DEPARTMENT POLICY

MA Only

This is an SSI-related Group 1 MA category.

Consider eligibility under this category only if eligibility does not exist under BEM 154 through 158. Use this category before using Extended-Care (BEM 164) or any Group 2 MA category.

This category is available to persons who are aged or disabled (AD).Net income cannot exceed 100% of the poverty level.

All eligibility factors in this item must be met in the calendar month being tested. If the month being tested is an L/H month and eligibility exists, go to BEM 546 to determine the post-eligibility patient-pay amount.

NONFINANCIAL ELIGIBILITY FACTORS

1. The person must not be eligible for MA under BEM 154 through 158.

2. The person must be aged (BEM 240, Age) or disabled (BEM 260, MA Disability/Blindness).

   Note: Blindness is not a basis of eligibility. However, a blind person who is also aged or disabled meets this eligibility factor.

3. The MA eligibility factors in the following items must be met.

   - BEM 220, Residence.
   - BEM 221, Identity.
   - BEM 223, Social Security Numbers
   - BEM 225, Citizenship/Alien Status
   - BEM 255, Child Support.
   - BEM 256, Spousal/Parental Support.
   - BEM 257, Third Party Resource Liability.
   - BEM 265, Institutional Status.
   - BEM 270, Pursuit of Benefits.

FINANCIAL ELIGIBILITY FACTORS

Groups

Use fiscal and asset group policies for SSI-related groups in BEM 211.

Assets

Countable assets cannot exceed the asset limit in BEM 400. Countable assets are determined based on MA policies in BEM 400, 401 and 402.

Divestment

Policy in BEM 405 applies.

Income Eligibility

Net income cannot exceed one hundred percent of the federal poverty level. The net income limit can be determined by subtracting twenty dollars from the income limits listed in table one of RFT 242. Income eligibility cannot be established with a patient-pay amount or by meeting a deductible.

Determine countable income according to SSI-related MA policies in BEM 500, 501, 502, 503, 504 and 530 ***except*** as explained in **COUNTABLE RSDI** in this item. Apply the deductions in BEM 540 (for children) or 541 (for adults) to countable income to determine net income.

COUNTABLE RSDI

Gross amount means the amount of RSDI before any deduction such as Medicare.

Countable RSDI for fiscal group members is the gross amount for the previous December when the month being tested is January, February or March. Federal law requires that the cost-of-living increase received in January be disregarded for these three months. For all other months, countable RSDI is the gross amount for the month being tested.

For all other persons whose income must be considered, countable RSDI is always the gross amount for the month being tested.

Note: An ex parte review (see glossary) is required before Medicaid closures when there is an actual or anticipated change, unless the change would result in closure due to ineligibility for all Medicaid. When possible, an ex parte review should begin at least 90 days before the anticipated change is expected to result in case closure. The review includes consideration of all MA categories; see BAM 115 and 220.

VERIFICATION REQUIREMENTS

Verification requirements for all eligibility factors are in the appropriate manual items.

LEGAL BASE

MA

Social Security Act, Section 1902(m), 1902(r)(2)
Deficit Reduction Act 2005, Social Security Act 1903(x), PL 109-171