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Policy Clarification 2023-04-02

Title: Prior Medical Denial for a Newborn

Date: April 11,2023

From: Erin Kelley, Senior Manager

Program(s) Impacted: Family Medical Programs

The purpose of this document is to clarify the notice requirements for newborns being denied in requested prior medical (PM) months due to not yet being born. The direction provided here is effective upon release and retroactively as needed.

When an application or coverage request is received for a newborn child and PM is requested for months prior to the birth of the child, those months are essentially denied due to categorical ineligibility as Kansas does not offer a program that provides coverage to unborn children. KEES will in most cases disallow months to be added prior to the month of birth.

Per federal and state policy (see PM2015-06-05), a NOA regarding any adverse action (i.e. denial, closure, etc.) must contain a clear statement of specific reasons to support the action. Because in most cases we will not be completing a determination in KEES for the months prior to the month of birth, a notice will not generate to formally deny those months. It is then necessary to append the newborn's approval NOA and add clarifying language to state that the reason for ineligibility in those months is that the child was not yet born and Kansas does not have a program that covers unborn children. The append language has been created and added to the Standard Copy and Paste (SCP) document for use by staff.

NOTE: If a denial NOA *was* generated for PM months preceding the birth, the append verbiage should be added to the denial notice(s).

For questions or concerns related to this document, please contact the KDHE Medical Policy Staff at KDHE.MedicaidEligibilityPolicy@ks.gov.

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Questions regarding any KEES issues are directed to the KEES Help Desk at KEES.HelpDesk@ks.gov.