KERR COUNTY INDIGENT HEALTH CARE POLICY

(This revised policy, adopted by Kerr County Commissioners’ Court at the regular meeting on Sept. 12, 2016, shall become effective Sept. 12, 2016.)

The Kerr County Indigent Health Program is established with an application, documentation, and verification process based on Texas Department of State Health Services (TDSHS) guidelines established Chapter 61 of the Health and Safety Code. Chapter 61, the Indigent Health Care and Treatment Act was passed in 1986 by the 69th Texas Legislature.

All Applicants and Qualified Clients are required to comply with all State and County policies and guidelines to receive services through the Kerr County Indigent Health Program.

The Kerr County Indigent Health Program will be referred to as KCIHP in the remainder of this policy document.

KCIHP is a county-based program providing basic services according to the TDSHS guidelines and does not offer any optional services.

KCIHP has a maximum county liability per client for each state fiscal year (September 1 to August 31) for health services provided by all assistance providers, including hospital and skilled nursing facility.

Kerr County requires any provider to obtain approval from KCIHP before providing non-emergency care services to an eligible person. Kerr County requires any provider who delivers emergency services to a patient who might be eligible for KCIHP assistance to notify KCIHP within the timeframe set by Texas Health & Safety Code Chapter 61.032 that emergency services have been or will be provided to the patient. Any provider who delivers services to an eligible person without complying with the requirements of the Texas Health and Safety Code Chapter 61.031, .032 shall not be eligible for payment for the services from Kerr County.

Eligibility must (by law) be determined within 14 days of application completion date.

KCIHP will consider four eligibility criteria for determination of eligibility: Residence, Household, Income and Resources.

KCIHP Residency Requirements (may include but are not limited to):
- Applicants must provide proof of Kerr County residency with one or more of the following items:
  1. A rent or mortgage payment receipt showing applicant’s name and address of property and date of occupancy;
  2. A Kerr County property tax receipt for the most recent tax year;
3. A Kerr County voter registration card showing current address; or; 
4. School enrollment records. 
5. Texas driver license or Texas ID card showing current Kerr County residence address 
6. Mail addressed and delivered to the applicant's physical address. No post office box addresses are acceptable.

- Applicants living in a motel, hotel, bed and breakfast, shelter, or temporary residential facility or house are not considered Kerr County residents for Indigent Health Program purposes.

- Persons incarcerated in the Kerr County Jail or the Kerr County Juvenile Detention Center are eligible to apply for the Kerr County Indigent Health Program, but must meet the same requirements as Kerr County residents.

**KCIHP Household Requirements** (may include but are not limited to)

- A KCIHP household may be a person living alone or two or more persons living together where legal responsibility for support exists, excluding disqualified persons. Verification of household is required.

- Legal responsibility for support exists between persons who are legally married, a legal parent and a minor child, or a managing conservator and a minor child.

**KCIHP Income Requirements**

- A household must pursue and accept all income to which the household is legally entitled.
- The income of all household members is considered in determining eligibility.
- Monthly Income Standards will be based on the annual Federal Poverty Guidelines and are established by the Texas Department of Health.
- Verification of income may include but is not limited to requests for paycheck stubs, statements from employers, W-2 forms, verification of cash contributions, checking or savings account information, life or health insurance policy information showing current value, business records, award letters, court orders or public decrees, sales records, income tax returns or statements completed, signed and dated by the self-employed person.
- Alien Sponsor’s Income - If you are a sponsored alien, you are required to furnish copies of the last four pay stubs, previous year’s Federal Income Tax and W-2 form from your sponsor.

**KCIHP Resources Requirements**

- All applicants will be required to apply for benefits under the Affordable Care Act (ACA) during the next available open enrollment period. Applications can be submitted to healthcare.gov or by calling 1-800-318-2596 (Insurance
Marketplace). Applicants to the Kerr County Indigent Health Program must provide proof of applying and the results of the application.

• Persons who have applied and been approved for the KCIHP will also be required to apply for ACA benefits at the beginning of the next available enrollment period and provide documentation of approval or denial to the Kerr County Indigent Health office.

• A household must pursue all resources to which the household is legally entitled unless it is unreasonable to pursue the resource. Indigent health care should be considered the source of last resort.

• The resources of all household members are considered. Proof of resources may be required.

KCIHP Policies

• All applicants for KCIHP will be required to visit the county's indigent health office in the basement of the Kerr County Courthouse annex for an interview, except persons incarcerated in the Kerr County Jail or who are placed in the Kerr County Juvenile Detention Center. If the applicant misses the interview appointment the application will be denied and applicant will have to reapply. If approved, a photo identification card will be generated for the applicant by the KCIHP office.

• Applicants or Qualified Clients who are rude and display disruptive or abusive language or behavior will not be seen. Our personnel will be protected from dangerous situations. Physical or combative confrontations are grounds for denial or immediate termination from the Indigent Health Care Program.

