

Medicaid Eligibility Basics

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DISABILITY RIGHTS  NEW JERSEY

ADVANCING JUSTICE. ADVOCATING

 **The New Jersey Council
on Developmental Disabilities**

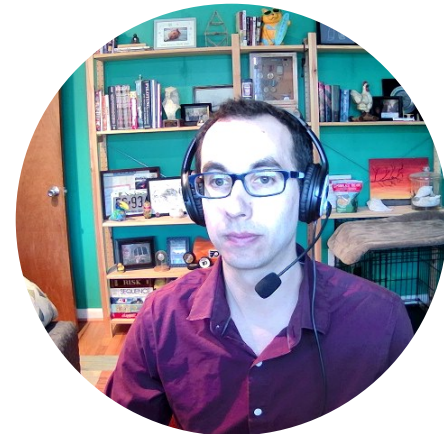
Advocate. Collaborate. Educate.



Presenters



Michael Brower
Legal Director
Disability Rights New Jersey



Disability Rights New Jersey

- We are NJ's designated protection and advocacy agency:
 - Investigate reports of abuse and neglect
 - Monitor institutions/providers to ensure the protection of rights
 - Represent clients with disabilities in legal matters
 - Provide information, referral, and technical assistance
 - Engage in outreach, training, education of self-advocates
- Our mission is to preserve and advance the human, civil, and legal rights of persons with disabilities.

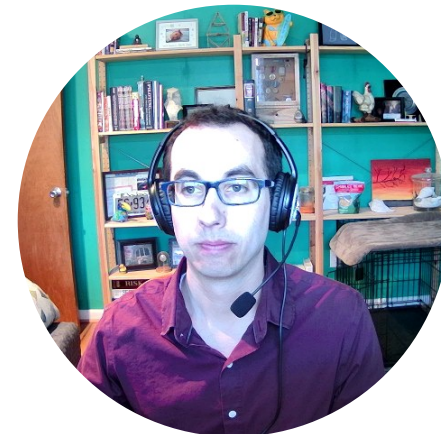


Learning Objectives

Identify different Medicaid Eligibility Groups

Identify benefits available to each Medicaid Eligibility Group

Understand legal requirement for review of all possible eligibility before termination



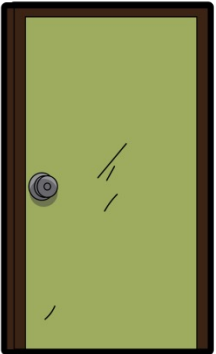


NJ FAMILY CARE

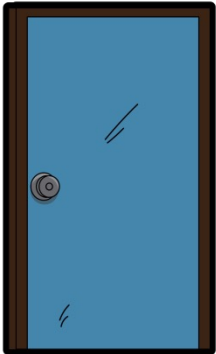
Affordable health coverage. Quality care.



Medicare Savings Program



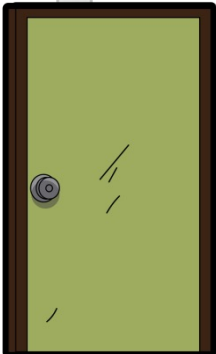
SSI Medicaid Only



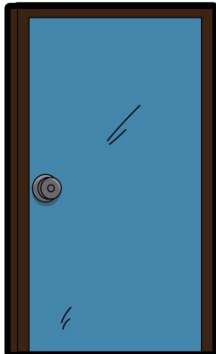
NJ Care ABD



NJ FamilyCare ACA Expansion MAGI Medicaid



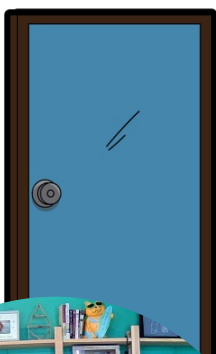
Workability



DDD Waiver

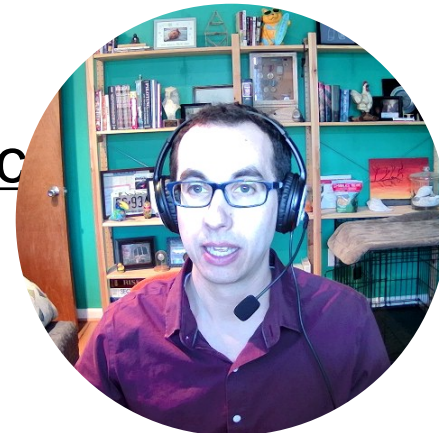


DAC



Prior to termination: Medicaid must consider all program eligibility

- Federal Right: 42 C.F.R. §435.916(f)
- Lost SSI: Medicaid Communication 19-01
- Includes Medicare Savings Programs. D.C. v. DMAHS, 464 N.J. Super. 343 (App. Div. 2020)
- Review must take place before termination, with no gap in c



SSI-Related and Medicaid Only

- Eligibility

- Aged: ≥ 65 years old
- Blind or Disabled (any age)

- Income

- $\leq \$974.25$ individual; $\leq \$1440.35$ couple (100% SSI Benefit Rate)
- (person or couple living alone or with others in own household)

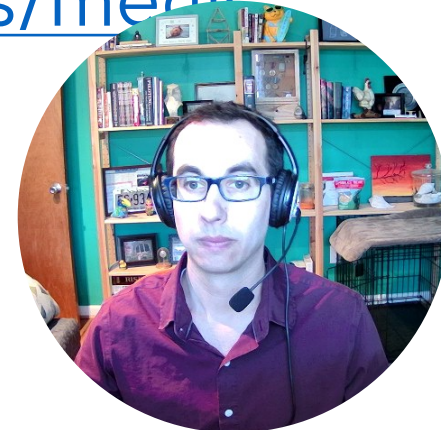
- Resources

- $< \$2000$ for individual; $< \$3000$ for couples
- Home and 1 car do not count toward resources



