



## HOSPITAL PRESUMPTIVE ELIGIBILITY

### Frequently Asked Questions

#### SECTION I: HPE Overview FAQs

##### 1. What is the purpose of Hospital Presumptive Eligibility?

Under Section 2202 of the Patient Protection and Affordable Care Act of 2010 and Federal regulations at 42 CFR 435.1110, qualified hospitals may determine certain individuals presumptively eligible for Medicaid on the basis of preliminary information, subject to federal and state requirements. By conducting presumptive eligibility determinations in accordance with Maryland Department of Health's (MDH) regulations, manuals, and guidance, the hospital can assist individuals in securing temporary health coverage and provide them with a pathway to ongoing health coverage.

##### 2. Is the HPE program now "active"? Can I start submitting applications?

Yes, HPE started on October 1, 2014. Before you can submit applications through the eMedicaid HPE portal, your hospital must:

- a. submit the HPE Agreement;
- b. ensure all hospital HPE workers must attend a live or recorded training; and
- c. ensure all hospital HPE workers must pass the HPE Knowledge Test.

You can find the hospital HPE Agreement on the HPE website:

<https://mmcp.health.maryland.gov/Pages/Hospital-Presumptive-Eligibility.aspx>

If you are unsure if your hospital completed its HPE Agreement, you can send an email to [mdh.HPE@maryland.gov](mailto:mdh.HPE@maryland.gov) with your hospital name and location.

##### 3. Is it accurate to say that these changes will replace Maryland's Presumptive Financial Assistance/Charity after 12/31/13?

No. There will still be non-qualified aliens, applicants who are not MD residents or applicants who are over income who do not qualify for PE.

##### 4. Is there a way to submit HPE applications on paper?

No. Hospital HPE workers may only use the eMedicaid Presumptive Eligibility portal to submit applications.

##### 5. If approved, are HPE applicants limited to services in hospitals?

No, HPE is not limited to hospital services. While on HPE, enrollees are eligible for the same, full MA benefits.

**6. Is there a limit to how many times a patient can receive presumptive Medicaid eligibility?**

Yes, non-pregnant individuals are only eligible for one HPE period per twelve-month period. Pregnant women will only be eligible for one HPE period per pregnancy, or once every eight months. This is why it is so important for HPE applicants to complete the full MA application. HPE is temporary and only available once a year, or once per pregnancy.

**7. When does HPE coverage end?**

HPE coverage begins on the date that the applicant is determined presumptively eligible. The HPE coverage ends either: (1) when the applicant is approved for full MA coverage; or (2) the last day of the month following the month in which the applicant was approved for HPE coverage.

For example, if Mary Jones is approved for HPE on October 29th, she is eligible through November 30th. If Mary submits and is approved for full MA coverage before November 30th, say November 10th, then her HPE coverage ends on October 31st and is replaced by full MA coverage starting November 1st.

HPE coverage will only end before the end date of the HPE coverage span if the participant is found eligible for full MA coverage.

**8. How will I know if an applicant already had a prior HPE period within the last 12 months?**

If you think the applicant is eligible for HPE, enter their application into eMedicaid. If the applicant already had their one allowed HPE period, eMedicaid will deny the HPE application that you submitted. eMedicaid will display a DENIAL message and will state the reason for the denial.

**9. If a pregnant woman on HPE delivers her baby before the end of her HPE coverage date, does HPE coverage end immediately?**

No. The only time HPE coverage will end before the end date, is if the HPE enrollee is found eligible for full MA. In this case, the mother's HPE coverage would not end upon giving birth. Again, it is important to emphasize that the pregnant woman should have applied for full MA the same day she applied for HPE.

## SECTION II: Hospital HPE Workers and HPE Application Sites

### 10. Who can be a hospital HPE worker?

Only staff directly employed by the hospital (on hospital payroll) can use the HPE eMedicaid portal. Federal rules prohibit third party contractors or employees of organizations funded by the hospital, but are not hospital employees, from using the eMedicaid HPE portal to complete HPE determinations.

For example, if several hospitals have pooled resources to form a Management Service Organization (MSO), those MSO employees are not considered direct hospital employees. MSO employees may not use the eMedicaid HPE portal.

If you have questions about whether you are allowed to be an HPE worker, please email [mdh.HPE@maryland.gov](mailto:mdh.HPE@maryland.gov).

If the Department finds that a hospital is allowing non-hospital employees to submit HPE applications, the hospital will lose their HPE privileges.

