

93.778

MEDICAL ASSISTANCE PROGRAM (MEDICAID; TITLE XIX)

State Project/Program: MEDICAL ASSISTANCE

**U. S. DEPARTMENT OF HEALTH AND HUMAN SERVICES
ADMINISTRATION ON AGING**

Federal Authorization: Social Security Act, Title XIX, as amended; Public Laws 89-97, 90- 248, and 91-56, 42 U.S.C. 1396, et - 42 CFR parts 430 through 456, 1002, 1007 seq., as amended; Public Laws 92-223, 92-603, 93-66, 93-233, 96-499, 97-35, 97-248, 98-369, 99-272, 99-509, 100-93, 100-202, 100-203, 100-360, 100-436, 100-485, 100:647, 101-166, 101-234, 101-239, 101-508, 101-517, 102-234, 102-170, 102-394, 103-66, 103-112, 103-333, 104-91, 104-191, 104-193, 104-20.8 and 104-134; Balanced Budget Act of 1997, Public Law 105-33.

**N. C. Department of Health and Human Services
Division of Health Benefits**

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NC DHHS Confirmation Reports:

SFY 2019 audit confirmation reports for payments made to Counties, Local Management Entities (LMEs), Managed Care Organizations (MCO's), Boards of Education, Councils of Government, District Health Departments and DHSR Grant Subrecipients will be available by mid-October at the following web address: <https://www.ncdhhs.gov/about/administrative-offices/office-controller/audit-confirmation-reports>. At this site, click on the link entitled "Audit Confirmation Reports (State Fiscal Year 2018-2019)". Additionally, audit confirmation reports for Nongovernmental entities receiving financial assistance from the DHHS are found at the same website except select "Non-Governmental Audit Confirmation Reports (State Fiscal Years 2017-2019)"

The auditor should not consider the Supplement to be "safe harbor" for identifying audit procedures to apply in a particular engagement, but the auditor should be prepared to justify departures from the suggested procedures. The auditor can consider the Supplement a "safe harbor" for identification of compliance requirements to be tested if the auditor performs reasonable procedures to ensure that the requirements in the Supplement are current. The grantor agency may elect to review audit working papers to determine that audit tests are adequate.

In accordance with 2 CFR, Part 200, Subpart F, when the auditor is using the risk-based approach for determining major programs, the auditor should consider that HHS has identified the Medicaid Assistance Program as a program of higher risk. While not precluding an auditor from determining that Medicaid qualifies as a low-risk program (e.g., because prior audits have shown strong internal controls and compliance with Medicaid requirements), this identification by HHS should be considered as part of the risk assessment process

This compliance supplement should be used in conjunction with the OMB 2019 Compliance Supplement which will be issued in the summer. This includes “Part 3 - Compliance Requirements,” for the types that apply, “Part 6 - Internal Control,” and “Part 4 - Agency Program” requirements if the Agency issued guidance for a specific program. The OMB Compliance Supplement is Section A of the State Compliance Supplement.

OMB Compliance Supplement Part 4 for Medical Assistance Program (93.778) states “the auditor should consider that the Department of Health and Human Services (HHS) has identified the Medical Assistance Program (Medicaid) as a program of higher risk

Medical Assistance Program (93.778) is a split-eligibility program and the benefit payments are not to be reported on the Schedule of Expenditures of Federal and State Awards (refer to IV. Other Information below). The responsibility of the auditor of the State for auditing eligibility does not relieve the auditor of the other entity (e.g., County) from responsibility for meeting those internal control and compliance audit objectives for eligibility that apply to the other entity’s responsibilities. An exception occurs when the auditor of the other entity confirms with the auditor of the State that certain procedures are not necessary (OMB Compliance Supplement, Part 3, E. Eligibility, Split Eligibility Determination

I. PROGRAM OBJECTIVES

Medical Assistance Program

The objective of the Medical Assistance Program (Medicaid or Title XIX of the Social Security Act, as amended, (42 USC 1396, et seq.)) is to provide payments for medical assistance to low-income persons who are age 65 or over, blind, disabled, or members of families with dependent children or qualified pregnant women or children.

