



# Common Cents

New Hampshire Fiscal Policy Institute Blog

## Federal Court Halts New Hampshire Medicaid Work Requirements

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In a July 29 ruling, a federal judge halted the implementation of New Hampshire's work and community engagement requirements for expanded Medicaid enrollees. New Hampshire's expanded Medicaid program provides health coverage to nearly 50,000 residents with low incomes. Work requirement implementation had [already been delayed](#) by the State due to the potential for nearly 17,000 people to lose health coverage after the first month of reporting under the new requirements. The State's timeline for potentially suspending coverage of enrollees who did not meet the work or reporting requirements had been pushed back to early December, but the federal court ruling likely means a significant additional delay before the program could legally be implemented, should the federal and New Hampshire governments seek to do so.

In his [decision](#), the judge focused on the steps the U.S. Department of Health and Human Services took, and the justification offered, for reaching the decision to permit New Hampshire's work and community engagement requirements. The State obtained a [federal waiver](#) to implement these requirements. The judge concluded the Department did not provide a reasoned explanation that considered the factors relevant to the Department's decision, including addressing and analyzing the magnitude of potential coverage losses stemming from work requirements.

Following this ruling, future implementation of these work requirements in New Hampshire would require either a successful appeal of the ruling or a submission to, and approval by, the federal government of a different State Medicaid waiver request.

New Hampshire's work and community engagement requirements risked loss of health coverage for thousands of Granite Staters with limited incomes. [Evidence](#) from other states, including the disenrollment of more than 18,000 people in Arkansas in 2018 (the only state that has implemented work requirements and subsequently disenrolled individuals), suggested that New Hampshire was likely to experience coverage losses.

For more information on work requirements and New Hampshire's expanded Medicaid program, see NHFPI's May 2019 Issue Brief [\*Medicaid Work Requirements and Coverage Losses\*](#), NHFPI's March 2018 Issue Brief [\*Medicaid Expansion in New Hampshire and the State Senate's Proposed Changes\*](#), and NHFPI's *Common Cent* post on the [\*reauthorization of the program\*](#) in 2018.