### 11. What qualifies as a hospital employee for the purposes of HPE?

To be a hospital employee, the person must be on the hospital's direct payroll, bill the hospital for the hours the individual physically works at the hospital location, and file a W-2 and other tax forms identifying the hospital as the employer.

The Department will be auditing each hospital to ensure that its HPE Workers are hospital employees. A hospital found to be intentionally or negligently using contractual workers for HPE determinations will be disqualified from the HPE program and its HPE determination site status terminated. In this scenario, the Department will immediately suspend the hospital's ability to submit HPE applications until the hospital submits an adequate Corrective Action Plan (CAP) to address staffing concerns.

The following are examples of people who can NOT be HPE workers, and therefore, cannot directly input applications into eMedicaid:

- Temp worker
- Third-party contractor, similar/same contractor who completes full MA applications
- Employees of other non-profits affiliated with or funded by the hospital, such as Management Service Organizations (MCOs) or Accountable Care Organizations (ACOs).

**12. Where can I conduct HPE determinations?**

You may only conduct HPE determinations at the main acute hospital site, not at other campus locations. For example, a physician group practice at another location, which is not at the main hospital location, is not an eligible HPE determination site.

If you have questions about whether your site meets the criteria to be an HPE determination site, please email [mdh.HPE@maryland.gov](mailto:mdh.HPE@maryland.gov).

**13. Can I complete the HPE application over the phone during pre-registration for a surgery happening the following day?**

No. Hospital HPE workers may only complete HPE applications in person.

**14. Hospital staff making HPE determinations must be trained and pass an HPE knowledge test. How many hospital employees can be trained and take the test?**

At this time, the Department placed no limit on how many hospital employees may complete the HPE Training. The hospital's eMedicaid administrator must assign HPE privileges to each hospital employee who intends to make HPE determinations.

**15. How do I access the HPE Knowledge Test?**

Following the required HPE Training Webinar, you will receive a link for the SurveyMonkey HPE Knowledge Test from your hospital's HPE Coordinator.

**16. When should I take the HPE Knowledge test?**

You should only take the HPE Knowledge Test after attending either a live or recorded HPE Training Webinar. We recommend that hospital HPE workers complete the HPE Knowledge Test by the end of the month in which they take the training.

**17. Is the HPE Knowledge Test timed?**

No, the HPE Knowledge Test is not timed. However, we recommend taking it in one sitting. If you get up and leave your computer for lunch or overnight, you could lose the work you've done thus far on the HPE Knowledge Test and may have to start over.

**18. How many attempts do you get to pass the test?**

Each employee may only submit one HPE Knowledge Test per HPE Training Webinar attended and completed. Failure to pass the HPE Knowledge Test after the initial HPE Training Webinar requires the hospital employee to attend another HPE Training Webinar before taking the HPE Knowledge Test again.

Training dates are posted on the HPE website:

<https://mmcp.health.maryland.gov/Pages/Hospital-Presumptive-Eligibility.aspx>

**19. How will the Department notify me regarding my test results?**

In most cases, the Department will not send you your results. If you take and pass the HPE Knowledge Test before the end of the month (ex: December 31st), the Department will activate you in eMedicaid by the 15th of the following month (ex: January 15th).

After the Department activates your User ID, you will be able to click “Presumptive Eligibility” in eMedicaid without getting an error message. Then you may begin entering HPE applications.

If you take and fail the HPE Knowledge Test before the end of the month, the Department will not activate you by the 15th of the following month. You will need to attend another HPE Training Webinar before taking the HPE Knowledge Test again.

Until then, you will continue to see an error message in eMedicaid if you click “Presumptive Eligibility”.

**20. Can I appeal/protest the HPE Test Results?**

No. The Department requires that each hospital employee pass the HPE Knowledge Test in order to make HPE determinations. See Question 4 regarding how many times you can take the HPE Knowledge Test.

**21. How often will trainings be held?**

The Department will develop a schedule to attend/re-take the HPE Training Webinar and the HPE Knowledge Test. The Department will post the training schedule on the HPE website as it is finalized.

## SECTION III: HPE Eligibility FAQs

### **22. Is there a way to back-date HPE coverage?**

No. HPE is never retroactive. If approved, coverage will always start on the date that the HPE hospital worker submits the application through eMedicaid.

Maryland Medicaid's HPE rules dictate that hospitals assist all HPE applicants – whether they are approved or denied for HPE – with a full MA application. If the applicant applies for and is deemed eligible for MA, their health coverage will go back to the start of the month.