• All Qualified Clients are expected to comply with the medical regime proposed by the approved Kerr County medical provider’s office or regime proposed by any specialist to whom they are referred. Qualified Clients will be terminated from the program for repeated non-compliance.

• Eligibility reviews shall be done every 6 months but may be required at any interval of time less than the 6 months, as determined by KCIHP.

• Persons covered under the KCIHP will be asked to share in the costs of their health care. $50 co-pay per hospital visit, $25 co-pay per doctor visit and $5 co-pay per prescription will be requested. Program participants will be encouraged to seek information on other low-cost prescription plans that are available through their providers.

• No Qualified Clients shall receive any medications without periodic Primary Care Physician evaluation (three to six months) and Qualified Clients will be terminated from the program for any evidence of illicit drug use and/or possession. Kerr County IHP reserves the right to limit or deny certain
prescriptions to eligible clients. Physicians will be contacted if an issue arises related to the prescriptions.

- Any Qualified Client arrested for prescription drug fraud or possession, manufacture or delivery of controlled substances in any "Penalty Group" defined under the Texas Health & Safety Code will be suspended from the prescription drug program until the case is adjudicated. Conviction of any of these crimes will mean the Qualified Client will be denied prescription benefits beginning the date he/she is adjudicated or placed on probation and continuing from that date until two years from the date of the adjudication or the end of the probation period, or two years from the release date from the Texas Department of Criminal Justice or county jail, if incarcerated.

- Clients may also be terminated from the Indigent Health Program for continued alcohol abuse as evidenced by alcohol related arrests after qualifying for KCIHP.

- Persons on KCIHP or new applicants will have 14 days to report to our office:
  a. change in address
  b. change in income or resources
  c. change in the number of people living in the household
  d. any application for or receipt or denial of benefits under the:
     Affordable Care Act
     Medicaid
     SNAP (Supplemental Nutrition Assistance Program) (formerly Food Stamps)
     TANF
     SSI

**FAILURE TO REPORT CHANGES WILL JEOPARDIZE ELIGIBILITY AND COULD LEAD TO CRIMINAL CHARGES.**

- Applicants will be required to sign an affidavit swearing to the accuracy of information provided in the application process. The affidavit will be notarized at no cost to the applicant. A person who provides false information will be banned from re-applying for indigent health care in Kerr County for a period of two years. Giving false information on an application could lead to criminal charges.

- Applicants will be subject to background checks to include screening under www.yourtexasbenefits.com and http://best.ssa.800

- The filing of an application for KCIHP or the receipt of services constitutes an assignment of the applicant's or recipient's right of recovery from personal insurance or other sources. An applicant or recipient shall inform the county at the time of application or any time during eligibility, of any unsettled tort claim that may affect medical needs and of any private accident or sickness insurance coverage that is or may become available. Notice must be given to KCIHP within 10 days of the date the person learns of the insurance coverage, tort claim or potential cause of action.
• If an applicant is denied coverage, the person will have 90 days to file a written appeal with KCIHP. The form will be provided by KCIHP. An appeals committee will review the application and written appeal. A hearing will be scheduled with the applicant. The review committee will be made up of two unbiased residents of Kerr County. The KCIHP coordinator will be in the hearing as a resource only.

• Kerr County may, by state law, designate providers for indigent health care recipients. Out-of-county care will require prior approval and a referral in writing from a Kerr County physician or meet one of three criteria (an emergency situation, when medical care is not available in Kerr County, or when care in Kerr County would be medically inappropriate). KCIHP will not pay any out-of-state hospital expenses.

• KCIHP requires dispensing of generic prescriptions, if there is a generic available. A physician can request the name-brand as part of the prescription but the KCIHC recipient cannot make the choice. Medications that are available in an over-the-counter form will not be covered. KCIHP will not cover smoking cessation, erectile dysfunction, over-the-counter diabetic supplies, weight loss medications or other optional medications available either by prescription or over-the-counter. Prescriptions are limited to a total of three per month for each IHC recipient. If a physician writes the prescription for a 90 day supply, the prescription will count as one of the three for each of the three months. Dosage verification will be required for all prescriptions. Kerrville Drug Company, 1050 Junction Hwy, Kerrville has been designated by Kerr County as the pharmaceutical provider for KCIHP recipients.

• Applicants for KCIHP benefits who are unemployed may be required to register with Alamo Workforce Solutions for job eligibility or training and show proof of actively seeking employment as required under the TANF guidelines. If applicant is unable to work, a letter of documentation from the physician will be required. The letter should state specifically that the applicant is not able to work and the estimated duration of the temporary disability.

• Applicants may also be directed to seek services from the Department of Assistive and Rehabilitative Services (DARS) or ask Social Security to determine whether they are eligible for Social Security Disability Insurance/Medicare.

• For claim payments to be considered, a claim must be received in the KCIHP office no later than 95 days from (1) the date of service, for services provided after the date of approval, or (2) the date of approval, for services provided before the household was approved.

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