

Approved and Pending Eligibility and Enrollment Restrictions, as of February 21, 2018

Waiver Provision	Expansion Population Approved: 8 states Pending: 4 states	Non-Expansion Populations* Approved: 4 states Pending: 6 states
Premiums & Premium Assistance		
Premiums/Monthly Contributions [◇]	Approved: AR, AZ, IA [†] , IN, KY, MI, MT Pending: NM	Approved: IN, KY Pending: ME, WI
Disenrollment and Lock-Out for Non-Payment of Premiums	Approved: IN, KY, MT Pending: NM	Pending: ME, WI*
Disenrollment (Without Lock-Out) for Non-Payment of Premiums	Approved: AZ, IA	N/A
QHP Premium Assistance	Approved: AR, MI [‡] , NH	N/A
Tobacco Premium Surcharge	Approved: IN	Approved: IN
Coverage Effective Date & Time Limits on Coverage		
Waive Retroactive Eligibility [^]	Approved: AR [‡] , IA, IN, KY, NH [‡] Pending: NM	Approved: IA, KY, UT ^{*v} Pending: ME, NM
Waive Reasonable Promptness ⁺	Approved: IN, KY Pending: NM	Approved: IN, KY
Time Limit on Coverage	Pending: AZ	Pending: KS, ME, UT ^{*vi} , WI*
Eliminate Hospital Presumptive Eligibility	N/A	Pending: ME, UT ^{*vi}
Eligibility Determinations and Redeterminations		
Lock-out for Failure to Timely Renew Eligibility	Approved: IN, KY	Approved: KY
Lock-out for Failure to Timely Report Changes Affecting Eligibility	Approved: KY	Approved: KY
More Frequent Eligibility Redeterminations	Pending: AZ ^{vii}	N/A
Drug Screening and Testing	N/A	Pending: WI*
Asset Test for Poverty-Related Eligibility Pathways	N/A	Pending: ME
Waive MAGI Financial Methodology	N/A	Pending: TX*
Eligibility Groups		
Limit expansion eligibility to 100% FPL with enhanced match	Pending: AR, MA	N/A
Eliminate TMA Coverage Pathway for Parents/Caretakers		Pending: NM

*“Non-expansion” populations include traditional Medicaid populations (low-income parents, Transitional Medical Assistance for those moving from welfare to work, former foster care youth, medically needy, etc.) but may also refer to narrow/limited populations that gained coverage through the demonstration waiver. For example, *WI’s waiver covers childless adults ages 19 to 64 with income up to 100% FPL (without enhanced ACA matching funds). *UT’s waiver expands eligibility and provides a limited benefit package to certain nonelderly adults up to 100% FPL (the “PCN group”), and recently extended coverage to a limited group of childless adults who are homeless and have behavioral health needs up to 5% FPL. *TX’s pending waiver refers to its “Healthy Women” family planning waiver.

[◇] NC’s amended Section 1115 application, submitted on November 20, 2017, includes provisions (premiums and work requirements) that would affect newly eligible adults *only if proposed state legislation (“Carolina Cares”) is enacted*. These provisions are not reflected in the table, as the state has not yet added this population to its Medicaid program.

[^] Five other states (DE, MA, MD, TN, and UT) have retroactive coverage waivers that pre-date the ACA and may have been associated with achieving the budgetary savings necessary to expand coverage before federal law authorized the use of Medicaid funds for childless adults. Some of these waivers apply to limited populations, and most have exceptions for seniors and people with disabilities.

⁺ Reasonable promptness waivers allow states to delay the start of coverage until after the 1st premium is paid or after the 60-day payment period expires.

[†]A: Premiums are waived for the 1st year of enrollment. In later years, premiums are waived if beneficiaries complete specified healthy behavior activities.

[‡]MI: Starting April 2018, beneficiaries with incomes above 100% FPL who are not medically frail must meet a healthy behavior requirement to remain in a Medicaid MCO; those who do not will receive Medicaid premium assistance for Marketplace QHP coverage.

[‡]AR: Provision includes conditional waiver of retroactive coverage, contingent upon state coming into compliance with statutory and regulatory requirements related to eligibility determinations; the state’s pending amendment seeks to remove the conditions.

[‡]NH: Waiver was to be implemented only after CMS determined that retroactive coverage is unnecessary, based on state data showing no gaps in coverage for newly eligible adults prior to their Medicaid application date and upon renewal.

^vUT: This provision applies to only the PCN group.

^{vi}UT: These provisions would apply to both the PCN and limited childless adult groups.

^{vii}AZ: Proposes to redetermine eligibility every 6 months for all expansion enrollees and every 3 months for individuals who have a change in circumstance that results in non-compliance with waiver requirements.

**Approved and Pending Work Requirement Waivers – Covered Populations and Age Exemptions,
as of February 21, 2018**

	AR	AZ	IN – approved	KS	KY – approved	ME	MS	NH	UT	WI
Expansion Adults [^]	X	X	X		X			X		
Traditional Adults*			X	X (parents 0-38% FPL)	X	X (parents 0-105% FPL)	X (parents 0- 27% FPL)		X (parents 60-100% FPL; childless adults 0- 100% FPL)	X (childless adults 0- 100% FPL)
Age Exemptions	50+	55+	60+	65+	65+	65+	65+	65+	60+	50+

*Other groups such as Transitional Medical Assistance, family planning only, or former foster care youth, may be included in some states.

[^] NC's amended Section 1115 application, submitted on November 20, 2017, includes provisions (premiums and work requirements) that would affect newly eligible adults *only if proposed state legislation ("Carolina Cares") is enacted*. These provisions are not reflected in the table, as the state has not yet added this population to its Medicaid program.

Approved and Pending Benefit, Copay, and Healthy Behavior Provisions, as of February 21, 2018

Waiver Provision	Expansion Populations Approved: 6 states Pending: 2 states	Non-Expansion Populations* Approved: 5 states Pending: 6 states
Healthy Behavior Incentives	Approved: AZ, IA, IN, KY, MI, NM	Approved: FL, IN, KY, NM Pending: WI*
Waive Required Benefits (NEMT) ⁱ	Approved: KY ⁱⁱⁱ , IA, IN Pending: MA ^{iv}	Approved: KY ⁱⁱⁱ
Copays above statutory limits ^v	Approved: KY ^{vi} Pending: NM	Approved: KY ^{vi} Pending: ME, NM, UT*, WI*
Fees for Missed Appointments	Approved: KY ^{vi} Pending: NM	Approved: KY ^{vi} Pending: NM
Waive EPSDT for 19 and 20 year olds ^{vii}	Pending: NM	Approved: UT ^{viii} Pending: NM
Closed Rx Formulary	Pending: MA	Pending: MA
Restriction on Free Choice of Family Planning Provider		Pending: TX*

NOTES: *"Non-expansion" populations include traditional Medicaid populations (low-income parents, Transitional Medical Assistance for those moving from welfare to work, former foster care youth, medically needy etc.) but may also refer to narrow/limited populations that gained coverage through the demonstration waiver. For example, *WI's waiver covers childless adults ages 19 to 64 with income up to 100% FPL (without enhanced ACA matching funds). *UT's waiver expands eligibility and provides a limited benefit package to certain nonelderly adults up to 100% FPL (the "PCN group"), and recently extended coverage to a limited group of childless adults who are homeless and have behavioral health needs up to 5% FPL. *TX's pending waiver refers to its "Healthy Women" family planning waiver.

ⁱ The NEMT waiver in AR applies to ESI premium assistance enrollees only and is not included in this table.

ⁱⁱ KY: All NEMT services are waived for the expansion population.

ⁱⁱⁱ KY: In addition to a blanket NEMT waiver for the expansion population, NEMT for methadone services only is waived for both expansion and non-expansion populations.

^{iv} MA: NEMT waiver would not apply to substance use disorder treatment services.

^v Copays exceeding statutory limits are for non-emergent emergency room (ER) use in all pending and approved waivers noted except WI, which instead would apply a copay at the statutory limit for all ER visits and ME, which would charge copays above statutory limits for certain diagnosis codes. NM also would apply a copay above statutory limits non-preferred prescription drugs.

^{vi} KY: Charge for missed appointment assessed as a deduction from enrollee's healthy behavior incentive account rather than as a direct fee/copayment.

^{vii} OR has an EPSDT waiver as part of its demonstration testing an alternative delivery system model that allows the state to cover treatment services according to a priority list; the OR waiver is not included in this table.

^{viii} UT: This provision applies to both the PCN and limited childless adult groups.

Approved and Pending Behavioral Health Provisions, as of February 21, 2018

Waiver Provision	# of States with Approved Waiver	# of States with Pending Waiver
IMD Payment Exclusion	Approved for SUD: 10 States (CA, IN, KY, LA, MA, MD, NJ, UT, VA, WV) Approved for MH: 1 State (VT)	Pending for SUD: 9 States (AK, AZ, IL, KS, MA, MI, NC, NM, WI) Pending for MH: 5 States (IL, KS, MA, NC, NM)
Community-Based Benefit Expansions	Approved: 10 States (DE, HI, KS, MA, MD, NJ, NY, RI, VT, WV)	Pending: 8 States (AK, FL, HI, IL, MI, NC, NM, NY)
Eligibility Expansions	Approved: 6 States (AZ, MT, NJ, UT, VA, VT)	Pending: 3 States (IL, NJ, NY ⁱ)
Delivery System Reforms	Approved: 4 States (AZ, CA, MA, NH) ⁱⁱ	Pending: 4 States (IL, MI ⁱⁱⁱ , NC, NM)

ⁱNew York's pending waiver amendment also would move its existing financial eligibility expansion for children with behavioral health and HCBS needs who currently meet an institutional level of care from Section 1915 (c) to Section 1115 authority.

ⁱⁱWhile no specific waiver authority is granted, Maryland's waiver commits the state to developing and implementing a physical/behavioral health integration model for individuals with substance use disorders by January 1, 2019 as part of its IMD payment waiver.

ⁱⁱⁱMichigan's integration model currently exists under Section 1915 (b)/(c) authority that the state is seeking to convert to Section 1115