



State Proposals for Medicaid Work and Community Engagement Requirements

In January 2018, the Centers for Medicare & Medicaid Services (CMS) issued a new [policy](#) allowing states to implement work and community engagement requirements for certain Medicaid enrollees. States would be permitted to seek federal approval to require non-elderly, non-pregnant, and non-disabled adults to participate in these types of activities to qualify for Medicaid or certain aspects of Medicaid coverage. This chart summarizes states' pending and approved Section 1115 waivers, waiver renewals, and waiver amendments to implement work and community engagement requirements.

State	Waiver Status	Medicaid Expansion Status	Work Requirement Hours	Qualifying Activities	Population Group	Exempted Groups	Penalties for Non-Compliance
AZ	Pending	Implemented Affordable Care Act (ACA) Medicaid expansion through waiver (<i>originally implemented traditional expansion; state sought waiver and received approval in Sept. 2016 to implement alternative model</i>)	20 hours/week	<ul style="list-style-type: none"> -Employment -Enroll in educational program (part-time, at least 20 hours in total that can be combined with other requirements; full-time students are exempt) -Attend an Employment Support and Development program, which includes English as a Second Language (ESL) classes, parenting classes, disease management education, health insurance competency courses, and healthy living classes -Engage in job search activities similar to those required to receive unemployment benefits -Participate in community service; hours can count for individuals who are transitioning from justice system, living in high unemployment area, or face other significant employment barriers 	Able-bodied individuals age 19 or older in an ACA Medicaid expansion group	<ul style="list-style-type: none"> -Individuals 55 years and older -Native Americans -Post-partum women -Former foster youth up to age 26 -Individuals with serious mental illness -Individuals receiving temporary or permanent disability benefits -Individuals determined to be medically frail -Full-time high school students 18 and older -Full-time college or graduate students -Victims of domestic violence; homeless individuals -Individuals recently impacted by catastrophic event (e.g. natural disaster or death of family household member) -Parents, caretaker relatives, and foster parents -Caregivers of family members in state long-term care system 	<p>Compliance must be verified every six months (bi-annually), along with any changes in family income or other eligibility factors.</p> <p>Individuals who do not meet requirements will have an initial six-month grace period; noncompliance after this period will result in disenrollment. Individuals will be permitted to re-enroll after demonstrating compliance for at least 30 days.</p> <p>Individuals who meet the requirements, but then become non-compliant can become compliant by: 1) If determined non-compliant at redetermination and non-compliance was within three months of redetermination, an individual will have three additional months after redetermination to become compliant. 2) If determined non-compliant at redetermination and non-compliance was more than three months prior to redetermination and any circumstance changes were not reported, an individual is disenrolled and can re-enroll after demonstrating compliance for at least 30 days. 3) If individuals report changes in circumstance that result in non-compliance, they will have three months to become compliant.</p> <p>Arizona is also proposing a lifetime coverage limit of five years for most able-bodied adults, which is connected to the work requirement:</p> <ul style="list-style-type: none"> • Time during which an enrolled individual is compliant with work requirement would not be counted toward this time limit. • Time during which an exemption to the work requirement was applicable would not be counted toward the time limit.

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AR	Pending	Implemented ACA Medicaid expansion through waiver	80 hours/month; requirements will be phased in by age group	<ul style="list-style-type: none"> -Employment or self-employment -Enrollment in educational program (high school, higher education, or GED classes) -On-the-job or vocational training; job search or job search training (up to 40 hours/month) -Volunteering -Participation in classes on health insurance, using health care, or healthy living (up to 20 hours/year) -Participating in programs through state Department of Workforce Services 	Non-medically frail individuals ages 19-49 in ACA Medicaid expansion group (<i>state is using waiver to also request limiting ACA Medicaid expansion eligibility group to those earning 100 percent of the federal poverty level (FPL) or less</i>)	<ul style="list-style-type: none"> -Individuals 50 and older -Full-time students (attending high school, an institution of higher education, vocational training, or job training) -Those whose income is consistent with being employed/self-employed at least 80 hours/month -Those exempt from SNAP work requirements -Those receiving Transitional Employment Assistance cash assistance -Individuals incapacitated in the short term or medically certified as physically or mentally unfit for employment -Caregivers of an incapacitated individual or dependent child under age 6 -Those who live with a minor dependent child age 17 or younger -Those receiving unemployment benefits -Those participating in alcohol or drug addiction treatment program -Pregnant women, through the end of post-partum care -Individuals who have experienced a catastrophic event 	<p>Compliance must be demonstrated on a monthly basis</p> <p>Loss of eligibility if enrollee fails to meet work requirements for any three months during the coverage year (either consecutive or non-consecutive months), with coverage termination occurring at the end of the third month of noncompliance. Individual would be locked out of coverage until start of next coverage year</p>