II. PROGRAM PROCEDURES

History and Administration

Congress created the Medicaid program in 1965. It was designed to be a medical safety net for two categories of low-income people receiving cash assistance:

- Parents and children and
- Elderly, blind and disabled persons.

In the late 1980's, Congress began expanding the Medicaid program to cover specified population groups that do not receive cash assistance. Some of the population groups included in the ongoing expansion are:

- Pregnant women;
- Children in intact working families; and
- Medicare beneficiaries.

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Medicaid programs are governed by federal guidelines but vary in eligibility criteria and covered services. Each State develops a *State Plan*, (NC's State Plan is located at the following address: (<https://medicaid.ncdhhs.gov/get-involved/nc-health-choice-state-plan>) which lists the requirements of titles XI and XIX of the Social Security Act, and all applicable Federal regulations and other official issuances of the U. S. Department of Health Services. North Carolina's plan was developed by the NC Department of Human Resources (now known as the N. C. Department of Health and Human Services) and was approved by U. S. Centers for Medicare and Medicaid Services (CMS) as the official federal rules for the State of North Carolina. These rules dictate how the State of North Carolina will run the Medicaid program and allow the State to request Federal Financial Participation (FFP) dollars from the Federal Government as long as the Plan is followed. The Federal guidelines from the State Plan are then added to North Carolina's General Statutes through administrative rules adopted under G. S.150B. Today, Amendments to the State Plan are written by the Division of Health Benefits on behalf of the State, and once approved by CMS are added to the General Statutes through G. S. 150B.

In North Carolina, each county determines eligibility for Medicaid benefits through their local DSS offices. North Carolina's program began in 1970 under the North Carolina Department of Social Services. A separate Division of Health Benefits (DHB) was created within the Department of Human Resources in 1978. In over 30 years of operation, Medicaid's programmatic complexity has paralleled the growth in both program expenditures and beneficiaries. Historically, however, DHB has spent a relatively modest percentage of its budget on administration. This level of expenditure reflects Medicaid's use of efficient administrative methods and innovative cost control strategies. The federal government pays the largest share of Medicaid costs. Federal matching rates for services are established by CMS, Centers for Medicare and Medicaid Services. CMS uses the most recent three-year average per capita income for each state and the national per capita income in establishing this rate. As North Carolina's per capita income rises, the federal match for Medicaid declines, requiring the State to increase its proportionate share of Medicaid costs. The established federal matching rates for services are applicable to the federal fiscal year, which extends from October 1 to September 30. The State's fiscal year (SFY) runs from July through June. Because the federal and State fiscal years do not coincide, different federal service matching rates may apply for each part of the overlapped State fiscal year. The federal match rate for administrative costs does not change from year to year.

Medicaid operates as a vendor payment program. Eligible families and individuals are issued a Medicaid identification card annually. Program eligible may receive medical care from any of the over 71,000 providers who are currently enrolled in the program. Providers then bill Medicaid for their services. The Community Care of North Carolina/Carolina ACCESS (CCNC/CA) primary care case management program is available across the State. Participation in CCNC/CA is mandatory for a majority of Medicaid and North Carolina Health Choice (NCHC) beneficiaries in North Carolina. Beneficiaries of Medicaid/Medicare are not mandated but may opt to enroll in CCNC/CA. Medicaid beneficiaries who are in long-term care facilities are not enrolled in CCNC/CA at this time.

