

DISABILITY BENEFIT SPECIALIST PROGRAM

Program Updates March 2008

I. SOCIAL SECURITY ADMINISTRATION (SSA)

- A. **SSA Hires 175 New ALJs.** Michael Astrue, Commissioner of Social Security announced that SSA has made offers to 144 of the 175 new ALJs it expects to hire this fiscal year. The hiring of new ALJs is part of the agency plan to reduce the number of cases waiting for hearing.
- B. **Local Cases Transferred to California ODARs.** Effective March 3, 2008, some Wisconsin cases requesting ALJ hearing will be sent to ODARs in California. The effected regional areas are: Green Bay cases will be sent to Oakland, CA; Oshkosh cases will be sent to Santa Barbara/Pasadena, CA; Wausau cases will be sent to Orange County, CA. Those ODARs will be handing the ALJ hearings for Green Bay, Oshkosh and Wausau for the next few years. The other areas of Wisconsin are not affected by this change.
- C. **Using the Internet for Requesting Appeals -** The internet application requires that you enter the date on the denial notice; however, some denial notices do not have a date. If that happens, enter the date you or the client received the denial notice. The system will accept this as the date of the denial and the request will be processed.

II. MEDICARE

- A. **Medicare Advantage Plans' Costs Questioned** – copy and paste this link to view the entire New York Times article.
<http://www.nytimes.com/2008/02/28/washington/28medicare.html?ei=5070&en=84414d4bb19de946&ex=1205125200&adxnml=1&emc=eta1&adxnmlx=1205443535-Ov2reCkiAJr9fYYHxVdl4w>
- B. **Tools to Assist with Medicare Advantage Plans** – The Health Assistance Partnership has developed some useful tools to help you and your clients understand Medicare Advantage Plans.
<http://www.hapnetwork.org/medicare-advantage>
- C. **Loss of LIS Due to the Medicare Beneficiary Not Responding to a Redetermination Request by SSA -** SSA is in the process of mailing “SSA Medicare Prescription Drug Assistance Notice of Termination” letters to some beneficiaries who are currently receiving the low-income subsidy. A small group of beneficiaries will receive this mailing beginning the week of March 2. Beneficiaries will no longer receive the Extra Help effective April 1 because they did not provide information about their continuing eligibility.

It is important for beneficiaries to know three key things:

1. Their current drug plan will contact them to let them know how much their coverage will cost
2. They have a 3-month special enrollment period to enroll in a less expensive drug plan if they so choose
3. They can file an appeal or reapply for Extra Help

Beneficiaries should contact SSA right away to file an appeal if they disagree with this decision. Appeals can be made within 60 days of receiving the dated letter from SSA. Only those who file an appeal within the first 10 days will continue to receive the Extra Help while their appeal is waiting for a decision. Beneficiaries should also re-apply for Extra Help if their situation changes at any time in the future. Beneficiaries should contact SSA at 1-800-SSA-1213 (!-800-772-1213) to file the appeal.

III. MEDICAID

- A. BC+ Clarification.** COBRA and other privately purchased health insurance policies are not considered “access to health insurance” under BC+ rules. Therefore, a BC+ applicant could drop COBRA coverage and not have a three month wait for BC+ coverage. (BC+ Eligibility Handbook 7.5) Look for more BC+ policy clarifications in future program updates. Access new BC+, Food Share and Medicaid enrollment and benefits publications at <http://dhfs.wisconsin.gov/em/ops-memos/2008/pdf/08-07.pdf>.
- B. BC+ and HIRSP.** As a result of the new BC+ expansion, HIRSP policy holders who meet the BC+ eligibility criteria *must* switch to BC+ by April 1, 2008. Notifications were sent to affected policyholders in December and January.
- C. BC+ For Childless Adults.** The Department of Health and Family Services is preparing to submit a waiver to the Centers for Medicare and Medicaid Services (CMS) to provide coverage for childless adults. We will monitor the waiver’s progress.
- D. New Ops Memo.** The 2008 Federal Poverty Levels for Medicaid programs are available at <http://dhfs.wisconsin.gov/em/ops-memos/2008/pdf/08-06.pdf>.