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IN	Pending	Implemented ACA Medicaid expansion through waiver	<p>Average of 20 hours/week over eight months of an eligibility cycle</p> <p>Gateway to Work participation requirements will increase over the course of the individual's first year of participation, beginning at five hours/week at the seventh month of enrollment and increasing to 20 hours/week at 18 months and beyond</p>	<ul style="list-style-type: none"> -Subsidized or unsubsidized employment -Enrollment in part or full time education -Participating in state's Gateway to Work program, which in addition to employment, includes: <ul style="list-style-type: none"> -Managed care entities employment initiatives -Job skills training -Job search activities -Education related to employment; general education (e.g. GED or community college) -Vocational education/training -Community work experience -Community service/public service -Volunteer work -Accredited homeschooling -Caregiving services for a non-dependent relative or other individual with a chronic, disabling health condition -Compliance with SNAP work requirements Certain tribal members will be considered as meeting the Gateway to Work requirement due to tribe's Pathways employment program. Gateway to Work will also encourage enrollees with a substance use disorder to seek treatment by considering participation in treatment program as criteria for exemption. 	Able-bodied individuals enrolled in Healthy Indiana Plan (HIP), up to age 60	<ul style="list-style-type: none"> -Full- and part-time students -Pregnant women -Primary caregivers of a dependent (either minor child or disabled adult) -Medically frail individuals -Certification of temporary illness or incapacity -In active substance use disorder treatment -Individuals over age 60 -Former foster children under age 26 -Chronically homeless individuals -TANF recipients -Recent incarceration -Some other exemptions possible based on individual review 	<p>Requirements will be phased in during the second year, with an enrollee grace period of six months.</p> <p>Individuals who do not meet the Gateway to Work participation hours would be suspended from the Healthy Indiana Plan until the individual satisfies the participation requirements for one full month, beginning in the third year of the waiver renewal.</p> <p>Individuals who are suspended but then gain an exemption (e.g., pregnancy) will be able to re-enroll in HIP without meeting work requirements.</p>

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KY	<p>Approved Jan. 12, 2018. <i>(Three organizations, including the National Health Law Program, the Kentucky Equal Justice Center, and the Southern Poverty Law Center, filed a lawsuit challenging the waiver on Jan. 24, 2018.)</i></p>	<p>Implemented ACA Medicaid expansion through waiver (originally implemented traditional expansion; state sought waiver in 2016)</p>	<p>80 hours/month; requirements will be phased in by region</p>	<ul style="list-style-type: none"> -Subsidized or unsubsidized employment -Self-employment -Job skills training -Job search activities -Enrollment in educational program related to employment (e.g., management training) -General education (e.g., high school, GED, college or graduate education, ESL classes) -Vocational education and training -Community work experience -Community service/public service -Caregiving services for a non-dependent relative or other individual with a chronic, disabling health condition -Participation in substance use disorder treatment 	<p>Able-bodied adults ages 19 to 64</p> <p>Kentucky HEALTH beneficiaries who have not been subject to the requirements in the past five years will be provided a three-month grace period prior to being subject to the requirements</p>	<ul style="list-style-type: none"> -Children under age of 19 -Pregnant women -Primary caregivers of a dependent (either minor child or disabled adult; limited to only one exemption per household) -Medically frail individuals -Full-time students 	<p>After a one-month opportunity to become compliant, individuals who fail to meet requirements for a month will have their benefits suspended unless a good-cause exemption is issued.</p> <p>Good cause exemptions include:</p> <ul style="list-style-type: none"> -Disability of the individual or if individual has an immediate family member in the home with a disability and is unable to meet requirements for due to this; -Hospitalization/serious illness of the individual or an immediate family member in the home; -Birth or death of a family member in the home; -Severe inclement weather or natural disaster causing inability to meet requirement; or -Individual has family emergency or other life changing event (e.g., divorce or domestic violence). <p>Individuals can reactivate eligibility on the first day of the month after the individual complies with the requirements during a 30-day period or completes a state-approved health literacy or financial literacy course (the option to take a course is only available once in a 12-month benefit period).</p> <p>Individuals who, during a suspension period, become pregnant, are determined to be medically frail, become a primary caregiver of a dependent (either minor child or disabled adult — limited to only one exemption per household), are diagnosed with an acute medical condition that would prevent them from compliance with requirements (validated by a medical professional), or become a full-time student, or become eligible for Medicaid under an eligibility group not subject to the work and community engagement requirements can reactivate benefits, with an effective date aligned with their new eligibility category or status.</p> <p>Individuals with suspended benefits at the time of their redetermination date who do not qualify for an exemption will have their enrollment terminated and will have to submit a new application to regain coverage</p>

