



Dave Heineman
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STATE OF NEBRASKA

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February 25, 2010

Senator Tim Gay
Chair, Health and Human Services Committee
State Capitol
P.O. Box 94604
Lincoln, NE 68509

Dear Senator Gay and members of the Health and Human Services Committee:

This letter provides an update regarding the Nebraska Department of Health and Human Services (DHHS) activities in addressing the eligibility of legal and illegal pregnant women to receive Medicaid coverage.

To comply with Federal directive, on February 4, DHHS notified by letter 5,805 women with active cases that coverage for the unborn would end on March 1. At that time, an additional 516 applications for coverage had been received and were pending review. DHHS Economic Assistance caseworkers made it a priority to review each of these 6,321 cases to determine if the pregnant woman was eligible to qualify for Medicaid at 185 percent of the Federal Poverty Level. This review took into account the feedback received from the Centers for Medicare and Medicaid Services that Medicaid rules do allow the unborn to be counted in the household size for the purpose of eligibility.

Economic Assistance caseworkers have reviewed all 6,321 cases. As of February 24:

- **4,655 pregnant women who are legal residents have been determined to be eligible for continued Medicaid coverage.**
- **709 pregnant women who are in the U.S. legally are not eligible for Medicaid coverage. The primary reasons for ineligibility in these cases are being over the income limit; program sanctions, mainly involving Employment First or Child Support; relocation outside of Nebraska; and a failure to provide necessary information to determine eligibility.**
- **DHHS is working with 115 pregnant women to collect additional information needed to determine eligibility. Coverage for these individuals is being extended to March 31 to allow additional time to determine eligibility.**
- **842 pregnant women are illegal immigrants and are not eligible for Medicaid coverage.**

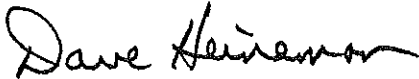
Any individual who has been determined to be ineligible has the right to appeal.

Fourteen states (Arkansas, California, Illinois, Louisiana, Massachusetts, Michigan, Minnesota, Oklahoma, Oregon, Rhode Island, Tennessee, Texas, Washington and Wisconsin) currently have separate Children's Health Insurance Programs (CHIP) for the unborn population. However, Tennessee's program does not cover illegal immigrants. The other thirty-five states do not provide coverage based on the unborn population.

None of the states surrounding Nebraska (Iowa, Missouri, Kansas, Colorado, Wyoming and South Dakota) provide CHIP coverage to illegal immigrants.

The key issue remaining to be resolved is whether illegal immigrants should be receiving taxpayer-funded benefits. This is a difficult issue and we know that there is disagreement among well-meaning people. After a careful and thoughtful review of the various aspects of this issue, we are opposed to illegal immigrants receiving taxpayer-funded benefits.

Sincerely,



Dave Heineman
Governor



Kerry T. Winterer, CEO
Nebraska Department of Health and Human Services

cc: All State Senators