



CABINET FOR HEALTH
AND FAMILY SERVICES

Department for Medicaid Services

Reentry Section 1115 Demonstration

Public Forum(s)

November 27, 2023 @ 10:30AM – 12:00PM EST

December 1, 2023 @ 2:00PM– 3:30PM EST

Objectives

- To be informed of Kentucky's Section 1115 amendment request to authorize the provision of certain reentry transitional services for identified individuals who are soon-to-be former inmates of a public institution, as well as limited services for eligible individuals participating in the Kentucky Behavioral Health Conditional Dismissal Program.
- Be aware of the public comment process prior to submission of the official application in accordance with 42 CFR 431.08.

What is a Section 1115 Demonstration?

- An 1115 waiver is often described as a pilot or demonstration project that is likely assist in promoting the objectives of the Medicaid program. The purpose of the demonstration is to give states additional flexibility to design and improve their programs.
- An 1115 demonstration project presents an opportunity for states to institute reforms that go beyond just routine medical care and focus on evidence-based interventions that drive better health outcomes and quality of life improvements.
- A demonstration must also be "budget neutral" to the Federal government, which means that, during the project, Federal Medicaid expenditures will not be more than Federal spending without the demonstration. The cost of services must be less than or equal to the cost of services provided today.

Kentucky's Section 1115

- **Kentucky's Section 1115 Demonstration** entitled “**TEAMKY (formally known as Kentucky Helping to Engage and Achieve Long Term Health (KY HEALTH))**” was approved January 2018.
- **Kentucky received a temporary extension through September 30, 2024. The Demonstration includes the following components:**
 - Substance Use Disorder (SUD) Section 1115, and
 - Eligibility for out of state former foster care youth.
- **Pending requests include:**
 - Serious Mental Illness (SMI) Section 1115, and
 - Recuperative Care Pilot.

Kentucky's Medicaid-Eligible Justice Involved Individuals (JII) Population

- **Kentucky Incarcerated Adults**

- Total correctional population in 2022 was 95,479 including 32,351 incarcerated and 63,128 on probation or parole. About half of those incarcerated are in State Prisons.
- Incarceration rate is 930 per 100,000 – among the *“highest in the world”*.

- **Kentucky Confined Youth**

- Total youth incarcerated in juvenile justice system was 3,490 in 2022.
- Incarceration rate is 13.7 per 1,000 youth ages 10-17.

Opportunity to Improve Healthcare for Justice Involved Individuals (JII)



- **Serving the Justice-Involved Population in Medicaid – Authority for Coverage**
 - 5032 of the SUPPORT Act
 - Under section 5121 of the Consolidated Appropriations Act for Medicaid and CHIP
 - April 17, 2023 CMS State Medicaid Directors Letter, 23-003: ***Opportunities to Test Transition-Related Strategies to Support Community and Improve Care Transitions for Individuals Who Are Incarcerated***
 - Receive Federal Financial Participation (FFP) for expenditures for certain pre-release health care services provided to individuals who are incarcerated and otherwise eligible for Medicaid prior to their release.
- **1115 Demonstration Opportunity**
 - Kentucky legislation has driven multiple requests to be combined into this initiative.
 - Provide short-term Medicaid enrollment assistance and pre-release coverage for certain services to facilitate successful care transitions.
 - Primary focus of reentry services is on continuity of medical and behavioral health care.

Opportunity to Improve Healthcare for Justice Involved Individuals (JII)



- **Goals of the 1115 Reentry Waiver are to:**

- **Goal 1:** Improve access to services by increasing coverage, continuity of coverage, and appropriate service uptake for eligible incarcerated individuals.
- **Goal 2:** Improve coordination and communication between carceral settings and community services.
- **Goal 3:** Reduce the number of avoidable emergency department visits and inpatient hospitalizations and reduce all cause deaths.
- **Goal 4:** Increase additional investments in health care and related services.

Key Program Components for Justice-Involved Through 1115 Waiver



Section 1115 Expenditure Authority

- Pre-release services to individuals in State Prisons, County Jails, and/or in Youth Correctional Facilities for up to 90 days prior to release.
- Promote coverage and quality of health care to improve transitions for individuals being released from carceral settings (*Medicaid or CHIP eligible*).



Targeted “Pre-Release” Benefit Package

- Case management services for physical and/or behavioral health.
- Medication-Assisted Treatment (MAT).
- 30-day Supply prescription drugs.



Provider Readiness Requirements

- Participating providers must have experience and appropriate training prior to furnishing 1115 pre-release services.
- Readiness Assessment for All Services
 - Pre-release Medicaid and CHIP application & enrollment processes.
 - Screen beneficiary qualifications.
 - Coordinate with partnered entities to furnish Health-Related Social Needs (HRSN).
 - Pre-release care management & assistance with care transitions to the community.
 - Data exchange to support reentry activities.
 - Data reporting to inform 1115 oversight.
 - Project management support to Correctional partners providing pre-release services.

