

# **Wisconsin Department of Health Services**

## **Section 1115 BadgerCare Reform Demonstration Project Waiver Amendment**

### **Medicaid Health Savings Account (HSA)**

#### **Overview**

The Department of Health Services (DHS) intends to submit an application to the Centers for Medicare and Medicaid Services (CMS) on December 21, 2020 requesting an amendment to certain provisions of its Section 1115 Demonstration Waiver, known as the BadgerCare Reform Demonstration Waiver. DHS is seeking approval to implement policies specific to the childless adult population, as required by section 49.45(60) of the Wisconsin statutes, created under 2017 Wisconsin Act 271. This section of the statutes requires the Department to establish and implement a savings account program within the Medicaid/BadgerCare Plus program that is similar in function and operation to health savings accounts (HSAs). DHS must obtain approval from CMS before this change can take effect.

Specific proposed changes to the childless adult (CLA) population include:

#### **Medicaid Health Savings Account**

The Medicaid Health Savings Account as envisioned in this request would use the premiums that have been paid by BadgerCare Plus childless adults with incomes above 50% FPL, as allowed under the BadgerCare Plus Reform waiver, for health care expenses after the member leaves the program. Wisconsin is seeking CMS approval of the Medicaid Health Savings Account program, to smooth the financial cliff of increased health care-related costs that members face when they leave the Medicaid program due to increased income. When this occurs, funds they have saved in a health savings account will help support their transition to the private marketplace.

#### **Public Comment**

Providing information and obtaining input on changes from the public is of high importance for the State as we prepare to submit the amendment request. By law, you have the opportunity to review the official waiver amendment application and to provide comments for 30 days starting on October 26, 2020, and ending on November 27, 2020. You may also provide comments through written or verbal statements made during public hearings (see below). Public comments will be included in the waiver request submitted to CMS on December 21, 2020, and will be available on DHS's web site at the address listed below.

#### **Public Hearings**

As required by Section 1115 of the Social Security Act, the Department will conduct two public hearings.

Due to the public health emergency related to the COVID-19 pandemic, the state will not be conducting in-person meetings as part of the public notice process for this waiver amendment application. CMS has discretion to exempt the state from completing any aspect of the public notice process, including exemption from conducting any public notice when the state demonstrates to CMS the existence of unforeseen circumstances, such as the COVID-19 public

health emergency that directly threatens human lives that warrant an exception to the normal public notice process. Accordingly, the state will use two webinars in lieu of in-person hearings.

- **November 5, 2020, 9:30 A.M. – 11:30 A.M.**
  - <https://dhs.wi.zoom.us/j/97333792716?pwd=R09lcUJnK3hMUVEvcmhqMVdGVExSdz09>
    - Passcode: 110520
  - Join by phone:
    - US: +1 301 715 8592 or
    - +1 312 626 6799 or
    - +1 646 558 8656 or
    - +1 253 215 8782 or
    - +1 346 248 7799 or
    - +1 669 900 9128
    - Toll Free: 844-708-2568
    - Webinar ID: 973 3379 2716
    - International numbers available: <https://dhs.wi.zoom.us/u/acVqIIPVdS>
  
- **November 12, 2020, 9:30 A.M. – 11:30 A.M.**
  - <https://dhs.wi.zoom.us/j/98225524316?pwd=Mk5zMUt4bWh1MTBBTFpS0d0K0dvZz09>
    - Passcode: 111220
  - Join by phone:
    - US: +1 312 626 6799 or
    - +1 646 558 8656 or
    - +1 301 715 8592 or
    - +1 346 248 7799 or
    - +1 669 900 9128 or
    - +1 253 215 8782
    - Toll-Free: 844-708-2568
    - Webinar ID: 982 2552 4316
    - International numbers available: <https://dhs.wi.zoom.us/u/ado7KHbQdc>

### **Copies of Waiver Documents**

Copies of waiver documents, including the full public notice, which will be posted on October 26, 2020, and the final waiver amendment application once complete, may be obtained from DHS at no charge by downloading the documents at

<https://www.dhs.wisconsin.gov/badgercareplus/waivers-cla.htm> or by contacting Laura Brauer at:

Mail:

Laura Brauer  
Division of Medicaid Services  
P.O. Box 309  
Madison, WI 53707-0309

Phone: 608-266-5368

Fax: 608-266-1096, Attn: Laura Brauer

Email: [DHSDMSSPPublicFeedback@dhs.wisconsin.gov](mailto:DHSDMSSPPublicFeedback@dhs.wisconsin.gov)

**Written Comments**

Written comments on the proposed changes are welcome and will be accepted from October 26, 2020, through November 27, 2020. Written comments may be sent to the Division of Medicaid Services at:

Fax: 608-266-1096

Email: [Wisconsin115CLAWaiver@dhs.wisconsin.gov](mailto:Wisconsin115CLAWaiver@dhs.wisconsin.gov)

Mail: Department of Health Services, Division of Medicaid Services, Attn: Wisconsin 1115 HSA Waiver Amendment, P.O. Box 309, Madison, WI 53707-0309