- CAROLINA ACCESS: A primary care case management model (PCCM), which is characterized by a primary care provider who provides direct primary care services and care coordination.
- CCNC: A state-wide public-private partnership comprised of 14 regional networks that work in concert with Carolina ACCESS providers, care managers, pharmacists, hospitals, health

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departments, social service agencies, Local Management Entities/ Managed Care Organizations (LME/MCOs), and other organizations. These professionals collaborate to deliver a cooperative, evidenced-based, well-coordinated system of care grounded in patient-centered medical homes. The goal is to improve patient experience and health outcomes while reducing Medicaid cost.

For all these healthcare models, the objectives are:

- Cost-effectiveness;
- Appropriate use of healthcare services; and
- Improved access to primary preventive care.

The U. S. Department of Health and Human Services (HHS) Centers for Medicare and Medicaid Services (CMS) administers the Medicaid program in cooperation with state governments. The Federal Government, the State of North Carolina and the State's local county governments jointly finance the Medicaid program. The Department of Social Services in each of North Carolina's 100 counties has the central role in determining Medicaid eligibility for their residents. The federal participation is received through the State Division of Social Services. The State Division of Social Services also conducts Medicaid beneficiary appeals when the person making the application contests eligibility denials. A disability determination unit of the State's Division of Vocational Rehabilitation Services ascertains whether a disabled individual is eligible for Medicaid. This unit also makes disability determinations for two federal programs under a contract with the Social Security Administration (Title II - Social Security and Title XVI - Supplemental Security Income).

As stated above, the local departments of social services play an important role in determining Medicaid eligibility. Under authority of 42 CFR 431.10 and G. S. 108A, the 100 county departments of social services are responsible for determining financial eligibility for families and non-SSI Beneficiaries to be covered by the North Carolina Medicaid Program. Among these are infants and children under age 21, caretaker relatives of children under age 18, pregnant women, children in foster homes or adoptive homes, persons who meet Social Security criteria as disabled or blind, persons age 65 and above including individuals who have income and/or assets greater than Medicaid standards who qualify only for payment of Medicare cost sharing charges and/or Medicare premiums. Eligible beneficiaries are classified as categorically needy, medically needy or categorically needy, no money payment. The classification helps to define reporting categories for federal reports and the federal participation rate for service payments and Medicare premiums and cost sharing charges.

Effective January 1, 2014, the Affordable Care Act (ACA) of 2010 gives hospitals the option to determine eligibility presumptively for individuals who appear to qualify for certain Medicaid programs. A qualified hospital may elect to make presumptive eligibility determinations based on preliminary information and according to policies and procedures established by the North Carolina Division of Health Benefits (DHB).

As pertains to beneficiaries of Supplemental Security Income (SSI) benefits, the Secretary of the NC Department of Health and Human Services signed an agreement with the Administrator of the Social Security Administration under the authority of Section 1634 of the Social Security Act to accept the application and determination of eligibility for the Supplemental Security Income Program as an application and determination of eligibility for Medicaid. These determinations are transmitted to the

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State through the State Data Exchange (SDX). The SDX is used to create an on-line Medicaid eligibility record in the State's database. Social Security Administration staff performs case maintenance as long as the individual receives SSI and transmits any changed information on the SDX. The on-line record can be updated by the county department of social services to create an eligibility segment only for the 1-3 month period prior to the SSI-Medicaid application if the person has unpaid medical bills in those months. They may change the living arrangement code from private home to the code for an adult care home or nursing home, establish a cash payment to supplement the person's income for payment of costs in an adult care home, or to establish the portion of the person's income that must be applied to cost of care in a nursing facility. When SSA terminates SSI eligibility, the county is required to make an exparte (on the record) determination for eligibility under any other coverage group in the State Plan. This determination is required to be made within 120 days after the termination of the SSI payment.

