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Minnesota Department of Human Services Health Care

Mission Statement

The Department of Human Services, in partnership with the federal government, county and other public, private, and community agencies throughout Minnesota, is a state agency directed by law to assist those citizens whose personal or family resources are not adequate to meet their basic human needs. It is committed to helping them attain the maximum degree of self-sufficiency consistent with their individual capabilities. To these ends, the Department will promote the dignity, safety, and rights of the individual, and will assure public accountability and trust through responsible use of available resources.

A Report to the 1999 Minnesota Legislature as required by Minnesota Statutes 1998, Chapter 256B.06, subdivision 4(k)

State Funded Medical Assistance Benefits for Non-Citizens

May 1999

— Minn. Stat. 256B.06 Subd. 4(k) —

— 1997 Minn. Laws Chap. 85 Art. 3 —
Sec. 19

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May 1999

Executive Summary

This report was prepared in response to Minnesota Statutes 1998, chapter 256B.06, subdivision 4(k), which directs the Commissioner of the Department of Human Services (DHS) to submit to the Legislature a report about health care services provided to certain non-citizens who, due to their immigration status, are no longer eligible for federally funded Medical Assistance (MA). In addition, the statute also requires information on the number of non-citizen recipients and the cost of their care and services.

In recent years, several pieces of federal legislation were enacted that made substantial changes to MA eligibility requirements. The Personal Responsibility and Work Opportunities Reconciliation Act of 1996 (PRWORA) changed the citizenship eligibility requirements for federally funded MA. Federally funded MA eligibility is now limited to United States citizens and to "qualified non-citizens" as defined in PRWORA. The Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (IIRIRA) and the Balanced Budget Act (BBA) of 1997 added additional provisions to the definition of "qualified non-citizen." Presumably, these changes were made to reduce the number of persons who are eligible for federally funded MA.

As a result of these changes, there was concern that certain vulnerable populations would lose health care coverage. Of particular concern were elderly or disabled individuals receiving home health care services or living in nursing homes, and pregnant women who may not have access to prenatal care which could ultimately affect the health of the newborn child. The newborn, as a U.S. citizen, is eligible for federally funded MA. In addition, the absence of health care coverage could result in children and adults not getting needed preventive care, such as vaccinations and routine medical checkups, and a decline in people seeking medical treatment for serious illnesses. Undetected and/or untreated illness, could ultimately result in more costly health care treatment.

DHS determined that more information was needed about those who would lose MA eligibility. Additional time was needed to determine the potential impact this would have on people who are elderly or disabled, and pregnant women. In the interim, the state of Minnesota chose to continue to offer state-funded MA to non-citizens who were no longer eligible for federally funded MA.

Another option would have been to provide General Assistance Medical Care (GAMC) eligibility to those who were no longer eligible for MA due to their immigration status. This option was not

chosen because of the differences in services provided by GAMC and MA. GAMC does not cover costs for nursing home care, hospice stays, case management, home care and special transportation fees. Services not covered by GAMC, but covered by federally funded MA, are identified in this report, showing that covering this population with GAMC would not have met their medical needs.

The Medical Assistance without federal financial participation (MA without FFP) provided health care to 2,731 individuals during fiscal year (FY) 98. Total cost of the program was \$5,867,453.

Recommendation

The Department of Human Services recommends that MA without federal financial participation for non-citizens who are not eligible for federally funded MA should continue.

Introduction

Minnesota Statutes 1998, Chapter 256B.06, subdivision 4(k) requires the Commissioner of the Department of Human Services (DHS) to:

- Submit a report about health care services provided to certain non-citizens who, due to their immigration status, are no longer eligible for federal funded Medical Assistance (MA) FY 1998 (July 1, 1997 - June 30, 1998)
- Provide information on the number of non-citizens and cost of care
- Submit the report to the Legislature by December 31, 1998.

