Section 1115 Work Requirements: Implications for American Indian/Alaska Natives

What are Medicaid Work Requirements?
Section 1115 Medicaid demonstration waivers provide states the ability to test new approaches in Medicaid that differ from federal program rules. In January 2018, the Centers for Medicare & Medicaid Services (CMS) released a State Medicaid Director Letter (SMDL) which provided guidance to states on making work/community engagement (CE) requirements a condition of obtaining Medicaid eligibility under Section 1115 demonstration waivers.

Which States have approved Section 1115 Waivers with work requirements? States with pending litigation are in italics.
- Arizona (postponed)
- Arkansas (struck down by Appeals Court)
- Indiana (suspended)
- Ohio
- Kentucky (struck down by federal judge; state suspended)
- New Hampshire (struck down by District Court and now on appeal)
- Michigan (struck down by District Court)
- Utah
- Wisconsin

Which State Waivers are currently pending?
- Alabama
- Idaho
- Mississippi
- Montana
- New Mexico
- Oklahoma
- South Dakota
- Tennessee
- Virginia

Which States request American Indian/Alaska Native exemption?
- Arizona
- Idaho
- Indiana
- Mississippi (only for Mississippi Choctaw Tribal members)
- Montana
- Oklahoma
- South Carolina
- Utah

CMS-approved demonstration with American Indian/Alaska Native exemption
- Arizona
- South Carolina
- Utah

For additional information, please contact
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