

TEFRA: Safeguards for Oklahoma's Most Medically Fragile Children

The **Tax Equity and Fiscal Responsibility Act** was signed into law by **President Reagan** in 1982.

TEFRA is a *pathway* for children who are not income-eligible to receive Medicaid services due to a significant developmental disability and/or life-limiting medical condition.

TEFRA children are our *most medically fragile* with conditions such as:

Spinal cord injuries	Complex cardiac conditions
On permanent ventilators	Dravet Syndrome
Muscular Dystrophy	Intellectual disabilities w/ IQ <70
Metabolic genetic disorders	Organ failure

622 OK children use TEFRA with ONE DHS caseworker managing all of their eligibility paperwork.

To be eligible for TEFRA, a child must meet a hospitalization (institutional) level of care. Without TEFRA, some would be placed in a long-term care facility.

- TEFRA is not a waiver and there is no waiting list.
- Only the child's income and resources are used to determine financial eligibility. Many of these children have primary health insurance through their parents' employers. Therefore TEFRA acts as the *secondary* insurance source.
- A medical team at the OK Health Care Authority determines if the applicant requires a hospital/institutional level of care, even as families are raising these children at home. The application and annual review process are labor-intensive for both staff and parents.
- 230 of the current TEFRA recipients are also on the Waiting List for a Medicaid Home and Community-based Waiver.
- These children are all covered by Medicaid's **EPSDT** (Early Periodic Screening Diagnosis and Treatment) provision, which effectively means *they are entitled to any treatment/service/equipment deemed medically necessary*, even if the item is not included in the State Plan.

As a family advocate, remember that cuts to the TERFA budget will not:

- Change the scope of care the state is obligated to provide for these children.
- Change the state's obligation to pay the Medicaid match for care these children receive.