



Maternal and Child Health Access

1111 W. Sixth Street, Suite 400
 Los Angeles, CA 90017-1800
 Tel 213. 749. 4261
 Fax 213. 745. 1040
 info@mchaccess.org

February 2004 Update Newborn Enrollment Project

Hello, everyone. In this Update, we report on:

- Black Infant Health Advisory Group meeting in **East Palo Alto**
- **Baseline and other strategies for tracking progress** on infant enrollments in *your* county
- Medi-Cal **managed care enrollments** for infants
- **New Healthy Families enrollment rules** for newborns whose mothers have **AIM** coverage
- Infant enrollments under ***Baby Armando Doe v. California DHS***
- SB 24 **Prenatal and Newborn Hospital Gateways** implementation
- Governor's health **budget** proposal

Black Infant Health Advisory Group Meeting in East Palo Alto

The Prenatal Advantage Black Infant Health Project in San Mateo County is having an Advisory Group meeting on **February 12 from 11:30 to 2:00 p.m.** (lunch provided) in East Palo Alto. The main purpose of the meeting is to make recommendations for the county's MCH Five Year Needs Assessment, and the Advisory Group is actively seeking ideas and information from all over the state. If you'd like to attend, please **RSVP to Ms. Bernestine Benton at (650) 363-7850**. MCH Access hopes to see you there!

Baseline and Other Strategies for Tracking Infant Enrollments in *Your* County

Community organizations in several counties are making impressive efforts to help families leap over the barriers to enrolling infants into Medi-Cal. To support these efforts, MCH Access can prepare a **"baseline"** for your very own county, for any year, or combination of years, from 1998 through the last quarter of 2003, using infant enrollment data recently posted on the State DHS website. DHS updates its data about every six months, so you can track enrollment trends for this age group periodically throughout the year.

In addition, we can share information about how MCH Access has worked with L.A. County to **track the number of Newborn Referral Forms the county is receiving each month** and to do follow up with clients to make sure the infants are getting enrolled.

Interested? Please contact Lucy@Quacinella.com.

Medi-Cal Managed Care Enrollments for Infants

The stakeholders, who include consumer, plan, county and provider representatives, have as their main goal here to ensure that infants have continuity of care when going from coverage under the mother's Medi-Cal number (during the first two months of life) to coverage under their own Medi-Cal numbers. After several phone conferences and review of draft proposals, **a letter is being reviewed for stakeholders' submission to State DHS for the March 25, 2004 meeting** of the State DHS Medi-Cal Managed Care Advisory Committee.

For more information, please contact Lynnk@mchaccess.org.

New Healthy Families Enrollment Rules for Newborns Whose Mothers Had AIM Coverage

Starting July 1 of this year, babies whose mothers had coverage under the Access for Infants and Mothers (AIM) Program will be **covered under Healthy Families instead of under AIM**.

How will these newborns get into Healthy Families? That is the subject of recently proposed regulations by MRMIB. All AIM plans are required to have a Healthy Families contract. The babies will be enrolled in the same Healthy Families plan as the mother had for AIM. We are referring to this as the "Healthy Families counterpart".

Concerns with original proposal: The original proposal would have left these newborns uninsured if their mothers did not report the birth to the AIM health plan by the end of the month after the birth month, and there would have been no coverage under either AIM or Healthy Families during the first two months of life if the report did not take place on time.

In addition, since Healthy Families requires all siblings to be in the same plan, if the newborn had siblings in a different Healthy Families plan than the mom's AIM plan, the newborn would have been automatically transferred out of the Healthy Families counterpart of the mother's AIM plan starting the third month of life.

These and several other major concerns were addressed in written comments by MCH Access to MRMIB.

Proposal adopted by MRMIB January 28, 2004: At its most recent meeting, MRMIB adopted significant revisions to the proposal. Important implementation details still need to be worked out, but here are some examples of how the process will work:

- Infants will be **eligible** for enrollment into the Healthy Families counterpart of the mother's AIM plan **throughout the first year of life**, regardless of the month in which the family reports the birth to the mother's AIM plan.
- The infant's Healthy Families enrollment will be **retroactive to the date of birth**, Premiums will be required for the intervening months if the family wants coverage for the infant for those past months, although it is not clear as of this writing whether families will have the option of paying only for the months services for the infant were used.
- An infant can be enrolled into Healthy Families based on a report from not only the mother but also her AIM plan (these plans routinely receive hospital reports about births to their enrollees), her provider, or the infant's provider. This will **facilitate enrolling the infant into Healthy Families directly from the hospital, doctor's offices, and clinics**.
- **When a woman enrolls into AIM, she will be given an opportunity to select a Healthy Families pediatrician for her newborn**, or she can make the selection when the infant is enrolled into Healthy Families (although the process for choosing the pediatrician later has not yet been identified).
- To **preserve continuity of care**, infants with "a physical, developmental, behavioral, or emotional condition that requires continuity of care" will be permitted to stay in the Healthy Families counterpart of the mother's AIM plan, even if there are siblings in a different Healthy Families plan.
 - As to the siblings, the family can either have them transferred to the infant's plan or leave them in their own plan.
 - If the siblings remain in a plan different from the infant's, the infant must be transferred to the siblings' plan during the first open enrollment period after the infant's first birthday.

Where do the proposed regulations go from here? To notice and hearing with the State Office of Administrative Law. **For copies of the proposed**

regulations, please contact MRMIB at (916) 324-4695 or check the website at www.mrmib.ca.gov.

Baby Armando Doe and the CHDP Gateway

This case is about infants who qualify for Medi-Cal through “deemed eligibility” until their first birthdays because their mothers had Medi-Cal for the delivery. Last September, the San Francisco County Superior Court ruled that when “deemed eligible” infants start their Medi-Cal through the CHDP Gateway program, the infants have a legal right to continue Medi-Cal until age one year *without* having to submit the follow-up Medi-Cal application that the Gateway requires of all other children.

Because the State has so far refused to comply with the Court’s order, there have been several compliance hearings. The Court again ordered compliance at the most recent hearing, which took place on January 22, 2004. The State has appealed all rulings in the case and has said it will soon ask the Court of Appeal to stop the trial court from enforcing any of its orders before there’s a decision on the appeal.

What you can do in the meantime: If you know of any “deemed eligible” infants, i.e., infants born to a mother on Medi-Cal at the time of delivery, **refer them to the county** for automatic enrollment into Medi-Cal without an application. You can **call the county or fax the county** a completed Newborn Referral Form (attached; county phone and fax numbers at page 2 of the form).

The enrollment must be retroactive to the infant’s date of birth, and families can use Medi-Cal to cover medical expenses that may have been incurred for the infant in the interim.

If you are referring an infant to the county after his or her second month of life, you may need to fax the county eligibility worker a copy of the State’s instructions on enrolling “deemed eligible” infants into Medi-Cal without an application. These instructions are in All County Letter 03-49, available at:

<http://www.dhs.ca.gov/mcs/mcpd/MEB/ACLs/PDFs/ACWDLs/2003ACLs/40s/c03-49.pdf>.

Reminder: You should not have to send the county a Medi-Cal application or any “proofs” (e.g., birth certificate, parents’ pay stubs, etc.) for the infant, and the county cannot refuse to add the baby to Medi-Cal because the mother’s case has been closed.

We will keep you posted on developments with enforcement in the trial court: these would provide **additional opportunities** for “deemed

eligible” infants to get their Medi-Cal back after they have been cut off from the Gateway.

SB 24 Prenatal and Newborn Hospital Gateways Implementation

The SB 24 Prenatal Gateway (Senator Liz Figueroa (D-Fremont), signed into law last October) presents an opportunity to help ensure that women are covered by **Medi-Cal continuously throughout pregnancy, starting with the first prenatal care visit.**

This gateway would allow pregnant women to enroll into Medi-Cal with an electronic application sent to the “single point of entry” from the provider’s office. **The gateway form would “count” as a woman’s Medi-Cal application**, and she would keep her Medi-Cal under the Presumptive Eligibility Program for Pregnant Women until the county completes the final eligibility determination. Although some follow up by the county would still be required (e.g., verification of income), a woman’s Medi-Cal could no longer be automatically cut off for failure to submit a Medi-Cal application by the end of the month after the month of the prenatal care visit, as happens at present.

Many challenges for implementation face us. The first in a series of meetings on these issues is being co-hosted by MCH Access and the California Primary Care Association (CPCA) on Wednesday, **February 11, 2003 from 10:00 a.m. to Noon** in Sacramento. For more information, please contact Edmund Carolan at ECarolan@cpcpa.org or Lucy at Lucy@Quacinella.com.

Meetings on implementation of the **Newborn Hospital Gateway** will follow. Please stay tuned.

Governor’s Health Budget Proposal

We summarize the main proposals affecting maternal and child health and working poor families generally on the attached.