### **23. What happens if someone is admitted on a weekend?**

The rules are the same. HPE can only start on the date the hospital HPE worker submits the HPE application in eMedicaid. No exceptions. With this "same-date" requirement, hospitals might consider staffing all shifts and days with a hospital HPE worker who could enter the HPE application via eMedicaid.

### **24. What happens if someone is admitted at 11:00PM on September 30th and I don't enter the HPE application until the following day, October 1st?**

The rules are the same. See response to #15 & #16.

### **25. If a mom delivers her baby while she has HPE coverage, should I still complete the routine 1184 Newborn Process?**

No. The hospital should file an HPE application for the newborn. Hospitals may only use the 1184 Newborn Process if the mother already has full MA.

### **26. Are prisoners visiting the hospital eligible for HPE?**

No. Medical Assistance has special rules regarding eligibility for incarcerated individuals and the services available to them. It is extremely important that the incarcerated individual complete a full Medical Assistance application if they do not have Medical Assistance. The hospital should follow its usual procedures for referring prisoners for Medical Assistance.

### **27. Does a family household include man and woman not married, or do they have to be husband and wife to be considered a household?**

The man and woman must be married to be considered a household. If the man and woman are not married, the man should not be included within the woman's family household and the woman should not be included within the man's family household.

**28. If the HPE applicant is incapacitated and unable to answer the questions can a family member help complete the application?**

Yes, the family member may assist with the application. In this scenario, the family member should sign the printed copy of the HPE application.

**29. Is a signature required to complete the HPE application for undocumented newborns?**

Yes, the Department always requires a signature from the HPE applicant and the hospital HPE worker on the application. In this case, the parent would sign the application for the newborn.

**30. Are newborns of undocumented parents eligible for HPE? Do we submit HPE and MCHP for this type of child?**

Yes. When you complete the HPE application, make sure you also simultaneously file a full MA application for the child.

**31. What if the baby has not been named? How do we complete the HPE?**

You cannot complete the HPE application without a name.

**32. If an applicant is at the hospital for miscarriage/loss of pregnancy, is she still considered pregnant on the HPE application app?**

Yes, the woman would still be considered pregnant on both the HPE application and the full MA application. The rules are the same in this case.

**33. If the patient has other primary insurance, can they still apply for HPE?**

Yes. Applicants with other primary insurance may still apply for HPE. However, this should signal to the hospital that the other insurance is the primary payer. The hospital should bill the other insurer first. Medicaid is always the payer of last resort.

**34. If the patient is intubated and no family members, can we complete HPE application?**

No. The applicant or a family member must provide the information.

**35. If patient is self-pay and going to Chronic unit, can the patient apply for HPE?**

Yes.

**36. Scenario for family of three. There is a mother, 18-year-old son, and 17-year-old daughter. Should I request the income of the entire family to ascertain FPL or do you just want the income of the person applying?**

You must request the monthly income of the entire family to ascertain FPL for the HPE application.

**37. If EVS does not indicate that the mother's coverage is HPE, how would I know to enroll the baby in HPE instead of submitting the Newborn 1184 form?**

When the mother is admitted, you should know if she presents her red and white MA card, or MCO card, that she is not enrolled in HPE. You can also check the coverage group in MMIS. If you try to submit the 1184 and the mother is in a C13 HPE coverage group, the 1184 application will bounce back.

**38. About how long does the system take to verify eligibility, or is it immediately?**

It takes at least 24 hours to verify eligibility. Both web and phone EVS are updated daily, but not throughout the day. For this reason, it is important to provide the HPE participant with enough necessary prescriptions to sustain the individual until the pharmacy is able to verify enrollment and fill the prescription.

**39. Who should I bill for services during the HPE coverage period?**

You should bill the Medicaid fee-for-service (FFS) program for HPE enrollees.

**40. If the HPE enrollee is found eligible for full MA a few days later, who should I bill – FFS or the MCO?**

As you should be doing for all full MA enrollees currently, you must EVS for each day of service. For each day, EVS will indicate if the individual is enrolled in an MCO or not. This practice should be the same for HPE enrollees.

Once the applicant is eligible and enrolled in an MCO, the EVS message will give the name of the MCO. The provider should bill the MCO from that day forward. MCO enrollment is not retroactive.

**41. Do I check EVS on the date of service or the date that the claim is filed?**

Providers will need to check EVS on the date of service. Providers do not have to check EVS on the date when the claim is filed. The EVS on the date of service determines who should be billed.



