

## Baum, Beth - EBSA

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**From:** Mauriello, Jona [Jona.Mauriello@hhsc.state.tx.us] on behalf of Millwee, Billy [Billy.Millwee@hhsc.state.tx.us]

**Sent:** Thursday, April 01, 2010 9:17 AM

**To:** EBSA, E-OHPSCA - EBSA

**Subject:** Texas' Comments: Model Notice for Employers to Use Regarding Eligibility for Premium Assistance Under Medicaid or CHIP

To Whom It May Concern:

Texas appreciates the opportunity to comment on the model notice for employers to use regarding eligibility under Medicaid or CHIP premium assistance programs that was posted in the Federal Register, Vol. 75, No. 23, issued on February 4, 2010.

### **Comments on Model Notices Regarding Eligibility for Premium Assistance under Medicaid or CHIP**

Texas endorses the model notice for employers to use regarding eligibility for premium assistance under Medicaid or CHIP. The model notice provides employees the necessary information to contact State agencies regarding potential eligibility for existing premium assistance programs in Medicaid or CHIP. In addition, the notice allows employers with employees in multiple States to utilize a standard notice for all employees.

### **Development of a Model Coverage Coordination Disclosure Form**

Texas supports the development of a "Model Coverage Coordination Disclosure Form" for employer health plans to provide, upon request, information about their benefits to State Medicaid or CHIP programs. A model coverage coordination disclosure form will provide State Medicaid and CHIP programs important information necessary for evaluating employer health benefit plans and determining if premium assistance is a cost effective way to provide individuals with coverage. The development of a model coverage coordination disclosure form will improve Texas' ability to acquire better information regarding employer health benefit plans.

The State understands that the Department of Labor (DOL) will be responsible for the enforcement and monitoring of employers in disclosing benefit information, upon request, to State Medicaid and CHIP programs. Texas recommends that the DOL maintain the authority for enforcing and monitoring this disclosure requirement because Texas' Medicaid program does not have the authority to enforce employer compliance.

Sincerely,

Billy Millwee  
State Medicaid and CHIP Director  
Texas Health and Human Services Commission