

HEALTHY KIDS ONE STOP ACT

SUMMARY

This legislation would authorize a state plan under the Medicaid and CHIP programs to rely on findings from an Express Lane agency to conduct simplified eligibility determinations. Healthy Kids One Stop Act would amend title XIX of the Social Security Act to authorize a federal or state agency or private entity in possession of the sources of data directly relevant for Medicaid eligibility determination (including eligibility files maintained by the Express Lane agency) to convey such information to the state Medicaid agency, if such conveyance meets specified requirements. This measure also prescribes civil and criminal penalties for improper disclosure of such information.

Likewise, this bill would direct the Secretary of Health and Human Services to enter into agreements necessary to permit a state that elects the Express Lane option to receive data directly relevant to determining eligibility and the correct amount of benefits under CHIP or Medicaid from: (1) the National Directory of New Hires; and (2) data regarding enrollment in insurance that may help to facilitate outreach and enrollment under the state Medicaid and CHIP plans and such other programs as the Secretary may specify.

SECTION-BY-SECTION

- I. Allows states the option to rely on findings from an “express lane” agency to conduct simplified eligibility determinations under Medicaid and SCHIP for initial enrollment or redeterminations.
 - a. If the express lane agency deems the enrollee does not satisfy the eligibility requirements, then the State must use regular procedure for determining eligibility.
 - b. The State must provide notice if the enrollee is eligible for lower premium payments based upon any findings of the express lane agency.
 - c. States must code enrollees in order to provide data and evaluation to the Secretary of Health and Human Services.
- II. Options for satisfying screen and enroll requirements:
 - a. State may establish a screening threshold as a percentage of the Federal poverty level that exceeds the highest income threshold eligible for SCHIP assistance by a minimum of 30%.
 - b. Provided that the enrollee’s income exceeds the threshold limit, the State must provide notification to the parent and may allow for the child to be reevaluated.
 - c. Allows for the child’s temporary enrollment if the child appears to be eligible for assistance based on findings by the express lane agency. During temporary enrollment, the State shall determine eligibility and promptly follow up with the parent/ guardian.
- III. Option to allow the State to initiate and determine SCHIP eligibility based upon information previously obtained, and then automatically enroll a child with the affirmative consent of the parent/ guardian on an express lane application.
- IV. States must agree to assign codes to the children enrolled under the findings of express lane agencies for the purpose of developing a statistically valid sample and relevant error rate.
 - a. If the error rate exceeds 3% for either of the first 2 fiscal years, the State must demonstrate corrective action.
 - b. If the State continues to exceed 3% error rate, the State’s FMAP funding will be reduced by the amount equal to the total amount of erroneous excess payments (this is not applied to the State’s entire child population, just those within the sample population)

- V. An “Express Lane Agency” is determined by the State agency responsible for the administration of SCHIP and is identified in the State’s SCHIP plan. The express lane agency must enter into an interagency agreement to limit the disclosure and use of information disclosed.
 - a. Specific public agencies that administer the following preexisting programs are permitted to serve as express lane agencies:
 - i. Temporary Assistance for Needy Families, the State Medicaid plan, the State SCHIP plan, Head Start, supplemental nutrition assistance program, National School Lunch program, the Child Nutrition Act, Child Care and Development Block Grant Act, Homeless Assistance Act, U.S. Housing Act of 1937, Native American Housing Assistance and Self-Determination Act of 1996.
 - b. Other eligible agencies are State specified governmental agency, public agency that is subject to an interagency agreement limiting the disclosure of information.
 - c. Excludes agencies established under the Social Services Block Grant, or private, for-profit organizations.
- VI. Requires the Secretary of Health and Human Services to conduct an evaluation and submit a report to Congress not later than September 30, 2013, with regard to the effectiveness of the changes made under this legislation.
 - a. Provides \$5 million to carry out the evaluation
- VII. Electronic Transmission of Information- Any signature requirement for an application for medical assistance may be satisfied through an electronic signature
- VIII. Further authorization for the disclosure of information and the stipulation of requirements for the conveyance of information, provided consent of the individual, solely for the purpose of identifying and verifying eligibility of individuals.
- IX. Penalties for improper disclosure- \$10,000 for each unauthorized disclosure under a civil money penalty, and a fine of not more than \$10,000 or imprisonment of not more than 1 year for each instance of unauthorized disclosure as a criminal penalty.
- X. Authorizes the Secretary of Health and Human Services to enter into agreements with the States electing the express lane option to receive certain data directly relevant to determining eligibility and correct amount of assistance (i.e. National Directory of New Hires, data regarding enrollment in insurance)
- XI. Amendments made to the Social Security Act through this legislation would be effective January 1, 2010.