Key Program Components for Justice-Involved Through 1115 Waiver



Implementation Planning

- Implementation Plan must outline achievement towards 5 program milestones:
 1. Increasing Medicaid and CHIP coverage for the reentering population.
 2. Covering and ensuring access to pre-release services to improve care transitions upon return to the community.
 3. Promoting continuity of care.
 4. Connecting to services available post-release to meet the needs of the reentering population.
 5. Ensuring cross-system collaboration.



Reinvestment to Sustain Transformation

- Approach states will reinvest ***all*** new federal dollars to continue to support services.
Some permissible uses for reinvestment:
 - State share of funding.
 - Improving access and capacity to behavioral and physical community-based health care services.
 - Improving access to and/or quality of carceral health care services.
 - Improving Health IT & data sharing.
 - Increasing community-based provider capacity specific to JII.
 - Expanding or enhancing community-based services and supports to meet needs of JII.
 - Any other investments that aim to support reentry.

Kentucky's 1115 Reentry Waiver Program Design

Approach to Expedite CMS Review & Approval

Kentucky's Approach to Expedite CMS 1115 Reentry Waiver Approval



- Align with guidance of SMD Letter #23-003.
- Permitted to narrow target by population type, but not specific number of Medicaid members.
- Select services aligned to likelihood of provider readiness.
- Cannot fund services beyond 90 days; longer-term service programs not eligible for funding.
- Must have evaluation and justification regarding request for more than 30 days of service coverage.

Kentucky's 1115 Reentry Waiver Program Design

Stakeholder Engagement Activities

Stakeholder Engagement Activities

Core Focus & Participants

Core Focus Area	Stakeholder Participant Groups
Gather information on current health service supports for incarcerated individuals transitioning back to the community.	Department for Medicaid Services (DMS) Department of Corrections (DOC) Department of Juvenile Justice (DJJ) Department of Public Health (DPH) Department for Behavioral Health, Developmental and Intellectual Disabilities (BHDID) Office of Drug Control Policy (ODCP) Administrative Office of the Courts (AOC)
Gather information on behavioral health care and pharmacological services for the incarcerated population.	Pharmacy Technical Advisory Committee (TAC) Behavioral Health Technical Advisory Committee (TAC) Persons Returning to Society from Incarceration (Reentry TAC)
Gather information about the role of Manage Care Organizations (MCO) relative to Case Management.	Aetna Anthem Humana Molina United Healthcare WellCare

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Small Group Interviews

2

Focus Groups

2

Public Comment Town Hall Events

Kentucky's 1115 Reentry Waiver Program Design

Adults & Juveniles

1115 Reentry Waiver Program Design: Adults and Juveniles

Reentry Program	Adults	Juveniles
Enrollment & Suspension	<ul style="list-style-type: none"> At intake: Medicaid eligibility screening. Once enrolled, suspend, not terminate eligibility. 	<ul style="list-style-type: none"> At intake: Medicaid eligibility screening. Once enrolled, suspend, not terminate eligibility.
Benefit Service Package & Timeframe	<ul style="list-style-type: none"> Case Management (60-days pre-release and 12-months post-release). Medication Assisted Treatment (MAT)* (60-days pre-release and as medically necessary post-release). 30-day supply of medication (upon release). Recovery Residence Support Services (RRSS)*, up to 90-days post-release. 	<ul style="list-style-type: none"> Case Management (60-days pre-release and 12-months post-release). Medication Assisted Treatment (MAT)* (60-days pre-release and as medically necessary post-release). 30-day supply of medication (upon release).
Eligibility Qualifying Health Criteria	None: All Medicaid-enrolled adults in Kentucky state prisons are eligible for reentry services and will not have to satisfy a health criteria need.	None: All youths placed in Kentucky Youth Development Centers (YDCs) will be considered eligible for reentry services and will not have to satisfy a health criteria need.
Pre-Release Service Facilities/Locations	State Prisons Kentucky Behavioral Health Conditional Dismissal Program**	DJJ Youth Development Centers (Youth adjudicated and committed to DJJ custody)
Populations	<ul style="list-style-type: none"> All Adults. All Aged, Blind, Disabled. All Pregnant or Postpartum. All participating in the Kentucky Behavioral Health Conditional Dismissal Program (RRSS only) 	<ul style="list-style-type: none"> All Youth under age 19.
Service Delivery Methods	In-person and Telehealth	In-person and Telehealth

