

03/10/2023

Reinstatement of CHIP Co-pays for Medical Office Visits

Background:

In response to the COVID-19 public health emergency (PHE), the Health and Human Services Commission (HHSC) waived co-pays for Children's Health Insurance Program (CHIP) medical office visits beginning March 13, 2020. HHSC will reinstate co-pays for CHIP medical office visits on May 12, 2023, because the federal PHE ends on May 11, 2023. The reinstatement of medical office visit co-pays does not apply to:

- COVID-19-related office visits for COVID-19 vaccines (and the administration of such vaccine), testing, and treatment, including preventative therapies and treatment of post-COVID conditions (long-haul COVID-19), and treatment of health conditions that may seriously complicate the treatment of COVID-19 during the period when a beneficiary is diagnosed with or is presumed to have COVID-19 as required by the American Rescue Plan Act of 2021.
 - o MCOS must continue to not require co-pays for COVID-19-related office visits and follow all processes as described in MCO Notice *Prohibition of Cost Sharing for COVID-19 Vaccine, Treatment, and Testing Services* issued on September 22, 2022, and subsequent related MCO notices.
- Mental health and substance use disorder outpatient office visits. Co-pays have been permanently removed for mental health and substance use disorder outpatient office visits to comply with federal regulations.

This notice provides guidance to CHIP MCOs on required actions as a result of the reinstatement of co-pays for CHIP medical office visits.

Key Details:

HHSC will reinstate co-pays for certain CHIP medical office visits on May 12, 2023, because the federal PHE ends on May 11, 2023. MCOs will need to take steps outlined below to notify members and providers and end this flexibility.

Action:

MCOs are required to take the following actions to reinstate co-pays for medical office visits (except for COVID-19 related, mental health, and substance use disorder office visits):

- Pursuant to Section 8.1.5.3 of the Uniform Managed Care Contract, MCOs must notify members 30 days in advance which is April 11, 2023. HHSC recommends where possible to provide 45-day advance notice to ensure timely mail delivery. MCOs must notify all CHIP members and issue guidance to providers about reinstating co-pays by April 11, 2023. HHSC is including pre-approved language for both member and provider communications, see "Provider-Member- CHIP Co-Pays Notice Language".

Note: HHSC does not require MCOs to use a specific method of notification to meet the member communication requirement above. However, HHSC expects written documentation to be provided to all members by April 11, 2023 (e.g., a letter, email [if there is member consent to do so]). MCOs may send one notice per household. For example, if a member has three members living in the same

household, one notice can be sent to the household instead of three separate notices.

MCOs may create their own materials or language for members. Any new language created must be routed to the HHSC Marketing Team for review. HHSC approval is not needed to use or distribute any pre-approved language included in this notice.

- Implement any necessary system changes to ensure reimbursement to providers is reduced by the amount of reinstated co-pays. CHIP MCOs must take all steps to ensure providers receive the applicable rate of reimbursement for these services (i.e., reduce reimbursement by the amount of co-pay(s) that will be collected from a member).
- MCOs are required to inform HHSC when member and provider notifications are complete, and system changes have been made, by emailing the attached attestation form to Managed_Care_Initiatives@hhs.texas.gov and copying their MCCO Health Plan Team.

Additional Information:

Through May 11, 2023, HHSC and CHIP MCOs will continue using the payment process described in MCO Notice “Prohibition of Cost Sharing for COVID-19 Vaccine, Treatment, and Testing Services” issued on September 22, 2022. Starting on May 12, 2023, HHSC and CHIP MCOs will discontinue the non-risk payment process described above to reimburse CHIP MCOs for the additional payment to providers for co-pay(s) not collected from a member for CHIP medical office visits.

Please note that the COVID-19 CHIP co-pay related criteria for medical only testing, vaccines administration, medical treatment and pharmacy co-pays related to COVID-19 testing, vaccines and treatment will continue to process through the non-risk payment process through September 30, 2024. For more information, see notices titled *Prohibition of Cost Sharing for COVID-19 Vaccine, Treatment, and Testing Services* and *Clarification Regarding Outpatient Pharmacy CHIP Copayments for COVID-19 Vaccines, Treatment, and Testing*, issued in September 2022.

MCOs and providers must follow applicable claims and encounters data submission policy.

Resources:

Provider-Member- CHIP Co-Pays Notice Language (Attached)

Attestation Form (Attached)

MCO Notices posted to TexConnect:

September 22, 2022 - *Clarification Regarding Outpatient Pharmacy CHIP Copayments for COVID-19 Vaccines, Treatment, and Testing*

September 22, 2022- *Prohibition of Cost Sharing for COVID-19 Vaccine, Treatment, and Testing Services*

June 8, 2020 - *Updated Guidance: CHIP Office Visit Co-Payments, Updated Reimbursement Process*

May 18, 2020 - *CHIP Office Visit Co-Payments, Updated Reimbursement Process*

March 23, 2020 - *Waiver of CHIP Copayments*

Contact:

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Attachment:

MCO Notice Attachment Attestation Form_CHIP MCOs Reinstatement of CHIP Co-pays for Medical Office Visits.docx MCO Notice Attachment_Provider and Member Language_CHIP MCOs Reinstatement of CHIP Co-pays for Medical Office Visits.docx

Type: Action Required

To: CHIP

From: Policy