



Children and Adults Health Programs Group

September 1, 2023

Stephen Smith
Director
Division of TennCare
310 Great Circle Road
Nashville, TN 37243

Dear Director Smith:

This letter is in response to Tennessee’s request, dated July 24, 2023, for a waiver under section 1902(e)(14)(A) of the Social Security Act (the Act), that will protect beneficiaries in addressing the challenges the state faces as part of a transition to routine operations upon the expiration of the Medicaid continuous enrollment condition. Section 1902(e)(14)(A) of the Act allows for waivers “as are necessary to ensure that states establish income and eligibility determination systems that protect beneficiaries.” Such waivers are time-limited and are meant to promote enrollment and retention of eligible individuals by easing the administrative burden states may experience in light of systems limitations and challenges.

Tennessee has requested that the Centers for Medicare & Medicaid Services (CMS) provide authority under section 1902(e)(14)(A) of the Act to temporarily suspend the requirement that states require applicants and beneficiaries to apply for other annuity, pension, retirement and disability benefits to which they are entitled, as a condition of Medicaid eligibility. The state has expressed the need for this authority in order to address systems and operational issues related to the extraordinarily high volume of renewals and other eligibility and enrollment actions that need to be conducted during the unwinding period. Specifically, the state cited concerns that without this waiver the state may face significant delays in renewal processing and unmanageable workloads given limited staff capacity. Adopting this strategy will facilitate an efficient application and renewal process by limiting the need for requests for additional information from individuals.

Under section 1902(e)(14)(A) of the Act, your request for the temporary suspension of the Medicaid eligibility requirement that applicants and beneficiaries apply for certain other benefits to which they are entitled under 42 C.F.R. § 435.608 is approved, as described and subject to the conditions below.

Suspension of the Requirement that Individuals Apply for Certain Other Benefits

The authority provided in accordance with this letter will temporarily permit a waiver of the requirement in 42 C.F.R. § 435.608 (which implements section 1902(a)(17)(B) of the Act) that the state Medicaid agency require applicants and beneficiaries take all necessary steps to obtain other annuity, pension, retirement and disability benefits to which they are entitled. Adopting

this waiver will enable the state, during the period of time specified below, to complete eligibility determinations without seeking verification from Medicaid applicants and beneficiaries related to whether they have applied for such other benefits. This strategy will reduce the workload for eligibility staff who otherwise must follow up with applicants and beneficiaries to confirm they have the requirements to apply for other benefits. It is necessary because it temporarily reduces the workload on the limited state eligibility determination workforce and it protects beneficiaries by reducing burden and promoting access to, and continuity of, Medicaid coverage.

The authority provided in this letter is effective April 1, 2023, and will remain effective until 14 months after the end of the continuous enrollment condition, (*i.e.*, May 31, 2024).

The authority provided in this letter is subject to CMS receiving your written acknowledgement of this approval and acceptance of this new authority and the terms described herein within 30 days of the date of this letter.

We look forward to our continuing work together as part of a transition to routine operations. If you have questions regarding this award, please contact Martin Burian in the Division of Medicaid Eligibility Policy, at martin.burian@cms.hhs.gov.

Sincerely,

A handwritten signature in blue ink, appearing to read "Sarah deLone".

Sarah deLone, Director,
Children and Adults Health Programs Group