendment would extend this flexibility for adults. Although a SPA option

is available for adults as well, it is more complicated to administer and doesn't cover as many enrollees as this proposal.

We support the state's request because continuing ELE would reduce burden on enrollees and help maintain coverage for eligible enrollees.¹ As the state indicates in its application, allowing qualifying adult participants to maintain their Medicaid coverage more easily and without disruption would "improve their health care access, and ultimately their health."² Therefore, we agree with the state that the waiver request is consistent with the objectives of the Medicaid program and support approval of this amendment.

Furthermore, given more stringent SNAP income standards, approving this waiver would not undermine Medicaid program integrity. SNAP is a reliable data source that states can use to verify income at renewal. It is:

- **Current:** Most SNAP cases are reviewed every six months, so participants' income information is more current than other acceptable sources of income verification, such as tax data.
- **Accurate.** SNAP rules require thorough verification of income, usually through pay stubs, self-employment records, or contact with employers. In addition, SNAP participants complete an eligibility interview with a caseworker at application and usually once per year, and must report if their income rises above 130 percent of the poverty line.
- **Complete.** The SNAP case usually includes information on the type of income and who receives it.

Thank you for the consideration of our comments. If you would like any additional information, please contact Allison Orris (aorris@cbpp.org) or Joan Alker (jca25@georgetown.edu).

¹ "Using SNAP Data for Medicaid Renewals Can Keep Eligible Beneficiaries Enrolled," Center on Budget and Policy Priorities, September 9, 2020, <https://www.cbpp.org/sites/default/files/atoms/files/9-9-20health2.pdf>.

² For further discussion about the benefits of uninterrupted coverage, see Harry H. Liu and Leighton Ku, "Twelve-Month Continuous Eligibility for Medicaid Adults Can Stabilize Coverage with a Modest Cost Increase," The RAND Blog, December 8, 2021, <https://www.rand.org/pubs/commentary/2021/12/twelve-month-continuous-eligibility-for-medicaid-adults.html>.