Medicaid work requirements: What HIV providers need to know

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The latest: *On Nov. 13, 2026, the Centers for Medicare and Medicaid Services released a Dear Medicaid Director letter informing states that they could request a six-month "hold harmless" period allowing them to defer disenrollment of people who do not fulfill the work requirements until July 1, 2027. States are still required to collect work requirement data so they can evaluate their systems and processes, but they are not required to disenroll individuals who do not meet the requirements. The "hold harmless" provision only applies to the work requirements. CMS requested that states notify them by Dec. 11, 2026, if they intend to enact the "hold harmless" period.* ***Contact your state Medicaid program or state office of HIV/AIDS to urge them to take advantage of the "hold harmless" period to prevent harmful coverage disruptions for people with HIV.***

What are the Medicaid work requirements?

Beginning Jan. 1, 2027, the 41 Medicaid expansion states, in addition to Georgia, Wisconsin and Tennessee, are required to impose work requirements for most expansion enrollees or waiver populations. With a few exceptions, enrollees between the ages of 19 and 64 must report every six months at least 80 hours of work or community service per month or have monthly income of at least $580 per month to maintain their Medicaid coverage. *Based on the Nov. 13, 2026, letter issued by CMS, states may elect not to disenroll people for failure to meet the requirements until July 1, 2027.* Nearly half of people with HIV have Medicaid coverage, and 60% of them are covered through the Medicaid expansion. *Learn more*.

Can states exempt people with HIV from the work requirements?

The H.R. 1 legislation exempts from the work requirements people who are "medically frail" or who have a serious or complex condition, such as HIV. In June, the Centers for Medicare and Medicaid Services went further than the law by issuing a rule requiring Medicaid enrollees to be significantly impaired by their condition to be exempt from the work requirements. A lawsuit filed by 26 states including the District of Columbia challenged the rule, and on Oct. 29, 2026, a federal district court vacated or set aside the significant impairment requirement. The court's ruling applies nationwide but may be appealed. Because states have been preparing to implement the significant impairment standard, some may still require it. *Learn more (including the states that filed the lawsuit).*

For 2027, in most states Medicaid enrollees can self-attest that they are unable to work due to a serious or complex condition. *See the KFF tracker for state policies*.

How can clinic staff help patients prepare?

- Encourage patients to contact the state Medicaid program to confirm their contact information is up to date, and urge them to look for a form or letter from the Medicaid program and respond by the date requested in the form or letter to maintain their health coverage.
- Check the state Medicaid program's website for flyers or other information that you can post in your clinic.

- Check the state Medicaid program's website or contact the state office of HIV/AIDS to ask if people with HIV or a substance use disorder, hepatitis B or hepatitis C are excluded from the work requirements and learn how the exemption will work.
- If patients are unsure if they have Medicaid coverage, they can look up the name of the state Medicaid program on HealthCare.gov.

What other new Medicaid rules could impact my patients?

In October 2026, refugees and asylees without a green card lost their Medicaid coverage.

On Jan. 1, 2027, in addition to the work requirements, eligibility redeterminations will be required every six months, and retroactive coverage will be limited to one month for expansion enrollees and two months for traditional Medicaid enrollees.

Where can I learn more?

- Positively Covered: A Medicaid Enrollment Program for the HIV Community
- A Win and a Race: Court Removes "Significant Impairment" Requirement From Medicaid Work Requirement Exemption
- Quick Take: Court Decision Eases Burden of Proof to Qualify for Medical Frailty Exclusion to Medicaid Work Requirements (KFF)
- Medical Frailty and Medicaid Work Requirements: Challenges for People With HIV
- CMS State Medicaid Director on work requirement "hold harmless" option