



The End of Medicaid's Continuous Enrollment Requirements

Overview: states can start Medicaid terminations on April 1, 2023

Congress recently passed legislation called the Consolidated Appropriations Act of 2023, which ends the continuous Medicaid enrollment requirements—starting April 1, 2023—that were part of the COVID-19 pandemic response. All states must now return to normal eligibility and enrollment operations. This means that millions of people receiving Medicaid may be at risk of losing coverage.

The Consolidated Appropriations Act does not address the end of the COVID-19 public health emergency (PHE), which impacts other provisions such as Section 1915(c) Appendix K waivers and Section 1135 emergency waivers.

What did pandemic response legislation require for states to receive additional funding?

The Families First Coronavirus Response Act of March 2020 offered a temporary 6.2 percent Federal Medical Assistance Percentage (FMAP) increase to states if they met several conditions:

- Continuous enrollment (no terminations) during the PHE;
- Maintained eligibility standards no less restrictive than in effect on January 1, 2020;
- No increase in premiums imposed as of January 1, 2020; and
- No cost sharing related to any testing services and treatments for COVID-19.

The legislation tied this enhanced funding to the PHE. The enhanced FMAP would end at the end of the quarter when the COVID-19 PHE ended.

What is changing now?

Most importantly, the continuous enrollment requirement will expire on March 31, 2023, instead of at the end of the PHE. This means that states can start to terminate Medicaid services for people who are no longer eligible on April 1, 2023.

The legislation creates a new phased-down option for enhanced federal funding through December 31, 2023. To get the enhanced FMAP, states must:

- Abide by federal requirements for conducting redeterminations, make attempts to ensure it has up-to date beneficiary contact information, and not disenroll anyone on the basis of returned mail without first attempting to contact the individual using more than one modality; and

- Maintain eligibility and cost-sharing standards that were in place throughout the PHE.

The legislation also introduces new reporting requirements that all states must follow regardless of whether they take the enhanced FMAP. States that fail to comply with these reporting requirements may see a reduction in their FMAP.

What is the timing of the redetermination process?

According to guidance from the Centers for Medicare and Medicaid Services (CMS), states will have 12 months to *initiate* all redeterminations and 14 months to *complete* this process.

States may start the renewal process as early as *February 1* and may start terminating individuals *on April 1*.

What is the key message for people who receive Medicaid?

Medicaid renewals are coming! In order to be ready, make sure to:

- **Update your contact information.** Make sure the state Medicaid agency has your current mailing address, phone number, email, or other contact information. This way, they will be able to contact you about your Medicaid or CHIP coverage.
 - **Check your mail.** The state Medicaid agency will mail you a letter about your Medicaid or CHIP coverage. This letter will also let you know if you need to complete a renewal form to see if you still qualify for Medicaid or CHIP.
- Complete your renewal form** (if you get one). Fill out the form and return it right away to help avoid a gap in your Medicaid.

Additional Resources

- CMS resource page on Medicaid un-winding:
<https://www.medicaid.gov/resources-for-states/coronavirus-disease-2019-covid-19/unwinding-and-returning-regular-operations-after-covid-19/index.html>
- CMS initial guidance on the end of Medicaid Continuous Enrollment Condition Provisions in the Consolidated Appropriations Act:
<https://www.medicaid.gov/federal-policy-guidance/downloads/cib010523.pdf>
- National Health Law Program comprehensive list of resources:
<https://healthlaw.org/resource/public-health-emergency-phe-unwinding-resources/>
- Georgetown University's Center for Children and Families 50-State Unwinding Tracker (Includes update, resources, and communications):
<https://docs.google.com/spreadsheets/d/1tOxmngYs7jDPTGltP-diD1SGvHvZVJOM3G2YuUq0btg/edit#gid=0>