The groups eligible for Medicaid and the conditions for eligibility are described in the Act and federal regulations as mandatory or optional. The Medicaid State Plan describes mandatory and optional groups covered by North Carolina and the mandatory and optional conditions for eligibility. In addition, G. S. 108A, the Appropriations Act and administrative rules adopted under G. S. 150B authorize coverage for specific groups of families and individuals and establish rules for determining eligibility. The provisions contained in the above authorities along with procedures for applying the laws, regulations and rules are issued to county departments of social services by DHB in the form of policy instructions in Eligibility Manuals and Administrative Letters (located at the following web address: <https://www2.ncdhhs.gov/info/olm/manuals/dma/>).

One manual contains policy and procedure for determining eligibility for persons who are disabled, blind or age 65 and above. A separate manual contains policy and procedure for determining eligibility for families with children under age 21, pregnant women and caretakers of children under 18, women with breast cancer, and the family planning waiver (now state plan). The two Eligibility Manuals and DHB Administrative Letters are the official directives, which must be used by all county departments of social services to make determinations of eligibility for Medicaid benefits. Counties may not change or disapprove administrative decisions or eligibility policies issued by DHB.

Compliance with the state's eligibility policies and instructions is tested through a statistical case sampling by the County Operations Quality Assurance Unit of DHB's Office of Compliance and Program Integrity. DHB's Operational Support Team provides policy training, case consultation and technical assistance to county departments of social services in addition to targeted monitoring for selected program components or modifications. The applications monitoring unit evaluates county application records to assure that benefits are issued in a timely and accurate manner, and individuals are not discouraged from applying for benefits.

At the State level, DHB contracts with General Dynamics Information Technology, Inc. (GDIT) to perform many of Medicaid's administrative functions. Effective July 1, 2013 GDIT pays claims, serves as a focal point for provider questions and problems, trains new providers, operates the prior approval system for most Medicaid services and operates NC Tracks, North Carolina's Medicaid Management Information System (MMIS).

iii. COMPLIANCE REQUIREMENTS

<p>The Type of Compliance Requirements can be found in Section B in the link: 2018 Agency Matrix for Federal Programs. This matrix incorporates the OMB Compliance Supplement</p>
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“Part 2 - Matrix of Compliance Requirement.” A State Agency may have included a Y, even if the compliance requirement normally does not pass to a subrecipient, or an N, indicating that the compliance requirement normally does not apply. However, if specific information comes to the auditor’s attention that provides evidence that a compliance requirement could have a direct and material effect on the major program, the auditor should test it. This should arise infrequently.

Crosscutting Requirements - Please refer to the Division of Social Services Crosscutting section at DSS-0. Note that only the reporting requirements in the cross-cutting section apply to this grant.

A. ACTIVITIES ALLOWED OR UNALLOWED

Administrative funds to local DSS offices can be used for expenditures related to administration and training related to eligibility determination. For Medicaid eligibility determination, the county pays fifty percent of the cost associated and the Federal Government pays the other fifty percent of cost.

B. ALLOWABLE COSTS/COST PRINCIPLES

For costs to be allowable for reimbursement, they must be determined to be allowable in accordance with OMB 2 CFR, Part 200, the North Carolina State Budget Manual (<https://incosbm.s3.amazonaws.com/s3fs-public/documents/files/BudgetManual.pdf>), and DHB’s Medicaid eligibility Manual (<https://www2.ncdhhs.gov/info/olm/manuals/dma/>).

C. CASH MANAGEMENT

Testing for federal cash management requirements is not required at the local level.

E. ELIGIBILITY

The auditor should test Modified Adjusted Gross Income (MAGI) and non-MAGI case for Medicaid eligibility determinations as described below.

The State Medicaid agency or its designee is required to determine client eligibility in accordance with eligibility requirements defined in the approved State plan (42 CFR Section 431.10). In North Carolina, the local Department of Social Service offices is the designee for eligibility determination. Local DSS offices use two manuals as guidelines for eligibility determination for Medicaid, the Aged, Blind and Disabled manual and the Family and Children Medicaid manual. Also, any "time limited" changes in eligibility determination rules are communicated to local DSS offices by Administrative Letters from the Division of Health Benefits. Section II of the State Medicaid Plan describes mandatory and optional groups covered by North Carolina and the mandatory and optional conditions for eligibility.

