

## Medicaid Buy-In for Working Persons with Disabilities

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### Who is Covered?

- *Basic Coverage Group:* Workers who are at least 16 but under age 65, who meet the SSI definition of disability.
- *Medical Improvement Group:* Workers who received coverage in the Basic Coverage Group and, on a continuing disability review, lost eligibility for that group as a direct and specific result of medical improvement but retain a severe medical impairment.

### Basic Coverage Group: Who Is Eligible?

#### *Individuals who*

- Have certification of disability as defined by the Social Security Administration;
- Are at least 16 but not yet 65 years of age;
- Are engaged in paid work (includes part-time and full-time work);
- Have a gross income in 2017 that may be as high as \$61,332 for an individual, \$82,236 for a disabled couple
- Have non-exempt resources that do not exceed \$20,000 for an individual, \$30,000 for a disabled couple.

**Note:** There is no substantial gainful activity rule (i.e., an individual can earn more than \$1,170 per month in 2017 and still be eligible for the MBI-WPD).

### Income Limits

- Individuals with countable income up to 250% of federal poverty levels (FPL) (i.e., gross wages as high as \$61,332 in a household of 1 for the year 2017).
- Monthly countable income for a household of 1 must be \$2,513 or less in 2017 (up to 250% of FPL). If monthly countable income is \$1,508 or less in 2017 (up to 150% of FPL), no premiums will be due.
- Individuals with income above 250% of FPL may not purchase Medicaid coverage.

### Determining Countable Income

- Will follow the same SSI budgeting rules as used in the regular Medicaid spend down program.
- Typical deductions from income: first \$20 of unearned income excluded; first \$65 (or \$85 if no unearned income) plus 50% of remaining earned income excluded; impairment related work expenses are excluded from earned income; money set aside in an approved Plan for Achieving Self Support (PASS) can be excluded from unearned or earned income.
- Example: An individual has \$3,885 in gross monthly wages and no other income. This individual will have \$1,900 in countable monthly income ( $\$3,885 - 20 - 65 = 3,800 - 1,900 = \$1,900$ ). Since this is less than 250% of the FPL for 2017, this individual will be eligible for the MBI-WPD.

## Asset Limits

- \$20,000 is allowed in countable resources for an eligible individual and \$30,000 for an eligible couple.
- Countable resources include bank accounts, savings bonds, stocks, and other liquid assets.
- Exempt resources include: a residential house, a vehicle, certain life insurance policies, a limited burial reserve, and several other items.
- Retirement funds are exempt and not counted against resource limits. Retirement funds include but are not limited to: pensions, Individual Retirement Accounts (IRAs), 401(k) plans, and 403(b) plans.

## Premiums

- No premium is owed if countable income is below 150 percent of the federal poverty level.
- If income is between 150 and 250 percent of the federal poverty level, premium will be \$25 per month for an eligible individual, \$50 per month for an eligible couple.
- As this is written, the State Department of Health still does not have a system in place to collect premiums.

## Applying For the Medicaid Buy-In Program

- An application for the MBI-WPD must be made at the Local Department of Social Services or the Human Resources Agency in New York City.

## Medical Improvement Group: Who Is Eligible?

### *Individuals who are*

- Members of the Basic Coverage Group, who lose eligibility for the Basic Coverage Group due to medical improvement but retain a severe medical impairment, and
- Are engaged in paid work, working 40 hours or more per month and earning at least the federal minimum wage.

## Grace Periods Or What If I Lose My Job?

- *Change in Medical Condition:* A grace period of up to six months will be allowed if, for medical reasons, the Medicaid Buy-In recipient is unable to continue working. Medical verification will be required.
- *Job Loss (through no fault of recipient):* A grace period of up to six months will be allowed if, through no fault of the recipient, a job loss occurs (layoff, etc.). Verification will be required that the recipient is reasonably expected to return to work as it is a temporary layoff, or that the recipient is actively seeking new employment.

## Authority

The State Department of Health has issued two key Administrative Directives (ADMs) to govern case processing in the Medicaid Buy-In for Working People with Disabilities Program, 03 ADM 04 (June 9, 2003) and 04 ADM 05 (July 20, 2004).

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