

# Notice of Change to the TennCare III Program Maternal Health Enhancements

December 17, 2021

Updated January 6, 2022

The Commissioner of the Tennessee Department of Finance & Administration is providing official notification of planned changes to the TennCare program. These changes entail enhancements to coverage for pregnant and postpartum women enrolled in TennCare. TennCare is publishing this notice pursuant to 42 § CFR 431.408 and the terms and conditions of the TennCare Demonstration in order to solicit public input on these planned changes.

## Description of Planned Program Changes

TennCare is providing official notification of its intent to make two changes to the TennCare program. Both of these changes will become effective on April 1, 2022.

- 1. Extension of postpartum coverage.** TennCare's coverage of pregnant women currently includes approximately 60 days of postpartum coverage following the end of the pregnancy.<sup>1</sup> Effective April 1, 2022, TennCare will provide 12 months of postpartum coverage following the end of pregnancy. Members impacted by this change will continue to be enrolled in managed care and will continue to receive the full TennCare benefits package during their 12 months of postpartum coverage.<sup>2</sup>
- 2. Dental coverage for pregnant and postpartum women.** Pregnant and postpartum women age 21 and older do not currently receive a dental benefit from TennCare. Effective April 1, 2022, TennCare will provide a dental benefits package for these members for the duration of their pregnancy and postpartum coverage.

Dental services for pregnant and postpartum women will be furnished by the dental benefits manager (DBM) under contract with TennCare to administer dental services

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<sup>1</sup> TennCare currently provides coverage through the last day of the month in which the 60-day postpartum period ends. See 42 § CFR 435.170.

<sup>2</sup> These members may be subject to nominal copays for prescription drugs during their period of extended postpartum coverage (\$3 for brand name drugs, \$1.50 for generic drugs). Federal regulation currently exempts members from cost sharing during pregnancy and for 60 days postpartum. TennCare is awaiting federal guidance on whether this cost sharing exemption will be extended for the entire 12-month postpartum period or whether postpartum members will be subject to regular adult copays after 60 days.

to TennCare members. Dental benefits covered for pregnant and postpartum members age 21 and older will include diagnostic x-rays and exams; preventive cleanings; topical fluoride treatments and caries arresting medicament; restorative (fillings); endodontics (1 root canal per member per eligibility period); scaling and root planing; full mouth debridement; crowns (2 per member per eligibility period); complete dentures; immediate complete dentures and complete denture relines; tooth extractions; alveoloplasty; removal of lateral exostosis; removal of torus palatinus; removal of torus mandibularis; and palliative treatment.

### **Expected Impact on Enrollment and Expenditures**

These changes will not result in the enrollment of additional persons in the TennCare program. The extension of TennCare postpartum coverage is expected to result in an increase in annual aggregate expenditures of approximately \$20 million under the TennCare program. The addition of a dental benefit for pregnant and postpartum members is expected to result in an increase in annual aggregate expenditures of approximately \$6 million under the TennCare program.

### **Evaluation Impact**

TennCare does not anticipate modifying its evaluation design based on these planned changes. These changes are expected to contribute to key goals of the TennCare Demonstration already reflected in the demonstration's evaluation design (currently under CMS review). These include enhancing coverage and benefits available under the TennCare Demonstration and improving prenatal/postpartum care available under the TennCare Demonstration.

### **Waiver and Expenditure Authorities Requested**

TennCare is not requesting any new waiver or expenditure authorities under Section 1115 of the Social Security Act to implement these changes.

- Section 1902(e)(16) of the Social Security Act allows state Medicaid programs to provide coverage to pregnant women for 12 months postpartum (through the last day of the month in which the 12-month postpartum period, which began on the last of pregnancy, ends).
- Federal regulations at 42 CFR §§ 440.100 and 440.250 allow state Medicaid programs to provide dental services to eligible beneficiaries, and to provide services to pregnant women in a greater amount, duration, and scope than that provided to non-pregnant beneficiaries.



Under the terms of the TennCare III Demonstration, TennCare may make changes that add allowable benefits and coverage to the program without seeking additional approval of a demonstration amendment from the Centers for Medicare & Medicaid Services (CMS).

### **Public Notice Process**

TennCare has taken a variety of steps to ensure that members of the public are notified of these planned changes to the TennCare program. These measures include the development and maintenance of this webpage, as well as notices published in newspapers of general circulation in Tennessee communities with 50,000 or more residents.

Both of these planned changes were presented by TennCare as budget requests during the 2021 legislative session and were approved by the Tennessee General Assembly as part of the state budget through a public legislative process.

On September 24, 2021, TennCare filed a notice of rulemaking hearing in accordance with Tennessee's Uniform Administrative Procedures Act to reflect these changes in TennCare's administrative rules. TennCare held a public rulemaking hearing to receive public comments on these changes on November 15, 2021.

In addition, TennCare has disseminated information about these proposed changes via its social media accounts (e.g., Facebook, Twitter).

### **Public Input Process**

TennCare is seeking feedback on these planned changes. Members of the public are invited to offer comments regarding these changes from December 17, 2021, through January 20, 2022.

Members of the public who wish to comment on these planned changes may do so through either of the following options:

- Comments may be sent by email to [public.notice.tennCare@tn.gov](mailto:public.notice.tennCare@tn.gov).
- Comments may be mailed to

Aaron Butler, Director of Policy  
Division of TennCare  
310 Great Circle Road  
Nashville, TN 37243.



Individuals who prefer to make their comments verbally may participate in one of the following public hearings to comment on these planned changes:

**Virtual Hearing**

Location:

<https://tngov.webex.com/meet/JReeve>

Date: January 5, 2022

Time: 10:00 a.m. CT

**Virtual Hearing**

Location:

<https://tngov.webex.com/meet/JReeve>

Date: January 13, 2022

Time: 2:30 p.m. CT

*The public hearing originally scheduled for January 6, 2022, was rescheduled for January 13, 2022, due to inclement weather. Details of the rescheduled hearing are listed above.*

TennCare always appreciates input. In order to be considered prior to implementation of these changes, feedback must be received no later than January 20, 2022. Individuals wishing to view comments submitted by members of the public may submit their requests to the same physical address and/or email address at which comments are being accepted.

**TennCare Demonstration**

A copy of the TennCare Demonstration is available at

<https://www.tn.gov/content/dam/tn/tenncare/documents/tenncarewaiver.pdf>.

**TennCare Page on CMS Web Site**

As the federal agency with oversight authority over all Medicaid programs, CMS offers its own online resources regarding the TennCare Demonstration. Interested parties may view these materials at

[https://www.medicaid.gov/medicaid/section-1115-demo/demonstration-and-waiver-list/waivers\\_faceted.html](https://www.medicaid.gov/medicaid/section-1115-demo/demonstration-and-waiver-list/waivers_faceted.html).

