DHS Announces Implementation of the Account Validation Service (AVS) for Medical Assistance (MA)

TOPIC
Implementation of the Account Validation Service (AVS) for Medical Assistance (MA) for people whose MA basis of eligibility is people who are age 65 or older, blind or who have disability (MA-ABD), including Medical Assistance for Employed Persons with Disabilities (MA-EPD) and the Medicare Savings Programs (MSP).

PURPOSE
Provide policy information and instructions about the implementation of the Account Validation Service (AVS).

CONTACT
Processing agencies should submit policy questions via HealthQuest.

All others should direct questions to the following:
   Health Care Eligibility and Access (HCEA) Division
   PO Box 64989
   540 Cedar Street
   St. Paul, MN 55164-0989

SIGNED
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TERMINOLOGY NOTICE
The terminology used to describe people we serve has changed over time. The Minnesota Department of Human Services (DHS) supports the use of "People First" language.
I. Background

Section 1940 of the Social Security Act requires states to implement an electronic asset verification program to help identify unreported accounts owned by people whose Medicaid basis of eligibility is age 65 or older, blind or disability (MA-ABD). The system must electronically send requests to participating financial institutions to identify financial accounts owned by applicants and enrollees and their spouses and sponsors whose assets are counted in the Medicaid eligibility determination.

Beginning September 1, 2019, DHS will implement its electronic asset verification program called the Account Validation Service (AVS). This service will be used to help identify unreported accounts when determining Medical Assistance (MA) (Minnesota’s Medicaid program) eligibility for people whose MA basis of eligibility is MA-ABD. Applicants and enrollees must authorize the state to request information from financial institutions as a condition of Medicaid eligibility.

A state, county or tribal agency (hereinafter referred to as “agency”) will submit requests through the AVS for information from financial institutions. The AVS vendor, Public Consulting Group, Inc. (PCG), will transmit a request file(s) to their subcontractor, accountant, who will do the following:

- Search a database of the nation’s largest financial institutions for the presence of an account associated with the person’s Social Security number (SSN)
- Perform a geo-search of local financial institutions based on the person’s home address zip code

The AVS will do the following:

- For applications, the AVS will return information from participating financial institutions about accounts owned by MA-ABD applicants and, when applicable, spouses and sponsors, for the month of application and the three consecutive months before the month of application.
- For renewals and when an MA enrollee’s basis of eligibility changes to MA-ABD resulting in the enrollee having an asset test, the AVS will return information from participating financial institutions about accounts owned by MA-ABD enrollees and, when applicable, spouses and sponsors, for the month the request is submitted to the AVS.

The information returned from the AVS may include:

- Open and closed accounts in the name of the person
- Other account owner name(s) and account number(s) associated with the person’s account
- The account balance as of the first day of the month

The AVS will not provide information about:

- Individual transactions including deposits and withdrawals
- Stocks, bonds, securities and mutual funds purchased through a brokerage firm
- Life insurance policies issued by insurance companies
• Accounts from participating financial institutions who respond to the request more than 90 days following the request
• Accounts from non-participating financial institutions

The AVS will return responses from financial institutions for up to 90 days following the date the worker submits the request.

II. Policy

Effective September 1, 2019, all MA applicants and enrollees whose basis of eligibility is MA-ABD and who have an asset test are required, as a condition of MA eligibility, to authorize the agency to request information through the AVS. See Section III. Authorization to Obtain Financial Information from the Account Validation Service (AVS) (DHS-7823), for more information.

The MA-ABD basis of eligibility includes people who:
• Live in the community
• Live in a long-term care facility and request Medical Assistance for payment of long-term care (MA-LTC) ¹
• Request services through a home and community-based services (HCBS) program (Brain Injury [BI], Community Alternative Care [CAC], Community Access for Disability Inclusion [CADI], Developmental Disabilities [DD] or Elderly Waiver [EW])
• Request coverage under Medical Assistance for Employed Persons with Disabilities (MA-EPD)
• Request coverage under Medicare Savings Programs (MSP)

In addition to the MA-ABD applicant and enrollee, the following people are required to authorize the agency to request information through the AVS:

• The person’s spouse, unless the person is applying for or enrolled in Medical Assistance for Employed Persons with Disabilities (MA-EPD). Note: The spouse of a person who is requesting MA-LTC must authorize the agency to request information through the AVS at the time of application. However, the spouse’s information is not requested at subsequent renewals, when the spouse’s assets are no longer counted in the eligibility determination.
• The person’s sponsor and, if applicable, their sponsor’s spouse whose assets are counted in the MA-ABD eligibility determination. A sponsor is someone who signed an Affidavit of Support (USCIS I-864) as a condition of the person’s, or his or her spouse’s, entry to the country.

¹ Hereinafter, any reference to MA-LTC only includes people applying for or enrolled in MA-LTC for facility services with an age 65 or older, blind or disability basis of eligibility.
The applicant or enrollee is ineligible for MA under the MA-ABD basis if he or she, and when applicable, the spouse, the sponsor and the sponsor’s spouse do not provide a signed authorization allowing the agency to request information through the AVS.

MA-ABD applicants and enrollees must still provide proof of their financial account balances at application, renewal and when an MA enrollee becomes subject to an asset test because the member’s MA basis of eligibility changes to MA-ABD.

A. Submission of Requests through the AVS

The following policies apply to the submission of requests through the AVS for people with an MA-ABD basis of eligibility, who have an asset test and have signed the authorization (DHS-7823), and who:

- Apply on or after September 1, 2019
- Have a change in MA basis of eligibility to MA-ABD, with an asset test, on or after September 1, 2019
- Have a renewal on or after September 1, 2020

Note: When an applicant or enrollee’s case has a privileged status, workers must request a signed authorization (DHS-7823) from the applicant or enrollee, and spouse or sponsor(s), if applicable, at application, renewal or when there is a change to an MA-ABD basis of eligibility. However, the worker must not make a request through the AVS until such time as the person’s case is no longer under a privileged status.

Application: Workers must request a signed authorization (DHS-7823) from the applicant and a spouse or sponsor(s), if applicable, and submit a request through the AVS as soon as possible after receipt of the DHS-7823 with the required signatures. Workers must retain the signed authorization(s) (DHS-7823) in the case file.

The worker must wait for responses from the AVS for a minimum of 10 calendar days after the date the request is submitted before making an eligibility determination. The applicant’s MA-ABD eligibility cannot be determined during this time. Workers must consider responses from the AVS returned after the 10 calendar day period, but before the application is processed, in the eligibility determination.

Exception: A worker may approve an application for MA-ABD eligibility after submitting the AVS request, but before the 10 calendar day period after the date the request is submitted, when all of the following conditions are met:

- The worker has determined the applicant has an immediate medical need, such as the applicant:
  - is at a doctor’s office, pharmacy or hospital in need of services or coverage or has been refused medical services,
  - is in immediate need of prescription medications, or
  - has a high risk-pregnancy.

- The application is complete, the authorization (DHS-7823) has been signed by the applicant and, if applicable, the spouse, sponsor and sponsor’s spouse, and all required verifications have been received.

- The applicant meets all MA eligibility requirements.
When the AVS returns information about an unreported account, before or after the worker has taken an action to approve MA eligibility, the worker must take the actions discussed in Section II. B. Unreported Accounts Identified Through the AVS.

Change in MA basis of eligibility to MA-ABD: Workers must request a signed authorization (DHS-7823) from the enrollee and a spouse or sponsor(s), if applicable, and submit a request through the AVS when an enrollee’s eligibility changes from MinnesotaCare or MA for families with children and adults (MA-FCA) to MA-ABD and results in the enrollee having an asset test. However, workers do not have to wait 10 calendar days before redetermining the enrollee’s ongoing MA eligibility if all required documentation has been provided and should redetermine MA eligibility as soon as possible. When the AVS returns information about an unreported account, the worker must take the actions discussed in Section II. B. Unreported Accounts Identified Through the AVS.