The MA without FFP program provided health care to 2,731 individuals during FY 1998. Total cost of the program was \$5,867,453. MA without FFP provides the same benefits as federally funded MA, but is paid entirely with state funds. MA without FFP covers non-citizens with the following immigration status who lost eligibility for federally funded MA due to PRWORA:

Non-citizens who entered the United States on or after August 22, 1996:

- Lawful Permanent Residents
- Paroled into the U.S. for more than one year
- Conditional Entrants
- Battered non-citizens and their children

Non-citizens with the following immigration status, regardless of their date of entry into the United States:

- Deferred Enforced Departure
- Those who entered the U.S. prior to 1/1/72 and have lived here continuously since then, under Section 249 of the INA
- Family Unity beneficiary
- Lawful Temporary Residents
- Temporary Protected
- Applicant for asylum
- Paroled into the U.S. for less than one year
- Undocumented or non-immigrants who are pregnant

Non-citizens who are ineligible for MA without FFP include undocumented¹ and non-immigrant² persons, except for pregnant women. They could be eligible for emergency MA if they meet other eligibility criteria. In addition, if they are Minnesota residents and have a medical emergency or if they are not Minnesota residents but have medical expenses resulting from an accident that took place in Minnesota, Emergency General Assistance Medical Care (EGAMC) is available to them.

¹Undocumented—for definition refer to Appendix A for glossary term.

²Non-immigrant—for definition refer to Appendix B for glossary term.

Background

The MA without FFP report was compiled from data gathered from FY 1998 (July 1, 1997 through June 30, 1998). Medical service providers are allowed up to one year to submit medical claims. FY 1998 was chosen as the time period to reference for this report, to allow time for most of the claims for MA without FFP to be submitted to the state and included in the report.

The report shows demographic groupings of the people covered by MA without FFP:

- Pregnant women (pregnant or within their 60-day postpartum period)
- Families (parents and children with medical-only coverage)
- Families who also received cash assistance in addition to MA without FFP
- Elderly people (age 65 or older)
- Disabled people (meet the Social Security Administration's [SSA] definition of disabled, as determined by SSA or the State Medical Review Team)

The report separates the cost of services to make it possible to identify the costs that would not be covered under the GAMC program. These figures include services for nursing home care, hospice care, case management, home care and special transportation fees.

Many of the people covered by MA without FFP are enrolled in a managed care health plan. Managed care enrollment is mandatory for most people who receive MA. There are some exceptions to enrollment: 1) person eligible for MA due to blindness or disability as determined by the Social Security Administration or the state medical review team, unless (i) they are 65 years of age or older, or (ii) they reside in Itasca county; 2) recipients who are eligible for MA by spending down excess income for medical expenses other than the nursing facility per-diem expense; 3) recipients who receive benefits under the Refugee Assistance Program; 4) children who are both determined to be severely emotionally disturbed and receiving case management services; and 5) adults who are both determined to be seriously and persistently mentally ill and received case management services. People enrolled in managed care receive medical services through a health plan or network of providers. Minnesota pays a fixed rate to the managed care plan. Costs for managed care premiums are reflected in the report. Costs for health care services, other than managed care premiums, are identified as "fee-for-service health care" costs.

People who were covered

MA without FFP covered 2,731 individuals during fiscal year 1998	
Pregnant women	1,677
Families	597
Families who also received AFDC/TANF	252
Elderly people	171
Disabled people	34
Total	2,731

Ages of those covered

MA without FFP provided health care to individuals ranging in age from infant to 90 years old and up.

The ages in each demographic group were:

Pregnant women					
Age	Number of people	Age	Number of people	Age	Number of people
0-4	0	35-39	55	70-74	0
5-9	0	40-44	12	75-79	0
10-14	9	45-49	1	80-84	0
15-19	261	50-54	0	85-89	0
20-24	652	55-59	0	90+	0
25-29	471	60-64	0	Total = 1677 (1677 cases)	
30-34	216	65-69	0		

Families with children					
Age	Number of people	Age	Number of people	Age	Number of people
0-4	99	35-39	41	70-74	0
5-9	94	40-44	37	75-79	0
10-14	99	45-49	9	80-84	0
15-19	83	50-54	16	85-89	0
20-24	29	55-59	4	90+	0
25-29	38	60-64	5	Total = 597 (317 cases)	
30-34	42	65-69	1		

