

# Notice of Change to the TennCare III Demonstration Amendment 2

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The Commissioner of the Tennessee Department of Finance & Administration is providing official notification of intent to file an amendment to the TennCare III Demonstration. This amendment, which will be known as “Amendment 2,” will be filed with the Centers for Medicare & Medicaid Services (CMS). In Amendment 2, TennCare is requesting to extend its coverage to children adopted from state custody who do not currently qualify for TennCare.

## **Description of Amendment and Affected Populations**

TennCare currently covers children adopted from state custody for whom a Title IV-E adoption assistance agreement is in effect, as well as children with special needs receiving non-IV-E adoption assistance from the state. However, there are a number of children in foster care in Tennessee each year who do not qualify for either form of adoption assistance (federal or state). In this amendment, TennCare proposes to extend its coverage to children adopted from state custody who do not qualify for federal or state adoption assistance.

Extending TennCare coverage to this group of children will remove a potential barrier to adoption, as well as promote greater continuity of care for these children as they transition from foster care to permanent homes. Coverage for these children will generally last until age 18 but may last until age 19 if the child is still a full-time student in a secondary school (high school or equivalent). Coverage may last until age 21 if the child has a mental or physical disability that warrants the continuation of coverage.

This group of children will be added to the list of populations covered by the TennCare demonstration. This group of children will receive services through TennCare’s existing managed care program. Covered benefits for these children will be the same as all other children enrolled in TennCare. This group of children will not be subject to cost sharing.

## **Expected Impact on Enrollment and Expenditures**

Amendment 2 is expected to result in approximately 50 additional children enrolling in TennCare each year. Over time, this additional enrollment is expected to result in an increase in annual aggregate expenditures under the TennCare demonstration of approximately \$1 million.



## **Evaluation Impact**

As part of this amendment, TennCare will evaluate the extent to which rates of adoption for children in state custody increase when TennCare coverage is available to all adopted children.

## **Waiver and Expenditure Authorities Requested**

To implement this amendment, TennCare will request expenditure authority under Section 1115(a)(2) of the Social Security Act to provide coverage as described above for children who are adopted from state custody but who are not otherwise eligible for Medicaid (i.e., not receiving IV-E or non-IV-E adoption assistance).

## **Public Notice Process**

TennCare has taken a variety of steps to ensure that members of the public are notified of Amendment 2. These measures include the development and maintenance of this webpage, as well as notices published in newspapers of general circulation in Tennessee communities with 50,000 or more residents. TennCare has disseminated information about the proposed amendment via its social media accounts (e.g., Facebook, Twitter). TennCare has also notified members of the Tennessee General Assembly of its intent to submit Amendment 2.

## **Public Input Process**

TennCare is seeking feedback on Amendment 2 prior to its submission to CMS. Members of the public are invited to offer comments regarding Amendment 2 from December 7, 2021, through January 10, 2022.

Members of the public who wish to comment on the proposed amendment may do so through either of the following options:

- Comments may be sent by email to [public.notice.tennCare@tn.gov](mailto:public.notice.tennCare@tn.gov).
- Comments may be mailed to

Aaron Butler, Director of Policy  
Division of TennCare  
310 Great Circle Road  
Nashville, TN 37243.



TennCare always appreciates input. In order to be considered for the final draft of Amendment 2, feedback must be received no later than January 10, 2022. Individuals wishing to view comments submitted by members of the public may submit their requests to the same physical address and/or email address at which comments are being accepted.

### **Draft of Amendment 2**

A draft of TennCare's proposed demonstration amendment is located at <https://www.tn.gov/content/dam/tn/tenncare/documents2/DraftVersionOfAmendment2.pdf>. Copies of the draft amendment are also available in each county office of the Tennessee Department of Health. Once comments received during the public input period have been reviewed and considered, a final draft of the amendment will be prepared. The final draft will be submitted to CMS and will then be made available through the webpage located at <https://www.tn.gov/tenncare/policy-guidelines/waiver-and-state-plan-public-notice.html>.

### **TennCare Page on CMS Web Site**

As the federal agency with oversight authority over all Medicaid programs, CMS offers its own online resources regarding the TennCare Demonstration. Interested parties may view these materials at

[https://www.medicare.gov/medicaid/section-1115-demo/demonstration-and-waiver-list/waivers\\_faceted.html](https://www.medicare.gov/medicaid/section-1115-demo/demonstration-and-waiver-list/waivers_faceted.html).