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ME	Pending	Medicaid expansion referendum passed in November 2017 <i>(state has not yet implemented expansion as of January 2018)</i>	20 hours/week, averaged monthly	<ul style="list-style-type: none"> -Paid employment -Self-employment if individual is employed for 20 hours or more per week and receives weekly earnings at least equal to state or federal minimum wage -Enrollment in educational program at least half-time, with goal of education to gain employment -Participating in requirements of a state-approved work program - Workfare or volunteer community service (24 hours/month) -Job search/readiness assistance -Combination of education and employment activities -Receiving unemployment benefits -Complying with SNAP or TANF work requirements 	Able-bodied adults ages 19-64	<ul style="list-style-type: none"> -Those residing in institutional residential facility (e.g., nursing facility) -Those residing in residential substance abuse treatment and rehabilitation program -Caregiver of a dependent child under age 6 -Providers of caregiver services for an incapacitated adult -Pregnant women -Those who are physically or mentally unable to work. If this is not evident then medical certification is required. -Those receiving temporary or permanent disability benefits issued by governmental or private resources 	<p>Failure to comply will include a determination of whether individual meets a good-cause exemption.</p> <p>Individuals who are subject to the requirements and do not meet them may receive up to three months of coverage within a 36-month period.</p> <p>Individuals who fail to comply with the requirements and have exhausted the three-month allowance of coverage will be disenrolled until they become compliant.</p>

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MS	Pending	Has not implemented ACA Medicaid expansion	20 hours/week	<ul style="list-style-type: none"> -Working in paid employment -Self-employment -Participation with Office of Employment Security -Volunteering with approved agencies -Participation in alcohol or drug abuse treatment program -Compliance with SNAP and TANF work requirements 	Non-disabled adults ages 19-64 covered under traditional Medicaid, including low-income parents and caretakers and individuals eligible for transitional medical assistance	<ul style="list-style-type: none"> -Native Americans -Pregnant women -Children under age 19 -Disabled individuals; individuals enrolled in 1915 (c) waivers -Individuals 65 years and older -Individuals residing in an institution <p>Exemptions will also apply to an individual who is:</p> <ul style="list-style-type: none"> -Diagnosed with mental illness; -Receives SSDI, or is a primary caregiver of individual who cannot care for self; -Physically or mentally unable to work per determination by Disability Determination Services; -Receiving or has applied for unemployment insurance -Participating in an alcohol or drug abuse treatment program; -Enrolled in an institution of higher learning at least part time; or -High school student age 19 or older, attending at least half-time. 	<p>Failure to comply will result in loss of eligibility on first day of the month following the report or identification of non-compliance.</p> <p>Individuals who do not comply with requirements within six months of termination or within six months or less of their reassessment date will need to submit a new application for benefits.</p>

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NH	Pending	Implemented ACA Medicaid expansion through waiver	20 hours/week initially; 25 hours/week after 12 months; 30 hours/week after 24 months	<ul style="list-style-type: none"> -Subsidized or unsubsidized employment -Education directly related to employment -Secondary school/course of study leading to a certificate of general equivalence -Vocational training (not to exceed 12 months) -On-the-job training -Job search/readiness activities -If sufficient private sector employment is not available, work experience can include work associated with refurbishing of public housing 	Able-bodied adults covered by the ACA Medicaid expansion	<ul style="list-style-type: none"> -Individuals temporarily unable to participate due to illness or incapacity as certified by a health professional -Individuals participating in a state-certified drug court program -Parent or caretaker where the required care is certified as necessary by a health professional -Parent or caretaker of a dependent child under age 6 	Failure to comply will result in loss of coverage, unless there is a good cause exception.

