

Questions and Answers about Transitional Medical Assistance (TMA) and Kai v. Ross

WHAT IS TMA?

Transitional Medical Assistance or TMA is a form of Medicaid for working families who are transitioning off of Medicaid and looking for private health insurance or some other way of meeting their medical needs. Under normal TMA rules people that qualify for TMA will get Medicaid for six months regardless of how much income they have. After the first six months, people who have an income below 185% of the federal poverty level can get another 6 months of TMA. (Click here for federal poverty level guidelines)

WHAT IS KAI TMA?

Kai TMA is a special kind of TMA that about 10,400 Nebraskans can get starting October 1, 2003 because they are part of a lawsuit called Kai v. Ross.

HOW IS KAI TMA DIFFERENT THAN REGULAR TMA?

Kai TMA is different from regular TMA in these ways:

1. Kai TMA is only available to people who are part of the class action law suit.
2. Kai TMA will end on September 30, 2004.
3. The normal TMA rules will not apply for the first four months of Kai TMA.
4. Those who receive Kai TMA will have a special appeals process available to them if they are denied TMA at any time before September 30, 2004.

AM I PART OF THE KAI v. ROSS LAW SUIT?

You are part of the lawsuit or considered in the class if:

1. You are a caretaker relative (an adult who cares for dependent children); and
2. You have earned income; and
3. You lost Medicaid because of LB 8 (LB 8 is a bill that was passed by the Nebraska Legislature last year that changed the Medicaid eligibility rules); and
4. You received Medicaid for at least three of the six months before your Medicaid benefits were terminated.

HOW WILL I KNOW IF I AM GOING TO GET TMA?

Current Medicaid Recipients: If you are receiving Medicaid now but lose that Medicaid coverage anytime before September 30, 2004 you will receive a notice from you caseworker notifying you of your eligibility for Kai TMA. However, you will not hear anything from HHS about this lawsuit unless you lose your current Medicaid.

People who are not receiving Medicaid but have an active case with HHS:

If you lost Medicaid due to LB 8 but your children continue to get Kids Connection or your family gets some other benefits like Food Stamps or Child Care you have an active case with HHS. Sometime before October 1, 2003, you should get a notice from your

caseworker and a Medicaid card that gives you Kai TMA because you are part of the lawsuit. Once you get your new Medicaid card the first six months of Kai TMA begins.

People who are not receiving Medicaid and who don't have an active case with HHS:

If you lost your Medicaid due to LB 8 but no one in your household is getting benefits from HHS you do not have an active case. HHS will be sending a notice to your last known address asking you to contact your local office to provide basic information so they can activate your case. Once you receive this notice or if you think you should be part of the case call your local HHS office. If you wait too long to contact HHS you might lose some months of Kai TMA. Kai TMA will begin the month that you contact the local office. However, no matter when you contact HHS, you cannot receive Kai TMA beyond September 30, 2004.

I THINK I AM PART OF THE KAI v. ROSS LAWSUIT. WHAT SHOULD I DO IF I NEVER HEAR ANYTHING ABOUT IT FROM HHS?

First, contact your local HHS office. If they are unable to answer your questions or you think their determination is incorrect, contact the Nebraska Appleseed Center (Nebraska Appleseed Center are the lawyers for the people trying to get Medicaid in the Kai v. Ross lawsuit). Call Nebraska Appleseed at 1-800-845-3746 and we will review your case and help you negotiate with HHS.

WHAT IF I LOSE KAI TMA BEFORE I GET SIX MONTHS OF COVERAGE?

The goal of Kai TMA is to give you as many months of TMA as you should have gotten after you lost Medicaid because of LB 8. As a result, some people will lose their Kai TMA before the first six months has passed. If you are terminated from Kai TMA and you think you have additional months coming to you, a special appeals process has been created to handle this. If you get a termination notice from HHS, it will contain contact information for the Nebraska Appleseed Center. Nebraska Appleseed will review your case to see if you have any additional months of TMA coming to you. If Nebraska Appleseed thinks you are owed additional months, they will contact HHS to resolve the issue. If you are unhappy with what Appleseed or HHS tells you, you can use the regular appeals process to challenge your loss of TMA.