Renewal: Workers must confirm a valid, signed authorization (DHS-7823) is in the enrollee’s case file and submit a request through the AVS at each annual renewal. The worker may submit the request to the AVS for the enrollee, and spouse, sponsor or sponsor’s spouse whose assets are counted in the MA-ABD eligibility determination before receiving the completed renewal if a signed authorization (DHS-7823) is on file. The worker must wait for responses from the AVS for 10 calendar days from the date the request is submitted before making a determination of continued MA-ABD eligibility. When the AVS returns information about an unreported account, the worker must take the actions discussed in Section II. B. Unreported Accounts Identified Through the AVS.

B. Unreported Financial Accounts Identified Through the AVS

The AVS may return results up to 90 days after a worker submits a request. When information is received about an account the applicant, enrollee, spouse, sponsor or sponsor’s spouse did not report, the worker must review the AVS request to ensure that correct information was provided at the time of the request. When it has been confirmed that the request included correct identifying information, the worker must contact the applicant or enrollee to resolve the inconsistent information.

Applicants and enrollees and their spouse or sponsor(s) must cooperate in resolving inconsistent information. They must provide additional proofs to resolve the inconsistent information by either providing proof of account balances for accounts they say they do own or proof they are not the owner of the account by contacting the financial institution and providing confirmation they are not the owner.

Workers must assist people in resolving inconsistencies and follow procedures for obtaining assistance from the AVS vendor if the person cannot receive information from the financial institution.

When an unreported account is reported after MA eligibility has been approved or when a persons’ MA basis of eligibility changes to MA-ABD with an asset test, MA eligibility continues while the person is cooperating in resolving the inconsistent information.

Workers should follow overpayment policy when an enrollee is discovered to have an unreported account that would have caused ineligibility in a previous month. See MHCP Overpayments for more information.
C. Obtaining Authorization to Access the AVS From MA Enrollees Whose Application Was Received Before September 1, 2019

DHS will send a request for information and the authorization form (DHS-7823) to MA-ABD enrollees who have an asset test and who applied for MA before September 1, 2019. Mailing will occur in monthly increments beginning in September 2019, with the final mailing in April 2020. The request for information will explain the requirement to authorize DHS to request information through the AVS and request the return of the signed authorization form (DHS-7823) to the agency within 10 days. Agencies will close the enrollees’s MA eligibility if the authorization form (DHS-7823) is not returned on or before the due date.

Receipt of the signed authorization (DHS-7823) by the appropriate people is a condition of MA eligibility for the current enrollee. However, workers should not submit the AVS request for current enrollees until the time of their renewal on or after September 1, 2020.

III. Authorization to Obtain Financial Information from Account Validation Service (AVS) (DHS-7823)

The Authorization to Obtain Financial Information from the Account Validation Service (AVS) form (DHS-7823) must be signed by each applicant or enrollee and his or her spouse, sponsor, or spouse’s sponsor, if applicable, for a worker to submit a request through the AVS. A separate authorization (DHS-7823) is needed for each spouse when both spouses are applying for or renewing their MA-ABD eligibility. No other authorization or release form may be used. The applicant or enrollee’s authorized representative or person who has authority to act on the person’s behalf may sign the authorization form. An authorized representative cannot sign for the spouse and sponsor or sponsor’s spouse. A signature is required by the personal representative of the estate of a deceased applicant or enrollee whose information must be requested through the AVS. The legal guardian of any person who is required to provide authorization to access his or her financial information through the AVS must sign the authorization (DHS-7823).

Social Security Number (SSN)

A person’s SSN is required for the worker to submit a request through the AVS. If the applicant’s or enrollee’s SSN is not provided on the authorization to obtain financial information form (DHS-7823), but he or she provided it to the agency for purposes of the current MA eligibility determination, workers can use the known SSN to submit a request through the AVS. An SSN known to the agency for any other reason cannot be used to submit a request to the AVS.

Applicants and enrollees who meet an exception for providing an SSN for purposes of MA eligibility are not required to provide their SSN for the purpose of submitting a request to the AVS. They must still provide documentation of their assets. See Minnesota Health Care Programs Eligibility Policy Manual (EPM) Social Security Number for more information about exceptions to providing an SSN.

