



**MARYLAND DEPARTMENT OF HUMAN SERVICES**  
 Department of Human Services  
 311 West Saratoga Street  
 Baltimore MD 21201

**FIA ACTION TRANSMITTAL**

**Control Number: 23-18**

**Effective Date: April 1, 2023**

**Issuance Date: May 26, 2023**

**TO: DIRECTORS, LOCAL DEPARTMENTS OF SOCIAL SERVICES  
 DEPUTY/ASSISTANT DIRECTORS FOR FAMILY INVESTMENT,  
 FAMILY INVESTMENT SUPERVISORS AND ELIGIBILITY STAFF  
 ELIGIBILITY DETERMINATION DIVISION SUPERVISORS AND  
 ELIGIBILITY STAFF**

**FROM: LA SHERRA AYALA, FIA EXECUTIVE DIRECTOR**   
**DEBBIE RUPPERT, MDH EXECUTIVE DIRECTOR** 

**RE: RETURNED MAIL FOR MEDICAID REDETERMINATIONS**

**PROGRAM AFFECTED: NON-MAGI MEDICAID (MA), LONG-TERM CARE  
 MEDICAID (LTC), AND WAIVER PROGRAMS (WV)**

**ORIGINATING OFFICE: OFFICE OF PROGRAMS**

**SUMMARY**

Per section 6008(f)(2)(C) of the Families First Coronavirus Response Act (FFCRA), the Centers for Medicare and Medicaid Services (CMS) now requires states to contact customers using at least two methods prior to terminating enrollment on the basis of returned mail. Specifically, states cannot allow Medicaid (MA), long-term care (LTC), or waiver (WV) cases to close for failure to complete a redetermination, if the redetermination packet is received by the state as returned mail.

This action transmittal outlines the requirements the Office of Long-Term Care (OLTC) and the Local Departments of Social Services (LDSS) offices must adhere to for non-Modified Adjusted Gross Income (non-MAGI) cases in the E&E system in order to comply with the CMS requirement.

## **REQUIRED ACTION:**

### **Scanning and narrating returned mail and correcting mailing addresses**

- When an MA, LTC, or WV redetermination packet is received as returned mail, the LDSS/OLTC must scan the returned mail into ECMS.
- The LDSS/OLTC must also narrate receipt of the returned mail, including the date on which the return mail was received.
- The LDSS/OLTC must ensure the address on the envelope is complete and matches the address in the Eligibility and Enrollment (E&E) system. If it is determined that the address is not complete or does not match the address in the E&E system, the redetermination should be sent again using the correct address in the E&E system.
- If the LDSS/OLTC was previously notified by the customer of a new address, but has not yet acted upon the reported change, LDSS/OLTC should update the E&E system with the new address.
- If the LDSS/OLTC corrects/updates the address and resends the redetermination, and the redetermination is not received back as returned mail, no further action is needed.

### **Authorized Representatives**

- If a customer has an authorized representative, returned mail must be received for both the customer and the authorized representative in order for outreach to be required.
- If returned mail is received only for the customer or only for the authorized representative, the only requirement is to scan and narrate the returned mail.

### **Resending the Redetermination**

- Updates are being made to E&E to allow the redetermination to be sent to an updated address.
- The LDSS/OLTC must update the new address before attempting to resend the redetermination packet.
- Once the address has been updated, the LDSS/OLTC can navigate to the Administrative Information Page.
- On the Administrative Information Page, when the LDSS/OLTC select “Mail Return” in the Special circumstance field, two questions will populate:
  - Received Returned Mail?
  - Has the Address been Updated on the Contact Information Screen?
- Once the LDSS/OLTC answers “yes” to both questions and hits the “save” button, the redetermination packet will be sent by E&E to the updated address.
- Auto-narration will be added to the case indicating that the redetermination packet has been resent.

**NOTE:** Additional information about the functionality and screenshots will be forthcoming.

### **Customers With Consumer Portal Access**

- Because they receive communication via multiple methods, customers who have consumer portal access do not require outreach.
- The LDSS/OLTC must scan, and narrate the returned mail as noted above. Narration should include that the customer has Consumer Portal access and therefore no outreach is

required.

- The LDSS/OLTC do not need to conduct outreach to these customers but must narrate that the customer has consumer portal access, and therefore no additional action is taken.
- The LDSS/OLTC can verify that the customer has consumer portal access by viewing the Case Home Page.