Elderly people					
Age	Number of people	Age	Number of people	Age	Number of people
0-4	0	35-39	0	70-74	50
5-9	0	40-44	0	75-79	22
10-14	0	45-49	0	80-84	15
15-19	0	50-54	0	85-89	5
20-24	0	55-59	0	90+	3
25-29	0	60-64	0	Total = 171 (155 cases)	
30-34	0	65-69	76		

Families who also receive AFDC/TANF					
Age	Number of people	Age	Number of people	Age	Number of people
0-4	27	35-39	25	70-74	0
5-9	33	40-44	15	75-79	0
10-14	34	45-49	7	80-84	0
15-19	24	50-54	2	85-89	0
20-24	22	55-59	2	90+	0
25-29	36	60-64	0	Total = 252 (150 cases)	
30-34	25	65-69	0		

Disabled people					
Age	Number of people	Age	Number of people	Age	Number of people
0-4	0	35-39	3	70-74	0
5-9	1	40-44	3	75-79	0
10-14	3	45-49	6	80-84	0
15-19	1	50-54	2	85-89	0
20-24	2	55-59	4	90+	0
25-29	3	60-64	3	Total = 34 (34 cases)	
30-34	3	65-69	0		

Summary of all eligibles by age					
Age	Number of people	Age	Number of people	Age	Number of people
0-4	126	35-39	124	70-74	50
5-9	128	40-44	67	75-79	22
10-14	145	45-49	23	80-84	15
15-19	369	50-54	20	85-89	5
20-24	705	55-59	10	90+	3
25-29	548	60-64	8	Total = 2,731 (2,333 cases)	
30-34	286	65-69	77		

Number covered by county

County totals	
Aitkin	1
Anoka	53
Becker	1
Beltrami	7
Benton	1
Big Stone	2
Blue Earth	6
Brown	5
Carlton	2
Carver	28
Cass	2
Chippewa	6
Chisago	0
Clay	12
Clearwater	0
Cook	0
Cottonwood	1
Crow Wing	0
Dakota	148
Dodge	11
Douglas	3
Faribault	3
Fillmore	1
Freeborn	7
Goodhue	2
Grant	3

Hennepin	1,417
Houston	0
Hubbard	0
Isanti	3
Itasca	8
Jackson	1
Kanabec	0
Kandiyohi	42
Kittson	1
Koochiching	2
Lac qui parle	1
Lake of the Woods	8
LeSueur	20
Lincoln	0
Lyon	22
Mahnomen	0
McLeod	19
Marshall	3
Martin	4
Meeker	6
Mille Lacs	1
Morrison	0
Mower	25
Murray	0
Nicollet	7
Nobles	33
Norman	2

Olmsted	79
Otter Tail	27
Pennington	0
Pine	2
Pipestone	1
Polk	6
Pope	0
Ramsey	423
Red Lake	0
Redwood	1
Renville	16
Rice	56
Rock	0
Roseau	1
St. Louis	16
Scott	45
Sherburne	3
Sibley	13
Stearns	21
Steele	26
Stevens	1
Todd	2
Sibley	0
Swift	0

Wabasha	3
Wadena	1
Waseca	2
Washington	21
Watsonwan	27
Wilkin	3
Winona	9
Wright	3
Yellow Medicine	1
Total	2,731

Cost of Care and Services

Total cost

Total cost for MA without FFP during FY 1998 was \$5,867,453.³

Eligible group	Managed care cost	Fee-for-service cost	Total cost for MA without FFP	Costs for services not covered by GAMC
Pregnant women	\$1,838,742	\$2,097,856	\$3,936,598	\$33,604
Families with children	\$373,091	\$403,658	\$776,749	\$11,756
Families who also received AFDC/TANF	\$47,739	\$57,218	\$104,957	\$4,717
Elderly people	\$323,178	\$407,659	\$730,837	\$71,745
Disabled people	\$2,820	\$201,493	\$204,313	\$54,978
*Other ⁴	\$0	\$113,999	\$113,999	\$0
Total cost	\$2,585,570	\$3,281,883	\$5,867,453	\$176,800

³Note: cost shown for persons determined after the fact to have fallen into MA with FFP population (tallied for each client) should not be read as estimates of the future cost, as they have not been adjusted for inflation and for the likely growth in the number of persons eligible.

