



STATE OF WEST VIRGINIA
DEPARTMENT OF HEALTH AND HUMAN RESOURCES
OFFICE OF INSPECTOR GENERAL

Bill J. Crouch
Cabinet Secretary

BOARD OF REVIEW
Raleigh District DHHR
407 Neville Street
Beckley, WV 25801

M. Katherine Lawson
Inspector General

February 20, 2018

[REDACTED]

RE: [REDACTED] v. WV DHHR
ACTION NO.: 18-BOR-1034

Dear Ms. [REDACTED]

Enclosed is a copy of the decision resulting from the hearing held in the above-referenced matter.

In arriving at a decision, the State Hearing Officer is governed by the Public Welfare Laws of West Virginia and the rules and regulations established by the Department of Health and Human Resources. These same laws and regulations are used in all cases to assure that all persons are treated alike.

You will find attached an explanation of possible actions you may take if you disagree with the decision reached in this matter.

Sincerely,

Kristi Logan
State Hearing Officer
Member, State Board of Review

Encl: Appellant's Recourse to Hearing Decision
Form IG-BR-29

cc: Leslie Bonds, [REDACTED] County DHHR
[REDACTED]

WEST VIRGINIA DEPARTMENT OF HEALTH AND HUMAN RESOURCES
BOARD OF REVIEW

[REDACTED],

Appellant,

v.

Action Number: 18-BOR-1034

WEST VIRGINIA DEPARTMENT OF
HEALTH AND HUMAN RESOURCES,

Respondent.

DECISION OF STATE HEARING OFFICER

INTRODUCTION

This is the decision of the State Hearing Officer resulting from a fair hearing for [REDACTED]. This hearing was held in accordance with the provisions found in Chapter 700 of the West Virginia Department of Health and Human Resources' Common Chapters Manual. This fair hearing was convened on February 8, 2018, on an appeal filed January 5, 2018.

The matter before the Hearing Officer arises from the November 17, 2017, decision by the Respondent to terminate Children's Medicaid benefits for the Appellant's son.

At the hearing, the Respondent appeared by Leslie Bonds, Economic Service Supervisor. The Appellant appeared *pro se*. Appearing as a witness for the Appellant was [REDACTED], her father. All witnesses were sworn and the following documents were admitted into evidence.

Department's Exhibits:

- D-1 Hearing Request Notification Form
- D-2 Hearing Request received January 5, 2018
- D-3 PARIS Interstate Match Screen Print
- D-4 Notice of Interstate Match dated November 1, 2017
- D-5 West Virginia Income Maintenance Manual §6.3.3
- D-6 Department's Summary

Appellant's Exhibits:

- A-1 Correspondence from [REDACTED] County, [REDACTED] Department of Social Services

After a review of the record, including testimony, exhibits, and stipulations admitted into evidence at the hearing, and after assessing the credibility of all witnesses and weighing the evidence in consideration of the same, the Hearing Officer sets forth the following Findings of Fact.

FINDINGS OF FACT

- 1) The Appellant's son, [REDACTED], was a recipient of Children's Medicaid benefits.
- 2) The Respondent received a Public Assistance Reporting Information System (PARIS) match indicating that [REDACTED] was receiving benefits in [REDACTED] (Exhibit D-3).
- 3) The Appellant was notified by letter on November 1, 2017, that the Respondent received information that [REDACTED] was receiving benefits in another state, and that he would be removed from benefits in West Virginia unless the Office of Inspector General was notified by November 15, 2017, of any discrepancies (Exhibit D-4).
- 4) Children's Medicaid benefits for [REDACTED] were terminated effective November 30, 2017.
- 5) During a pre-hearing conference in January 2018, the Appellant notified the Respondent that she was residing in [REDACTED], but [REDACTED] remained in West Virginia with her father.
- 6) The Appellant's father reapplied for Children's Medicaid benefits for [REDACTED] on January 18, 2018, but the application was denied as the PARIS match has not been resolved.

APPLICABLE POLICY

West Virginia Income Maintenance Manual §6.3.3 states the PARIS data match occurs quarterly. There are three types of PARIS matches on income and medical benefits: Federal, Interstate and Veterans Affairs. Verification is received through data exchange and is compared to the information in the case record. The client's Social Security Number (SSN) is used to retrieve the information. A return on an Interstate match indicates an individual is enrolled for benefits in two or more states. Automatic disenrollment for the West Virginia program occurs for the matched individuals. If the individual is the primary person in the entire case, it will close.

West Virginia Income Maintenance Manual §10.7 states Children under age 19 should not be closed unless one of the changes specified below affect the 12-month Continuous Medicaid Eligibility (CME) period for Children Under Age 19 coverage. A child may be determined ineligible prior to the expiration of the 12-month CME period only if the child's payee requests closure or the child:

- Moves out of state
- Dies
- Was approved for Medicaid in error
- Was approved for Medicaid because of client misrepresentation

- Reaches age 19
- Does not have verification of citizenship and/or identity after match with the Federal Data Hub
- Is approved for Supplemental Security Income (SSI) and is eligible for SSI Medicaid
- Is incarcerated or institutionalized

When a child leaves one home and moves to another in West Virginia and none of the criteria above for closure is met, the child retains his eligibility through the end of his current CME period. If the current payee for the child agrees, another individual may receive Medicaid for the child, so long as the child remains eligible through the end of the current CME period. Any eligibility changes are made at redetermination. A new application is not required.

DISCUSSION

Policy states that when an interstate PARIS match indicates that a recipient is receiving benefits in more than one state, benefits are automatically closed for the recipient.

The Respondent received a PARIS match for the Appellant's son. The data exchange information received for the Appellant's son listed a Medicaid eligibility start and end date of December 31, 9999.

The Appellant testified that her son has never received Medicaid in [REDACTED], but stated he was added to her Supplemental Nutrition Assistance Program (SNAP) benefits when he came to visit with her over the summer. The Appellant provided a letter from [REDACTED] verifying that her son no longer received SNAP in that state. However, the Appellant contended that the SNAP letter was the only documentation provided by [REDACTED] social services regarding her receipt of assistance.

Policy mandates that recipients of Children's Medicaid benefits (Children under 19 Coverage groups) receive 12-months of continuous coverage once approved unless specific conditions are met. A PARIS match is not one of the conditions in which Children's Medicaid benefits may be closed prior to the expiration of the certification period.

There is no dispute that the Appellant's son is a resident of West Virginia. The information received from the PARIS match regarding [REDACTED] Medicaid eligibility in [REDACTED] listed an invalid beginning and end date of eligibility. The Respondent failed to provide definitive proof of [REDACTED] receipt of Medicaid in [REDACTED]. [REDACTED] is entitled to receive 12-month of continuous Medicaid coverage once certified, therefore the closure of his benefits was incorrect.

CONCLUSIONS OF LAW

- 1) Pursuant to policy, Children's Medicaid benefits cannot be closed unless specific criteria has been met.
- 2) [REDACTED] has remained a resident of West Virginia throughout his certification period.

- 3) An interstate PARIS match is not one of the criteria in which Children's Medicaid benefits may be closed prior to the expiration of the certification period.
- 4) Medicaid benefits for the Appellant's son were closed in error.

DECISION

It is the decision of the State Hearing Officer to **reverse** the decision of the Respondent to terminate Children's Medicaid benefits for the Appellant's son.

ENTERED this 20th day of February

**Kristi Logan
State Hearing Officer**