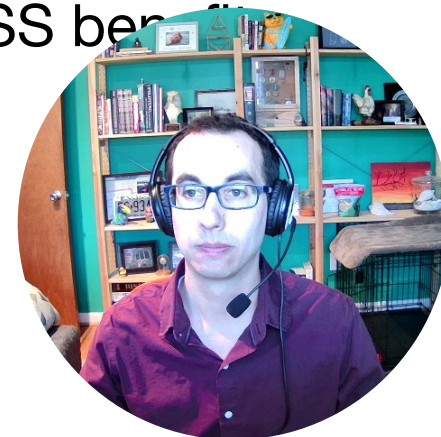
SSI-Related and Medicaid Only: Where do I apply?

- SSI-related Medicaid → SSI application = Medicaid application
- Medicaid Only → On-Line or with County Welfare Agencies (CWAs)
- <https://www.state.nj.us/humanservices/dmahs/clients/medicaid/abd/index.html>
 - Service Package = Plan A



Section 1634 Disabled Adult Child (DAC)

- Eligibility Criteria:
 - At least 18 years old
 - Disabled or blind prior to 22
 - Has been receiving SSI on basis of disability
 - Has lost SSI as a result of receipt of SS benefits on parent's record due to retirement, death, or disability of the parent
 - Resources \leq \$2000 (not including a Special Needs Trust or ABLE)
 - Financially eligible for "Medicaid Only" door in except for parental SS ben
- RFI = Request for Information



NJ Care: Aged, Blind, & Disabled

- Eligibility

- Aged: ≥ 65 years old
- Blind or Disabled (any age)

- Income

- $\leq \$1255$ individual, $\leq \$1704$ couple (100% FPL)

- Resources

- $< \$4000$ for individual; $< \$6000$ for couples
- Home and 1 car do not count toward resources



NJ Care: Aged, Blind, & Disabled

Where do I apply?

New Jersey Care → On-Line or with County Welfare Agencies (CWAs) with paper application

<https://www.state.nj.us/humanservices/dmahs/clients/medicaid/abd/index.html>

Benefit Package = Plan A



Single Adults and parents: ACA Expansion or MAGI Medicaid

Ages: 21 - 64 year old*

- No longer eligible upon turning 65

No Disability determination needed:

- OK → disability determination (e.g., SSDI)
- No longer eligible for MAGI Medicaid once eligible to receive Medicare

Modified Adjusted Gross Income (MAGI)

- Think line #11 on the 2020 IRS Form 1040

Income ≤ \$1732/month individual; \$2351/month couple. (138% FPL)

No resource limit



Single Adults and parents

Where do I apply?

- On-line at njfamilycare.org
 - On-line application
 - Download a paper application
 - Most are done at the State level through vendor
- At the County Welfare Agencies (CWAs)
 - Alternative Benefits Plan = ABP



NJ Workability

- Eligibility
 - Age 16 and up
 - Working full or part-time with proof of employment
 - Self-employed must have net earning of \$400 and file federal taxes
 - Disability Determination from SSA or NJ Medical Review Team
- Total Earned Income Potential
 - Unlimited (premiums might apply at higher incomes)
- Unearned Income Threshold (e.g., alimony, SS Survivors benefits, unemployment, +)
 - Unlimited
- Resources
 - Unlimited



NJ Workability

Where do I apply?

- On-line at njfamilycare.org
 - On-line application
 - Download a paper application
 - Most are done at the State level through vendor
- At the County Welfare Agencies (CWAs)
 - Alternative Benefits Plan = ABP



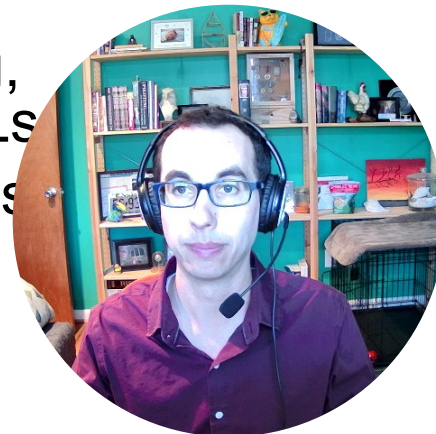
Managed Long Term Services and Supports (MLTSS)

- Financial Eligibility

- Income \leq \$2829* for an individual
- Resources $<$ \$2000 for individual
- 5 year look-back: No gifting
- *Qualified Income Trust/QIT and Spousal Impoverishment protections

- Clinical Eligibility

- 21 or older - Hands-on assistance in 3 ADLs (e.g., bathing, dressing, ambulation) OR if cognitive impairment, supervision/cueing in 3 ADLs
- \leq 20 years old – More stringent skilled nursing level of care (ie: needs



Where do I apply for MLTSS?

ADRC: 1(877) 222-3737

Office of Community Choice Options or OCCCO does the clinical screen

Application: on-line or at CWA (ABD)

If currently enrolled in Medicaid

Call Managed Care Organization/MCO for clinical eligibility screen



DDD Community Care, Supports Program and Supports Plus PDN

Financial Eligibility

- Income \leq \$2829
- Resources \leq \$2000
- Parental SSDI Disregarded

Clinical Eligibility

- An individual must meet the functional criteria of having a developmental disability

Supports + Private Duty Nursing: If medically necessary; covered by Medicaid MCO alongside Supports Program



DDD Waiver

Where do I apply?

- On-line at njfamilycare.org
 - On-line application
 - Download a paper application
 - