

Texas Update – October 2009

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The CHIP Perinate Program – Status Uncertain

This month, health centers responded to a TACHC survey quantifying the impact of the loss of the CHIP Perinate program. This program provides CHIP benefits to the unborn children of mothers who do not qualify for Medicaid, primarily because of income or citizenship reasons. The CHIP Perinate program is a critical source of prenatal care for many children who would not otherwise receive it.

Right now, the Federal Centers for Medicare and Medicaid Services (CMS) is questioning Texas's financing for this program. Normally, if a child is born into a family who is income eligible for Medicaid (under 185% FPL), the child will enter the Medicaid program at birth. CHIP Perinate children receive twelve months of continuous eligibility in the CHIP program, including time in utero and after birth. The CHIP program offers a more favorable Federal share of costs, providing the revenue needed to support the program. CMS is insisting that babies who are eligible for Medicaid at birth must be transferred into that program rather than kept on CHIP for the remainder of their eligibility period. This is in keeping with Federal laws requiring that all children be screened for Medicaid before they are placed on CHIP. But because the Federal government does not pay as much of the cost for Medicaid beneficiaries as it does for CHIP, there is not as much revenue available to support the program under these conditions.

TACHC meetings with state officials indicate that it would take a special session of the legislature to redirect or raise enough funds to keep the program going. While TACHC has been working (and will continue to work) with HHSC and other partners to devise possible ways to keep providing this prenatal care, the fate of the program or the nature of its possible phase-out remains uncertain. Stay tuned for more details at Annual Conference next week.

Correction (sent under separate cover): The October 2009 Texas Update reported that state officials indicated a special session of the legislature would be necessary to keep the CHIP Perinate program going. **THIS STATEMENT WAS NOT CORRECT.** State officials have NOT made this declaration. Again, please stay tuned for more updates on this program from HHSC staff at TACHC's Annual Conference next week. As we learn more, we will keep you updated on next steps for the CHIP Perinate program.

Apologies for any confusion.

Latest Medicaid Numbers Show Drop in Children's Medicaid Enrollment

According to the Health and Human Services Commission (HHSC)'s [latest numbers](#), nearly 83,000 children dropped of the Medicaid rolls between September and October. This is more than a 3% drop – higher than any drop in Children's Medicaid enrollment for the same time period in recent years, including the severe eligibility system problems of 2006. Advocates are concerned that this latest precipitous drop is the result of continued problems in the state eligibility system. Health plans and HHSC staff report that cutoff dates for October enrollment were artificially early in the month, creating the appearance of greater enrollment losses than may actually bear out as enrollment numbers solidify in the coming months. Still, the drop is a serious concern, given that many advocates are still hearing numerous reports of lost applications, delayed approvals, and complications when moving children between the CHIP and Medicaid programs.

Texas Eligibility System Remains in Crisis

Recently, TACHC members received a report that a lawsuit was filed in Texas on behalf of Food Stamp applicants challenging the state's failure to meet processing timelines for these applications. The Health & Human Services Commission (HHSC) also received a letter from the United States Department of Agriculture's (USDA) regional office, which oversees the Food Stamp program, threatening fiscal sanctions if Texas doesn't improve its timeliness in processing Food Stamp applications. The letter asked for a corrective action plan in 60 days, and identified steps HHSC can take to reduce workload and backlog, which included enlisting the aid of community partners to do more outreach and application assistance. On October 8, U.S. District Judge Sam Sparks dismissed the class-action lawsuit citing that attempts by individuals to enforce the processing deadlines do not trump federal efforts to force the state to comply. According to the ruling, the Department of Agriculture is pursuing action against Texas, and Congress did not give individuals seeking benefits the right to sue. The federal processing deadlines are 30 days for regular applications and seven days for emergency applications. Texas currently takes longer than the 30 days to process one-third of food stamp cases and HHSC is still working on a corrective plan requested from the USDA. The Legislative Budget Board recently approved additional employees to help process the applications.

What does this mean for FQHCs? While the food stamp program has recently been at the center of the eligibility system crisis, the problems clearly affect Medicaid applications as well. FQHCs that host an Out-stationed Eligibility Worker (OEW), should continue to monitor monthly activity reports that you should have begun to receive from HHSC October 15th. If you have any questions, please don't hesitate to contact Sonia Lara, Outreach Coordinator at slara@tachc.org or 512.329.5959.

TACHC Annual Conference is HERE!!

Texas health centers will descend upon the city of Dallas over the next few days for TACHC's Annual Conference, held at the Westin City Center hotel. Clinical staff will be gathering over the weekend for sessions on a variety of timely topics including improving access to meet growing demand, supporting cancer patients in the primary care setting, and oral health management. The full conference begins at 8:00 AM Monday November 2 with a keynote address from none other than **Dr. Jack Geiger**, often

called the father of the community health center movement. The conference also features presentations by new **Health and Human Services Commissioner Tom Suehs** and **State Senator Bob Deuell**. If you haven't registered, you can still register on site. Come join us! See a full conference agenda attached. And be sure to visit the TACHC Resources Booth to learn even more about TACHC Advocacy and how to join the health center movement.

Please Forward this Message to Friends and Colleagues Who Can [CLICK HERE](#) To Become Health Center Advocates