



FLORIDA HEALTH JUSTICE PROJECT

Medicaid Unwind: Issues, Referrals and Resources

Last Update: August 14, 2023

ISSUES:

1. Failure to follow prioritization schedule:

- Medically complex kids
- [Request for corrective action](#)
- Press:
 - Orlando Sentinel: [Article 1](#) and [Article 2](#)
 - [ABC News article](#)

2. Problems with renewal info request letters:

- [FHJP Comment Letter](#)
 - Contributing to high number of procedural terminations and interruptions in coverage

3. Notice issues:

- Failure to provide reason for ineligibility, e.g.
 - YOUR MEDICAID FOR THIS PERIOD IS ENDING
 - YOU ARE RECEIVING THE SAME TYPE OF ASSISTANCE FROM ANOTHER PROGRAM
- Failure to provide adequate explanation for finding ineligibility: e.g.
 - YOUR HOUSEHOLD'S INCOME IS TOO HIGH TO QUALIFY FOR THIS PROGRAM
- Failure to inform recipients of how to appeal
 - Notice says you "must contact call center; come in person; or write"
None are practical for pre-termination
Practical options are email (best option) or online link—those are not included (see Q & A below)

4. Process issues:

- Failure to ensure aid pending when enrollees appeal pre-termination
- Failure to provide pre termination notice
- Failure to provide renewal notice

- Failure to do ex parte review
- Not giving people until end of month to complete renewal
- Failure to ensure continuous coverage for groups entitled to full year of coverage even if become overincome, e.g. pregnant, postpartum; children 0-5
- Failure to ensure appropriate referrals to FHK

REFERRALS:

Cases that should be appealed and/or referred to FHJP or [Legal Aid](#):

1. If someone in household improperly terminated:
 - E.g., kids are clearly income eligible but entire family terminated due to income
 - [Video](#) provides info on who is eligible and issues with notices that could be appealed.
 - Post partum coverage for less than 12 months
2. Reason for notice not connected to eligibility ([FHJP referral](#))
 - See Notice issues, # 3 above
3. [If disabled and let DCF know](#) and DCF did not do ex parte

(NOTE: FHJP will provide technical assistance and advice on appeals; appeals can be done pro se; or with assistance from navigator, legal aid or other advocate)

RESOURCES:

- [Referral form](#)
- [Data](#)
- [Stories](#)
- [Q and A on filing appeals](#)
 - Import of pre termination appeal