Spouses and sponsors are not required to provide an SSN on the authorization form (DHS-7823). MA-ABD eligibility cannot be denied or terminated due to a spouse or sponsor not providing his or her SSN on the authorization, however, spouses and sponsors must still report and provide documentation of their assets.
Duration of the Authorization

A signed authorization to obtain financial information through the AVS (DHS-7823) remains in effect until one of the following occurs:

- The MA application is denied.
- The enrollee’s MA eligibility is closed for one calendar month or more. However, the authorization does not end if the county reinstates eligibility after it was closed for more than one calendar month due to agency error or a delay in processing.
- The enrollee’s MA basis of eligibility is no longer MA-ABD.
- The person or his or her authorized representative withdraws the authorization in writing.

New Authorization Required

A new authorization form (DHS-7823) is required before a worker can submit a request through the AVS when:

- A previously completed authorization (DHS-7823) is no longer in effect for any of the reasons listed under the Duration of the Authorization section.
- The person who originally signed the authorization (DHS-7823) as the person’s authorized representative is no longer the person’s authorized representative.
- The agency cannot locate a signed authorization (DHS-7823).
- An enrollee gets married and the spouse’s assets must now be counted in the MA-ABD eligibility determination.
- A renewal is received during the reconsideration period and treated as a new application.

IV. AVS Acceptable Use Policy

AVS users can submit a request through the AVS only as required by the policies published in this bulletin.

Prohibited Activities

Requesting information through the AVS is not allowed for the following purposes:

- To determine Supplemental Nutrition Assistance Program (SNAP), county burial assistance, emergency assistance or cash assistance program eligibility
- To determine MA eligibility for people who are eligible with a spenddown and whose MA basis of eligibility is parent or caretaker relative, child or pregnant woman (MA-FCA)
- For the purpose of a fraud investigation
- For the purpose of establishing an estate claim
- To complete an asset assessment for planning purposes
- For any other purpose not expressly required by the policies in this bulletin
V. Actions Required

Information in this section is for state, county and tribal workers. Submit questions about the acceptable use of the AVS and related policies through HealthQuest.

Submit a request through the AVS in the following situations:

- Applications received on or after September 1, 2019, for applicants who have an MA-ABD basis of eligibility and their spouse or sponsor(s) if applicable, who have an asset test, and who have signed the authorization (DHS-7823), including people that:
  - Live in the community
  - Live in a long-term care facility and request Medical Assistance for payment of long-term care (MA-LTC)
  - Request services through a home and community-based services (HCBS) program (Brain Injury [BI], Community Alternative Care [CAC], Community Access for Disability Inclusion [CADI], Developmental Disabilities [DD] or Elderly Waiver [EW])
  - Request Medical Assistance for Employed Persons with Disabilities (MA-EPD)
  - Request Medicare Savings Programs (MSP)

- Changes in an enrollee’s basis of eligibility to MA-ABD with an asset test, on or after September 1, 2019.

- Annual renewals beginning with MA-ABD renewals for September 2020, and later.

A. Training Requirements for Access to the AVS

Workers and supervisors must take the required online training before they are granted access to the AVS. DHS will provide information to training coordinators and security liaisons about training and system access.

B. Obtaining Authorization to Access the AVS From MA Enrollees Whose Application Was Received Before September 1, 2019

DHS will provide additional information about the agencies responsibilities in obtaining authorization (DHS-7823) from enrollees who applied before September 1, 2019. MA eligibility for these enrollees cannot be closed earlier than the month following the month in which the authorization (DHS-7823) is due as a result of the DHS mailing described in II. Section C. Obtaining Authorization from Current Enrollees to Access the AVS.

C. AVS Procedures for Applications, Renewals and Change in MA Basis of Eligibility to MA-ABD

AVS procedures are posted in ONEsource.
VI. Legal Authority

Section 1940 of the Social Security Act, Asset Verification through Access to Information Held by Financial Institutions

Minnesota Statutes, section 256.01, subdivision 18f.

Americans with Disabilities Act (ADA) Advisory

This information is available in accessible formats for people with disabilities by calling 800-657-3739 or by using your preferred relay service. For other information on disability rights and protections, contact the agency’s ADA coordinator.