In addition, G. S. 108A, the Appropriations Act and administrative rules adopted under G. S. 150B authorize coverage for specific groups of families and individuals and establish rules for determining eligibility. This section of the State Plan is a resource for the Medicaid eligibility manuals used by the county DSS offices. The eligibility manuals provide detailed instructions to county social services workers for taking and processing applications, the time standard for making a determination, information required for specific groups of individuals/families to make a determination of eligibility or ineligibility, what information must be provided to applicants for or beneficiaries of program benefits, required written and verbal notifications about the status of the application or continuation of benefits, periodic review of eligibility, and what forms must be used in the application and determination

process. The instructions explain how information can be obtained and verified, whose income and assets must be counted in the determination and what sources of information to use in evaluating ownership interests and the market value of assets. County workers use the statewide North Carolina Families Accessing Services through Technology (NC FAST) to register and track an application and upon a determination of eligibility or ineligibility, the decision is entered into NC FAST where historical information is maintained for inquiry, maintenance and interfaces. County workers also use the statewide NC FAST to register and track an application and upon data entered the NC FAST, the business rules are run for determination of eligibility or ineligibility. The decision in NC FAST is where historical information is maintained for inquiry, maintenance and interfaces. The county worker maintains accuracy of the on-line eligibility record by entering changes to the demographic information, amount of income or benefits, eligibility period, case members and codes that are used to generate messages and notices to the recipient. Please note that some county departments of social services are entering into contracts with private companies who provide "virtual staffing" in which individuals employed by the company who are located off site complete the eligibility determination process. Applications processed by these individuals must meet the same standards as those processed by employees of the DSS. The Operational Support Team provides technical support and training to local DSS offices on eligibility requirements.

The Division has created an Eligibility Review Document, to be used for the audit process. The document can be copied and used for each case reviewed. The document provides guidance in verifying the eligibility review items. The Eligibility Review Document and the supplemental Attachment are available at the NC Department of State Treasurer (DST) under the Medicaid State compliance supplement link. Below is the link, scroll down to 93.778-1.

https://www.nctreasurer.com/slg/lfm/audit_acct/single_audit/compliance_supplements/Pages/2018-Compliance-Supp-Section-B.aspx.

(At www.nctreasurer.com, under Division, select "Local Fiscal Management", select "Single Audit", select "Compliance Supplement and Single Audit Links" and select "2019 Compliance Supplement." Select "Section B.")

Auditors requesting information used to determine questioned cost should use the "CPA Data Request Document." This is also included under the Medicaid State Compliance Supplement.

Suggested Audit Procedures and Audit Objectives: Below are suggested audit procedures and audit objectives prepared by OSA.

- Obtain an understanding of internal control, assess risk, and test internal controls over the major programs as required by *Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Grants, Audits of States, Local Governments, and Non-Profit Organizations* as found in 2 CFR 200.514.
- For the eligibility compliance requirement: Determine whether required eligibility determinations/redeterminations were performed (including obtaining any required documentation/verifications), that individual program participants were determined to be eligible, and that only eligible individuals participated in the program by selecting and performing tests on a sample from the population of all individuals receiving benefits during the entire fiscal year.

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- For the eligibility compliance requirement: Note that if an individual is found to be presumptively eligible for a program based on eligibility for a different program determined at the county, the eligibility intake process and compliance with federal regulations must be determined based on the requirements of the originating program. For example, if a recipient is presumptively eligible for the Medicaid program based on eligibility for the Temporary Aid Needy Families (TANF) program, then the recipient should be audited for the requirements of the TANF program.
- For the eligibility compliance requirement: If an individual is found to be presumptively eligible for a program based on eligibility determinations performed by a federal program such as Medicare or Social Security Insurance, these sample items should not be replaced. The eligibility for those federal programs should be verified and these individuals will be considered eligible for the program.
- For the eligibility compliance requirement: Also, audit the determination related to the date of service for the payment for the individuals selected for audit.