IV. IRS STIMULUS PAYMENTS AND TAX PREPARATION ASSISTANCE

- A. Update on Stimulus Package.** Access additional information on the stimulus package, frequently asked questions, and how to obtain the payment. <http://www.irs.gov/index.html>
- B. VITA Free Tax Preparation Assistance.** Information about the VITA sites and how to access this free service is available at <http://www.dor.state.wi.us/faqs/pcs/vita.html#vita6>

V. HIRSP

- A. HIRSP and BC+.** As a result of the new BC+ expansion, HIRSP policy holders who meet the BC+ eligibility criteria *must* switch to BC+ by April 1, 2008. Notifications were sent to affected policyholders in December and January.
- B. Practice Tip: When losing BC+ or Medicaid coverage,** HIRSP applicants will *not* have a six-month pre-existing condition wait period if they apply within 45 days of losing their Medicaid coverage. See page 16 of the new HIRSP Outline of Coverage at <http://www.hirsp.org/pdfs/outline.pdf>.

VI. NEWS

- A. Welcome New Disability Benefits Specialists.** Our numbers are growing! Please welcome the following new Disability Benefits Specialists:
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| Jennifer Schimmelpfenning | COW Consortium |
| Diane Strong | ADRC of Forest County |
| Kate Lynch | ADRC of LaCrosse County |
| Sandra Watson | ADRC of Portage County |
| Brenda Welsh-McLean | ADRC of Columbia County |
| Kay-Ella Dee | ADRC of Ozaukee County |
| Jamie Bartzan | ADRC of Washington County |
- B. New Disability Rights Wisconsin Website.** Check out the new DRW website at <http://www.disabilityrightswi.org>. Click on “Priority Issues” and you can connect to a description of the Program Attorney work with the DBS program. We will be adding relevant content to the website in the near future.
- C. Kenosha – Persistence Pays Off.** Molly Bandt recently prevailed in a remanded case originally heard before ALJ Bartelt at the Milwaukee ODAR. This is a case that Michele Grasso and Molly have been working on since 2003! It wound its way through the Appeals Council and Federal Court before being heard again before ALJ White, who issued a favorable bench decision. Congratulations to Molly, Michele and the client who has finally received the benefits he needs and deserves.
- D. Reminder Regarding Energy Assistance.** The heating season ends on May 15, 2008. Clients with crisis energy needs should contact their local energy assistance agency immediately. Furnace repair or replacement may be available. The Wisconsin Home Energy program has weatherization and other energy-saving programs available. All information, locations, forms, manual and a webcast can be accessed through the Home Energy Plus website at <http://homeenergyplus.wi.gov/>.
- E. March 19th Information and Training Session on Pharmacy**

Consolidation for Medicaid.

Medicaid and BadgerCare Plus members who are enrolled in HMOs or Managed Care programs have had a change in their pharmacy benefits. As of February 1st, these benefits are being paid for by the state Medicaid program (fee for service) rather than by the HMO or MCO. As a result, members now have to pay prescription co-pays. The next change in pharmacy benefits will occur on April 2nd, when Prior Authorization requirements will resume. Medications that members are currently taking may need a prior authorization before the member can get their April refill.

What: Representatives from the state will be providing an information session on Medicaid Managed Care Pharmacy Consolidation initiative and Drug Prior Authorization Procedures and you are invited to attend, become informed and get your questions answered.

Why: We want to make sure no one is turned away from the pharmacy without meds because of an inability to pay the co-pay or because a prior authorization request hasn't been made.

Who: Carrie Gray, Bureau of Health Care Benefits Pharmacy Program/Policy Analyst, State of Wisconsin--DHFS/DHCAA

Date: Wednesday March 19, 2008

Time: 8:30 – 11:00 AM

Where: Transitional Living Services Inc. (TLS), 1040 South 70th Street, Milwaukee, WI. Park behind the building and use the back entrance. (corner of S. 70th and W. Washington St./68th-70th street exit from I94 and go south on 70th St.)

Thanks to TLS for hosting!

Who Should Attend:

Anyone who has contact with Medicaid recipients enrolled in Managed Care, Social Service Agency staff, CSP and TCM case managers, Medical and Dialysis Clinic staff, Public Health Nurses, Consumer Group members and staff.

Please help us spread the word – forward this invitation to every one you can think of that will benefit from this information.

Please RSVP to Julie Dixon*Seidl, Disability Rights Wisconsin, at

JulieDS@drwi.org

Questions? Call DRW at 414-773-4646, ext. 11

**For disability-related accommodations,
please call Julie at 414-773-4646, ext. 11 by noon Tuesday.**