



NC DEPARTMENT OF
**HEALTH AND
HUMAN SERVICES**
Division of Health Benefits

ROY COOPER • Governor
KODY H. KINSLEY • Secretary
JAY LUDLAM • Deputy Secretary, NC Medicaid

Date: APRIL 30, 2024

RE: TELEPHONE/VOICEMAIL ACCESS REQUIREMENTS REMINDER

Dear County Department of Social Services Directors:

The Department of Health Benefits (DHB) is issuing this reminder of the requirement for all local Department of Social Services (DSS) agencies telephone systems to be in compliance with federal law as outlined in the following [Director of Social Services Letters](#) issued

- March 1, 2023, Recertification Process and Report of Changes in Circumstances by Telephone,
- March 28, 2023, Department of Social Services Voicemail Requirements and
- November 13, 2023, Phone Access Requirements.

DSS agencies must be in compliance and have the necessary telephone system upgrades no later than July 1, 2024.

Failure to comply with the telephone access requirements by the aforementioned deadline, July 1, 2024, will result in corrective action being imposed on the County DSS agency, due to non-compliance with federal regulations.

As a reminder, part of the ongoing Continuous Coverage Unwinding (CCU) efforts, as well as the *Franklin v. Kinsley* settlement agreement, it is critical that beneficiaries have access to contact all DSS agencies by telephone. Access for beneficiaries includes but not limited to:

1. The option to leave a voicemail and
2. The right to receive a return call within **five business days** after the message date.

These requirements apply to all 100 counties and do not vary by the size of the county or its staffing or technological capabilities. **DHB is advising the DSS offices that Expansion funds may be used to make the necessary telephone system upgrades to support the increased calls anticipated for new applications and beneficiary telephone access.** The expectation is that all DSS offices in all 100 counties will ensure their phone systems meet requirements or DSS will update telephone systems to be in compliance with the requirements to allow beneficiaries reasonable telephone access by **July 1, 2024**.

**NC MEDICAID
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LOCATION: 79 T.W. Alexander Drive, Durham, NC 27709
MAILING ADDRESS: 2501 Mail Service Center, Raleigh NC 27699-2501
www.ncdhhs.gov • TEL: 919-813-5340 • FAX: 919-224-1070

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1. Counties where voicemail is available 24hours/7days a week, but it is still necessary for individuals to know the caseworker's telephone extension/number or run a name search before they can leave a message, does not satisfy the standards for reasonable telephone access.
2. Those counties whose telephone system that did not meet the requirements outlined in the administrative letters, implemented an interim workaround process and corrective action plan, **with the expectation that phone systems would be in compliance no later than July 1, 2024.**

In addition, DHB would like to remind counties continued telephone surveys are necessary to determine the level of compliance or noncompliance with other requirements of the *Franklin v. Kinsley* . Previous surveys have found problems including: DSS agencies' lack of available telephone translators (i.e. Spanish translators); excessive hold times with no ability to leave a voicemail message; full voicemail boxes; and several call disconnections. DHB has also received reports that voicemails are not being returned within the 5-business day, time frame. It is imperative that all DSS agencies ensure calls are returned within these time frames.

If you have any questions regarding this information, please contact your [Medicaid Operational Support Team representative](#).

Thank you for your continued partnership,

DocuSigned by:

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Jay Ludlam
Deputy Secretary, NC Medicaid