*Requires SUD diagnosis
 **Limited to RRSS Services Only

Kentucky's 1115 Reentry Waiver Program Design

Timeline

Collaboration for Effective Implementation Planning & Program Deployment

Kentucky ACRES

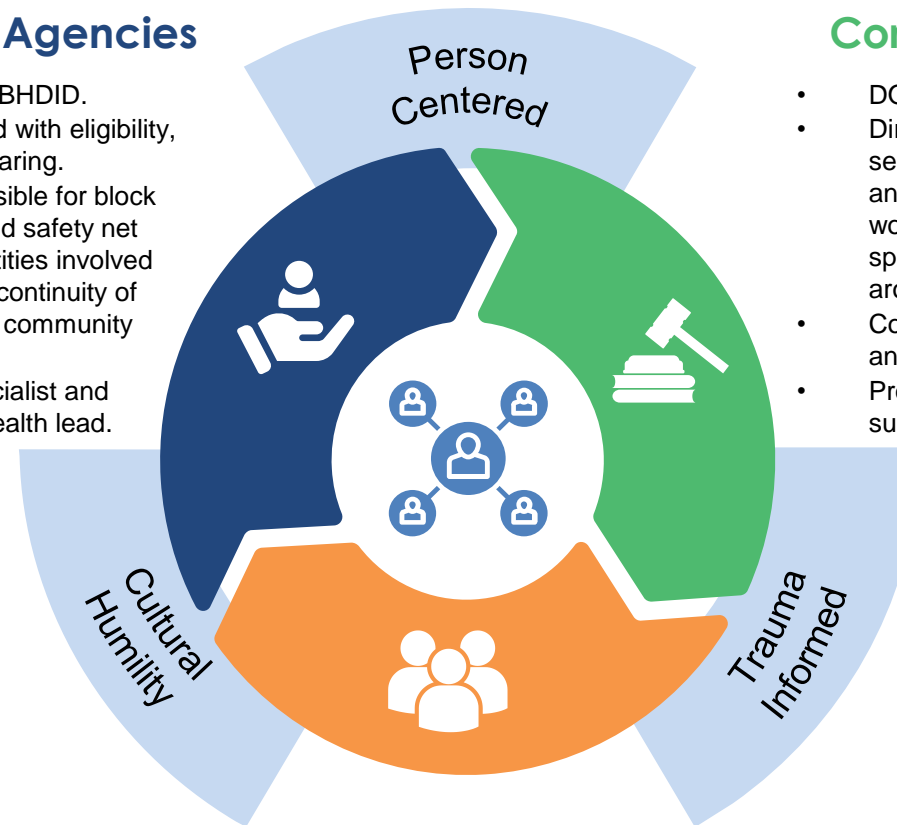
Advisory & Community Collaboration for Reentry Services

| Advisory Workgroup & Subcommittees | Stakeholder Engagement | Town Halls & Workshops

- Eligibility and enrollment.
- Service package & benefit design.
- Provider enrollment.
- Provider & Rx billing/claiming.
- Rate-setting.
- MCOs, & FFS.
- System design & integration.
- Data exchange (KHIE).
- Demonstration requirements, policy development.
- Provider and staff training.
- Service delivery and coordination.
- MOUs: pre-release operations & funding.
- Data collection & reporting.

Medicaid & Inter-Agencies

- CHFS, DMS, DCBS, DBHDID.
- MCOs, entities involved with eligibility, enrollment and data sharing.
- Local agencies responsible for block grants for uninsured and safety net providers, including entities involved in eligibility, coverage, continuity of care and connection to community providers.
- Infectious disease specialist and department of public health lead.
- Reentry TAC.



Correctional Partners

- DOC, DJJ Leadership.
- Direct Care Staff (correctional health service providers, clinical coordinator and clinicians, care coordinator, social workers, peers, counselors, reentry specialists, case managers, wrap-around service coordinators).
- Corrections administrators, wardens, and officers.
- Probation, parole board & parole supervising authority

Community Partners

- State and local reentry councils and committees.
- Community based providers, such as health, behavioral health, social support, and peer recovery services.
- Consumer Advocates & Peers.

