

Medicaid and CHIP Eligibility Changes now Included as Qualifying Event

In January 2009, the President signed Public Law 111-3, the Children's Health Insurance Program Reauthorization Act (CHIPRA). **This law establishes new qualifying events for group health plan enrollment.**

Effective April 1, 2009, CHIPRA § 311 requires that all group health insurance plans offer employees and their dependents special enrollment rights in group health plan coverage **without having to wait for an open enrollment period** if either of the following qualifying events are met:

- 1) The employee or dependent loses eligibility under CHIP or Medicaid but otherwise meets the eligibility requirements of a group health plan; or
- 2) The employee or dependent becomes eligible for premium assistance from the state under its CHIP or Medicaid program, and is also eligible for a group health plan.

Enrollment in the group health plan must be requested within 60 days after the loss of eligibility under CHIP or Medicaid or after the date the employee or dependent is determined to be eligible for premium assistance through CHIP or Medicaid. Individuals who participate in Virginia's medical assistance programs are provided written notice at both approval and termination. Individuals interested in taking advantage of this new provision should be able to provide documentation of their CHIP or Medicaid eligibility status.

In addition, since the state determines whether premium assistance is cost-effective on a case-by-case basis, this provision also requires the group health plan administrator to provide, upon request, specific information about the benefits available under the group health plan.

In Virginia, the medical assistance programs for children are referred to as FAMIS (CHIP) and FAMIS Plus (Medicaid). The medical assistance program for pregnant women is referred to as FAMIS MOMS. The Medicaid premium assistance program is called "Health Insurance Premium Payment" or "HIPP;" and the CHIP premium assistance program is called "FAMIS Select." All of these programs are included in this provision.

For more information on these programs, please visit www.dmas.virginia.gov or www.famis.org. Further information on public-sponsored children's medical insurance programs can be found at www.insurekidsnow.gov.

Included is a Virginia specific version of the *CHIPRA Premium Assistance Model Notice* developed by the U.S. Department of Labor. Please share this information and notice immediately with your appropriate group insurance plan contracts.