G. MATCHING, LEVEL OF EFFORT, EARMARKING

For Medicaid eligibility determination, the county pays twenty-five percent of the cost associated with eligibility determination and the Federal Government pays the other seventy-five percent. No local auditor testing is required.

H. PERIOD OF AVAILABILITY OF FEDERAL FUNDS

Monies are made available on no less than a monthly basis through the North Carolina Division of Social Services. No local auditor testing is required.

I. PROCUREMENT AND SUSPENSION AND DEBARMENT

This requirement is not passed down to the local level. No local auditor testing is required.

J. PROGRAM INCOME

Subrecipients do not earn program income. No local auditor testing is required.

L. REPORTING

Since Medicaid administrative reimbursement is paid through the State Division of Social Services (DSS), procedures for evaluating fiscal reporting requirements should include review of the DSS county reimbursement form, the DSS-1571, and the DSS Fiscal Manual (which contains instructions for completion of the DSS-1571). Local auditors reviewing local DSS offices must review the "DSS Cross-Cutting Section" for more information on the DSS-1571 reporting form. Information is found in Section D of this State Compliance supplement as DSS-0. Presently the Local DSS offices report the amount of their expenditures for eligibility determination on the form DSS-1571. DSS then reimburses the counties for the federal participation percentage by drawing the funds from the State's Medicaid administration grant and electronically transferring the funds to the counties.

Section 201(b) of the Children's Health Insurance Program Reauthorization Act of 2009

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(CHIPRA) provided for increased Federal Medical Assistance Percentages (FMAP) funding for translation or interpretation services provided under CHIP (Health Choice) and Medicaid. This legislation provided the increased funding for interpretation/translation services in connection with program enrollment, maintenance of eligibility, and accessing of covered services by children of families for whom English is not their primary language. This includes individuals who have Limited English Proficiency (LEP) as well as American Sign Language or Braille.

A Dear County Director of Social Services Letter containing instructions for counties to claim enhanced funding for translation and interpreter services provided under NC Health Choice and Medicaid has been added to the DHB website. Counties may claim enhanced funding on form DSS-1571 effective February 1, 2011. The letter may be found at the following web address:

https://files.nc.gov/ncdma/documents/County/011311_CHIP.pdf Local Divisions of Social Services may either contract with or employ individuals who provide translation or interpretation functions. The increased FMAP is available for these translation/interpretation activities. The State is required to assure that there is adequate source documentation to support payments. For example, if time studies (i.e., day sheets) are the method used to capture and allocate the cost of allowable translation activities, the time study forms must be retained to document the claimed amounts. The time studies must clearly delineate the program (Medicaid or Health Choice) for which the enhanced payment is being claimed.

M. SUBRECIPIENT MONITORING

The local social services department does not award subgrant monies; thus, no testing is required.

N. SPECIAL TESTS AND PROVISIONS

Requirements in the DSS Crosscutting supplement are not applicable at the local level. No further procedures/tests are necessary.

IV. OTHER INFORMATION

The Office of State Auditors has determined that the direct benefit payments (i.e. payments for programs in which the County Department of Social Services (DSS) determines eligibility and the benefits are paid directly by the state to the participant) should only be reflected on the State's Schedule of Expenditures of Federal Awards (SEFA). Therefore, these direct benefit payments will NOT be shown on the County's Schedule of Expenditures of Federal and State Awards (SEFSA). Programs with direct benefit payments that are affected include: Medical Assistance (93.778), Children's Health Insurance Program (93.767), Temporary Assistance to Needy Families, Work First (93.558), Women, Infants, and Children (10.557), Adoption Assistance (93.659), Subsidized Child Care, and State/County Special Assistance for Adults.