PUBLIC NOTICE

MODIFICATION TO RETROACTIVE MEDICAID ELIGIBIITY PERIOD

Federal regulations currently provide that certain individuals are entitled to retroactive Medicaid coverage during the three (3) months prior to the month of application, if the individual received Medicaid services covered under the state plan during that period, and if they were, or on application would have been, eligible.[1] The Working Families Tax Cut (WFTC) legislation,[2] which was signed into law on July 4, 2025, shortens the three (3) month retroactive eligibility period in Medicaid effective for applications made on or after January 1, 2027. Specifically, section 71112 of the WFTC legislation requires non-expansion states to shorten their retroactive eligibility period from three (3) months to two (2) months effective January 1, 2027.

In accordance with the provisions of section 71112 of the WFTC legislation, the Department of Community Health (DCH) will amend its Medicaid state plan and modify Medicaid policy to change the retroactive period from three (3) months to two (2) months preceding the month of application, if the individual was, or on application would have been eligible for medical assistance at the time such care and services were furnished.

The projected fiscal impact for the change in Medicaid retroactive eligibility is as follows:

SFY 2027	State Funds	Federal Funds	Total
	($6,474,476)	($12,894,236)	($19,368,712)

While this public notice addresses retroactive Medicaid eligibility, DCH will apply the same two (2) month retroactive eligibility period to individuals applying for Pathways to Coverage.

This public notice is available for review at each county Division of Family and Children Services office. An opportunity for public comment will be held on **Tuesday, October 20, 2026 at 11:30 a.m., via Zoom audio**. There will be **no in-person** attendance at the Department of Community Health (DCH).

Individuals who are disabled and need assistance to participate during this meeting should call (404) 656-4479 at least three (3) business days before the scheduled public hearing to ensure any necessary accommodations can be provided.

Join Zoom Meeting

https://us02web.zoom.us/j/85677523247?pwd=5jwVAhbPr8YajEvjqBAyGbtqAcRdMM.1

Meeting ID: 856 7752 3247

Passcode: 693190

[1] 42 CFR 435.915.
[2] Public Law 119-21.

One tap mobile
+13052241968,,85677523247#,,,,*693190# US
+13092053325,,85677523247#,,,,*693190# US

Individuals wishing to comment in writing on any of the proposed changes should do so on or before October 23, 2026, to Emily Yona c/o the Board of Community Health, Post Office Box 1966, Atlanta, Georgia 30301-1966. You may also email comments to public.comments@dch.ga.gov or fax to 404-651-6880.

Comments submitted will be available for review by submitting a request via email to openrecordsrequest@dch.ga.gov. ***Please note that any comments submitted are subject to open records.***

If the proposed changes are presented to the Board for final action, relevant comments from written and public testimony will be provided to the Board. The Board expects to vote on the proposed changes at the Board meeting to be held on **November 12, 2026,** at 10:30 a.m. at the Department of Community Health unless withdrawn or withheld by the Department for further review.

NOTICE IS HEREBY GIVEN THIS 8th DAY OF OCTOBER 2026
Dean Burke, MD, Commissioner