1115 Reentry Waiver Program Design: Monitoring Protocol

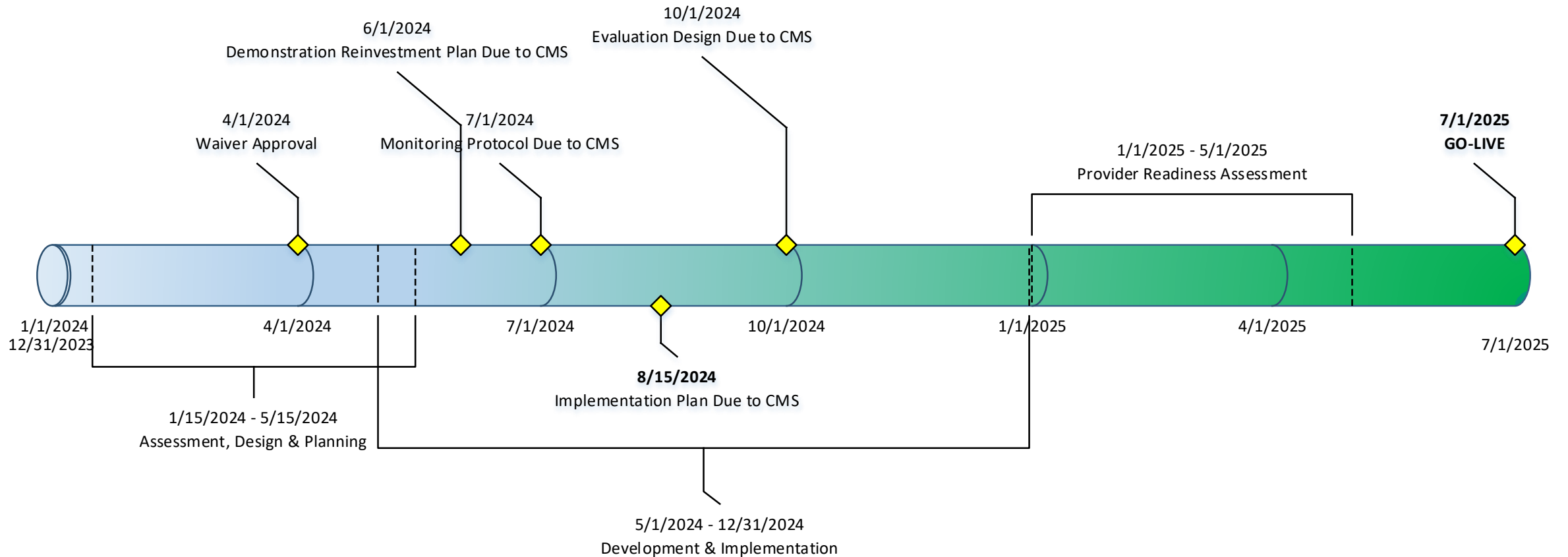
- **CMS Required Monitoring Protocol:**
 - Due 120-150 days post-approval of waiver.
 - Kentucky's approach to reporting progress to ensure program integrity, oversight, and monitoring of performance metrics through three quarterly and one annual report each year.
 - Includes selection of quality of care and health outcomes metrics and population stratifications based on CMS upcoming guidance on the Health Equity Measure Slate.
 - Milestones and measure targets at medium to high risk not achieved, states must submit to CMS for approval modifications to the Monitoring Protocol for reducing such risks.
- **Develop Measurement Framework aligned to the five program milestones.**

1115 Reentry Waiver Program Design: Evaluation Plan

- **CMS Required Evaluation Design Framework:**

- Due 180 days post-approval of waiver.
- Comprehensive analysis of services rendered by type of service over the duration of the 90-day pre-release coverage period.
- Cost analysis to support developing estimates of implementing the reentry demonstration initiative, including covering associated services.
- Evaluation hypotheses could focus on, but not be limited to:
 - Cross system communication and coordination.
 - Connections between carceral and community services.
 - Access to and quality of care in carceral and community settings.
 - Preventive and routine physical and behavioral health care utilization.

Hypothetical Timeline: 1115 Reentry Waiver Program Implementation & Deployment



*Anticipated waiver submission on or before 12/31/2023; public comment period: 11/9/23 – 12/10/23.

1115 Reentry Waiver Program Design: Monitoring Protocol

- **A draft of the Demonstration amendment application are available on the DMS website at: [Review the Public Notice](#) and [Amendment Application](#).**
 - **Review the Public Notice:** <https://www.chfs.ky.gov/agencies/dms/Pages/publicnotices.aspx>
 - **Amendment Application:**
<https://www.chfs.ky.gov/layouts/download.aspx?SourceUrl=https://www.chfs.ky.gov/agencies/dms/BH/KY%20DMS%20Reentry%201115%20Demonstration%20Application.docx>
 - Notices are also available in the following news publications: Louisville Courier-Journal, Lexington Herald Leader and the Cincinnati Enquirer.
- **Comments or inquiries should be submitted**
 - ***Via email received on or before December 9, 2023*** to: ky1115reentryprogram@mslc.com.
 - ***Written comments must be postmarked by December 9, 2023*** and mailed to:
Kentucky Medicaid Section 1115 Comment
c/o DMS Commissioner's Office
275 E. Main St. 6W-A Frankfort, KY 40621

Questions?

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