**42. What will the EVS message say for HPE enrollees?**

The EVS message will simply say the enrollee is eligible. It will not give a start or end date and will not list an MCO because HPE enrollees are never enrolled in MCOs.

**43. Do I need pre-auth for services provided to HPE enrollees?**

Yes. You must follow all of the same procedures for HPE enrollees. Proceed as normal with the 3808 vendor, Delmarva, and the Behavioral Health Administration vendor, ValueOptions. As with all delivery of service, the service must be medically necessary.

**44. What if the HPE enrollee is determined ineligible for full MA, but is still in the hospital when their HPE coverage ends? Will Medicaid cover the entire bill even if the HE enrollee loses eligibility when HPE ends?**

No, Medicaid will not pay for any enrollee – HPE or full MA – on any days they are not eligible. The rules are the same.

**45. If a HPE recipient gets approved for Durable Medical Equipment and Supplies (DME/DMS) during HPE but the equipment is not ready for delivery until after HPE eligibility ends, is the recipient still entitled to receive the service?**

Similar to all other service delivery for MA participants, a provider is required to check EVS on the date of delivery. If on that date, the individual does not have active coverage then the provider should not deliver the service, or in this case the item.

## SECTION V: Notifying the Applicant FAQs

### **46. Am I required to help the HPE applicant with their full MA application?**

Yes. If not the same hospital HPE worker, another eligibility worker in the hospital must help the HPE applicant complete the full MA application.

### **47. What should I do if I'm helping the HPE enrollee with the full MA application and they are not able to supply the required documentation for the full MA application? (Note: Documentation is not required for HPE.)**

If additional documentation is needed for the full MA application, the Department will notify the applicant via mail or email regarding the required verification and how to submit it. The applicant, not the hospital, will be responsible for submitting the requested information. This practice has not changed with the implementation of HPE.

### **48. Will the Department educate DSS caseworkers on requesting retroactive full MA if the applicant is enrolled in HPE?**

Yes, the Department sent an Action Transmittal to DSS Caseworkers on October 1, 2014. If the applicant needs retroactive eligibility, the HPE worker should assist the applicant with requesting retroactive coverage on their full MA application for up to the three months prior to the month of the full MA application.

When HPE applications are submitted near the end of the month, the HPE worker is strongly encouraged to make every attempt to submit the full MA application in the same month as the HPE application so that the applicant does not lose out on retroactive consideration for any of the months associated with the month of application. For example, the applicant who was eligible for HPE beginning September 10th will need to have a full MA application submitted in September for consideration of the retroactive months of June, July and August. If MA eligibility is also needed in September prior to September 10th, the full MA application must be submitted no later than December 31st.

### **49. Why should I complete the HPE application if I have to do the full MA application, too?**

There may be some cases where the HPE applicant is found eligible for HPE, but not for full MA. In those cases, services would be covered under HPE.

### **50. Does the HPE enrollee receive a regular MA number or do they receive a temporary number?**

HPE enrollees will have regular MA numbers. These numbers will be the same if/when they become eligible for full MA. HPE enrollees will receive an approval notice that is the only proof of temporary health coverage during HPE coverage period. The

approval notice will have a MA number at the top of the page below the enrollee's name.

SECTION VI: HPE Performance Standards and Document Retention FAQs

**51. How often will the Department share performance measures with hospitals?**

Generally, the Department will focus on outreach to hospitals that are improperly using the eMedicaid portal. The Department will not routinely send performance reports to hospitals that are performing well.

**52. Can my hospital track our applications submitted?**

Yes. The "Search" feature within the eMedicaid Presumptive Eligibility portal will allow hospitals to set date ranges for applications. There are other filters the hospital can use to organize their data. For example, maybe you only want to see approvals in the last two months or denials in the last two weeks. Once you get your results, you can export the results to Excel by clicking the "Export to Excel" button at the bottom on the search list.

**53. Is it acceptable to retain the HPE worksheet and signed application in our imaging system at a patient level? Or do we need to keep paper copies?**

Yes, it is OK to keep documents stored at the patient level in your imaging system/electronic health record. You must be able to produce these documents if/when you are audited by the Department.

**54. How will the Department notify me about changes to the HPE program?**

The Department will send all information regarding the HPE program through your hospital's HPE coordinator. This is the person named on the official HPE Agreement that your hospital signed. If you don't know who your HPE coordinator is, please email [mdh.HPE@maryland.gov](mailto:mdh.HPE@maryland.gov) with your name, your hospital name and hospital address.