

MassHealth Requirements [cont.]

5. Passive Enrollment - *This section supplements and clarifies the requirements of §30.1.4 of the MMP Enrollment and Disenrollment Guidance.*

A. Individuals Subject to Passive Enrollment

In addition to the listed eligibility criteria for passive enrollment, an individual must meet all State eligibility criteria for the Demonstration, as described in this Appendix, Section 1.

Also, the State will not passively enroll individuals who are currently enrolled in a Medicare Advantage, Medigap or PACE plan, or currently enrolled in the IAH demonstration. The State and CMS will consider whether to approve 1-plan and partial county passive enrollment on a case-by-case basis.

B. Excluding Individuals with Employer or Union Coverage from Passive Enrollment

Individuals with other comprehensive employer or union coverage who otherwise meet the eligibility criteria for the Demonstration may enroll in an MMP if they disenroll from their existing programs.

C. Other Signatures In addition, if someone other than the eligible individual e.g. authorized representative helps the individual fill out the enrollment form, this party must clearly indicate his/her name on the enrollment form. This includes pre-filling out any information on the enrollment form and identifying the plan selection.

10. MassHealth Requirements for Optional Involuntary Disenrollments for Disruptive Behavior - *This section supplements and clarifies the requirements of §40.3.1 of the MMP Enrollment and Disenrollment Guidance.*

At the Contract Management Team's (CMT's) request, the MMP must promptly provide any information related to a specific case to the CMT, including documentation as described in this section.

Notice Requirements

The following sections provide additional guidance and requirements that pertain to the Notice Requirements described in §40.3.1.

The notices described in this section may not be provided to a member for any of the reasons disallowed for disenrollment requests as described in §40.3.1.

Plans must submit a template of the Advance Notice and the Notice of Intent through the Health Plan Management System (HPMS) for approval.

The MMP must allow sufficient time for the member to receive the Advance Notice, and to respond and otherwise address the disruptive behavior outlined in the Advanced Notice prior to sending the Notice of Intent.

Unless this requirement is otherwise waived by the CMT, prior to sending any of the notices to a member pursuant to this section, the MMP must first provide to the CMT an electronic copy of the

notice the MMP intends to send, and receive a clear, written acknowledgement of receipt from the both the State and CMS. The MMP must not send the notice to the member until at least 24 hours after the MMP receives clear, written acknowledgement of receipt of the electronic copy from both the State and CMS. If the MMP makes any changes to the notice after sending the advance electronic copy, the MMP must promptly provide to the CMT a copy of the revised notice. Unless this requirement is waived by the CMT, if any of the changes are significant, the MMP must resubmit the notice to the CMT and receive a clear, written acknowledgement of receipt from both the State and CMS before sending the notice to the member. Any changes must also be allowable under the notice templates approved through HPMS.

Upon sending a Notice of Intent to a member, the MMP must within 24 hours submit to the State in a secure electronic format its request for involuntary disenrollment, including all supporting documentation, unless this requirement is otherwise waived by the State.

If, after an MMP sends a notice to a member pursuant to this section, the MMP determines it will no longer be pursuing a potential request for involuntary disenrollment, the MMP must promptly notify the member in writing that the issue has been addressed and that his or her enrollment will continue. If the disruptive behavior later resumes or new disruptive behaviors arise for which the MMP would like to request an involuntary disenrollment, the MMP must then begin the entire process again, including sending another Advanced Notice.

Content of Advance Notice and Notice of Intent

In addition to the content requirements outlined in this section, both of these notices must:

- make clear that the member's current MMP coverage is still in effect and that there will be no disruptions to the member's current services as a result of this process, unless the State and CMS grant the MMP's request for disenrollment and a Planned Action Notice is sent to the member from MassHealth specifying a date of disenrollment;
- **not** include a projected effective date of disenrollment;
- describe the behavior the MMP has identified as disruptive and how it has impacted the MMP's ability to arrange for or provide services to the member or to other members of the plan (already required in the Advance Notice pursuant to §40.3.1);
- advise the member of his/her right to use the MMP's and/or the State's grievance procedures and to submit any information or explanation; and
- provide information about who the member may contact for more information or to ask questions about the notice.

Other

The State and CMS reserve the right to take compliance action for failure to follow the requirements related to involuntary disenrollment for disruptive behavior.