**NOTE:** More details about this functionality and screenshots are forthcoming.

### **Customers Without Consumer Portal Access**

#### **Contacting the customer using two methods**

- If the redetermination is sent to an updated forwarding address and is subsequently returned, or if the address could not be updated, the LDSS/OLTC must move forward with contacting the customer.
- Once the returned redetermination packet has been scanned and narrated, the LDSS/OLTC must ensure an attempt is made to contact the customer by phone and email.
- The LDSS/OLTC must ensure all attempts to reach the customer are narrated, including:
  - The method of communication used;
  - Date of the attempted contact; and
  - The outcome of the contact.
- If the LDSS/OLTC was not able to attempt to reach the customer using two methods of communication because a valid email address and/or phone number is not known to the state, the LDSS/OLTC must ensure this information is narrated.

#### **Successful contact with the customer and resending the redetermination**

- If the LDSS/OLTC is able to make contact with the customer and obtain a new address, the redetermination packet should be resent to the new address following the steps identified above.
- If a new address is obtained, and the redetermination is resent, the customer must be given 30 days to submit the redetermination before the case can be closed.
  - E&E will be updated no later than May 31, 2023, to ensure MA, LTC, and WV certification periods are extended by 30 days as needed to prevent case closure.
  - If an extension is necessary, auto-narration will be added to the case.
- If the redetermination packet is received by the LDSS/OLTC within the 30 days, the LDSS/OLTC should initiate and process the redetermination as appropriate.
- If the redetermination packet is not received by the LDSS/OLTC within the 30 days, the MA, LTC, or WV case will close.

**NOTE:** More details about this functionality and screenshots are forthcoming.

#### **Returned mail received and reinstatement after the case closed**

- If a MA, LTC, or WV case closes for failure to complete a redetermination, and the LDSS/OLTC receives the redetermination packet as returned mail within 30 days of the closure, the customer must be contacted via phone, and email, if possible.
- The LDSS/OLTC must narrate the attempts to contact the customer and note if two

contact methods could not be used because a phone number and/or email address were not known to the state.

- If the customer responds to the outreach, and provides an updated address within 30 days, the case must be reinstated.
- Once the redetermination is sent to the updated address, the customer should be given 30 days from the date the redetermination is resent to complete and return the redetermination. The case should remain reinstated for this 30-day period.
- This reinstatement process should be followed if returned mail is received within 30 days of the closure.
- If the customer contacts the LDSS/OLTC more than 30 days after the case closure, there is no requirement to reinstate the case. Instead, the tardy redetermination policy should be followed, requiring the customer to submit a redetermination and associated verifications within 120 days of the case closure. Once the redetermination is processed, the case can be reinstated as appropriate.

**NOTE:** E&E system updates will be completed no later than May 31, 2023, to allow MA, LTC, and WV cases to be reinstated while the customer has been given the 30 days to provide the redetermination. More information about this functionality and screenshots is forthcoming.

### **Reminders**

- Please remind customers that their redetermination is available to complete via the myMDTHINK consumer portal as long as they complete it by the redetermination due date. They should also be reminded that any future changes in their circumstances, including changes in their address, email address, and phone number, can be reported via the myMDTHINK consumer portal.
- If a customer submits a change in their contact information via the consumer portal, the LDSS/OLTC will receive a work item advising staff of the interim change and should process it accordingly. The change of address will pre-populate in the worker portal, but the LDSS/OLTC must run eligibility and confirm the programs to effectuate the change.
- The policy around “tardy redets” will continue to apply. Under this requirement, LDSS/OLTC must reconsider eligibility without requiring a new application for customers whose coverage is terminated for failure to return their redetermination packet or necessary information. If the customer’s redetermination form or information is returned within 120 days after coverage is terminated the MA, LTC, or WV case can be reinstated, and eligibility run. If eligibility continues, the certification period will begin the day after the closure.
- All other returned mail policies remain in effect.

### **INQUIRIES:**

If you have any questions regarding this Action Transmittal or any other program policies, please submit it using the [FIA Policy Information Request Form](#). If you work in Montgomery County, you may submit your policy questions via email at [fia.policy@maryland.gov](mailto:fia.policy@maryland.gov). For systems questions, please email [fia.bsdm@maryland.gov](mailto:fia.bsdm@maryland.gov).

For MA policy questions: Direct Non-MAGI and MAGI policy questions to the Maryland Department of Health, Office of Eligibility Services at [mdh.oesinquiries@maryland.gov](mailto:mdh.oesinquiries@maryland.gov).

cc: DHS Executive Staff  
FIA Management Staff  
MDH Executive Staff  
Constituent Services  
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