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NC	Pending; dependent also on state legislation	Has not implemented ACA Medicaid expansion (<i>state legislators have proposed legislation to expand Medicaid through a program called Carolina Cares, which would include work requirements</i>)	No details provided; waiver application indicates that work requirements would be a condition of eligibility but are contingent upon proposed legislation being enacted (which does not specify hour requirements)	No details provided; waiver application indicates that work requirements would be a condition of eligibility but are contingent upon proposed legislation being enacted (which does not specify qualifying activities)	If proposed legislation is enacted and ACA Medicaid expansion implemented, requirements would apply to adults eligible for Medicaid through the ACA Medicaid expansion	<ul style="list-style-type: none"> -Individuals who are caring for a dependent minor child, an adult disabled child, or a disabled parent -Individuals receiving active treatment of substance use disorder -Individuals who are medically frail <p>Waiver application also notes that the state and tribal representatives will work with the legislature to address the application of work requirements for tribal members</p>	No details provided; waiver application indicates that work requirements would be a condition of eligibility but are contingent upon proposed legislation being enacted (which does not specify penalties for non-compliance)

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UT	Pending	Has not implemented ACA Medicaid expansion (<i>state has waiver for the Primary Care Network program to provide Medicaid coverage to certain individuals who are chronically homeless, in parole or substance abuse programs, or receiving treatment for mental health issues, as well as some low-income parents</i>)	<p>Hours not specified; three-month participation period</p> <p>Must participate in job search/training within first three months of enrollment</p> <p>Must complete the requirement annually</p>	<p>-Online job search/training, completed through the Department of Workforce Services; participation activities will be the same as those for SNAP program</p> <p>-Compliance with SNAP work requirements</p>	Initially Primary Care Network enrollees under age 60; adults without dependent children to be added at a later date	<ul style="list-style-type: none"> -Individuals age 60 and older -Physically or mentally unfit for employment (verification may be required) -Parents/caretakers with dependent child under age 6 -Caretaker for incapacitated individual -Receiving or has applied for unemployment insurance benefits -Participation in drug and alcohol treatment program -Student enrolled at least half time in any school or training program -Participation in refugee employment services -Family Employment Program (FEP) recipients or those issued a FEP diversion payment -Individuals working more than 30 hours/week 	<p>Failure to comply will result in loss of Primary Care Network eligibility</p> <p>Individuals can become eligible again by meeting requirements; these individuals must reapply</p> <p>Native Americans will be enrolled in the work requirement program but benefits will not be terminated for non-compliance</p> <p><i>Utah is also proposing to add a 60-month lifetime limit on the number of months an adult can receive Primary Care Network (PCN) coverage or Medicaid for Adults without Dependent Children. Any month an individual receives Medicaid for Adults without Dependent Children will count toward the lifetime limit. Any month that an individual receives PCN and does not meet SNAP work participation exemptions will also count toward the lifetime limit. Native Americans will be exempt from the lifetime limit provision.</i></p>

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WI	Pending	Has not implemented ACA Medicaid expansion (<i>state has waiver to cover childless adults aged 19-64 up to 100% FPL</i>)	80 hours/month	Will follow state's FoodShare Employment and Training program model	Adults ages 19-49 who are eligible for Medicaid as childless adults	<ul style="list-style-type: none"> -Diagnosed with mental illness -Individuals receiving SSDI -Primary caregiver of individual who cannot care for self -Physically or mentally unable to work -Receiving or has applied for unemployment insurance -Participating in alcohol or drug abuse treatment program -Enrolled in institution of higher learning at least half time -High school students age 19 or older, attending at least half-time 	<p>The state is also seeking to implement a 48-month enrollment time limit, which includes the following work requirement penalties and exemptions:</p> <ul style="list-style-type: none"> • The time during which individuals are not working will count toward the state's proposed 48-month cumulative eligibility time limit (after which an individual would not be eligible for six months). • The time during which individuals are working or participating in an employment and training program for at least 80 hours a month will not be counted toward an individual's 48-month time limit.

Note: Kansas submitted a [waiver proposal](#) to CMS in December 2017 that included Medicaid work requirements for certain individuals; on Jan. 24, 2018, officials [indicated](#) they will withdraw the request, but still seek to implement work requirements for some Medicaid enrollees.