⁴These are General Assistance Medical Care (GAMC) costs for persons determined later to have been eligible in the service months for what became MA without FFP.

Types of services not covered by GAMC

GAMC does not cover cost for nursing home care, hospice stays, case management, home health care, and special transportation. The following services and costs would not have been provided if Minnesota had chosen the option to provide GAMC rather than MA without FFP:

Nursing home care:	\$83,886
Case management:	\$17,832
Home health care:	\$63,236
Special transportation:	\$ 7,795
Other	\$ 4,051
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Total:	\$176,800

Note: No hospice services were provided during FY 1998.

Recommendation

The Department of Human Services recommends that MA without federal financial participation for non-citizens who are not eligible for federally funded MA should continue.

Appendix A – Glossary

Lawful Permanent Resident (LPR):

- Lawfully admitted for permanent residence to the U.S. under the Immigration and Naturalization Act (INA)
- Has permission to live and return to the U.S. as long as U.S. residence has not been abandoned
- May travel abroad and return to the U.S. as long as U.S. residence has not been abandoned
- May apply for citizenship after living in the U.S. for five years

Immigrant granted parole for at least one of the following:

- Granted for an indefinite, temporary period at the discretion of the U.S. Attorney General
- Granted for emergency reasons, such as to receive medical treatment or for reasons in the public interest
- Documentation should show a granting of parolee status for at least one year.

Conditional Entrant:

- Granted conditional entry because of fear of persecution in home country due to race, religion, political opinion, or a refugee from a natural catastrophe
- Status was granted prior to 04/01/80.

Battered non-citizens and their children:

- Spouse or child of a U.S. citizen or LPR who has been battered or subjected to extreme cruelty in the U.S. by a family member residing in the same household
- Status of battered must be granted by the INS.
- May request adjustment to LPR on their own behalf
- Must no longer reside in the same household as the person who committed the battery

Family Unity Beneficiary:

- Provides protection from deportation
- Provides eligibility for employment authorization to spouses and children of non-citizens who were legalized under the Immigration Reform and Control Act of 1986

Deferred Enforced Departure:

- This status was granted to Salvadorans by executive order of the President of the U.S.
- Allows eligible persons to remain lawfully in the U.S. with employment authorization

Lawful Temporary Residents (LTR):

- Non-citizens who resided unlawfully in the U.S. since before 01/01/82 were allowed to legalize their status.
- This status was granted to those non-citizens who were unlawfully residing in the U.S.

Temporary Protected Status:

- Granted to people living in the U.S. who are from certain designated countries where unsafe conditions would make it a hardship for them to return
- Authorized to remain in the U.S. for a specified period of time

Applicant for Asylum:

- Eligible for employment authorization while cases are pending with INS

Individuals paroled into the U.S. for less than one year:

- Granted for less than one year by the U.S. Attorney General
- Granted for emergency reasons, such as to receive medical treatment or for reasons in the public interest

Pregnant women who are undocumented or non-immigrants:

- Eligible for MA without FFP only for prenatal and postpartum costs

Non-immigrants:

- Students and their dependents admitted on a student visa
- Tourists
- Diplomats and their dependents
- Other Lawful Temporary Residents (LTRs) who do not meet a category of qualified non-citizen

Undocumented people:

- People who do not have and cannot obtain current INS documentation because they are present in the U.S. without INS authorization. This includes people who enter the country illegally as well as people whose authorization to remain has expired.

Cost of completing this report:

Minnesota Statutes, section 3.197, requires the disclosure of the cost of preparing this report.

Staff time:	\$4,700
Administrative costs	\$1,000 (copying, postage etc.)
Total	\$5,700

Submitted by the Minnesota Department of Human Services

May 1999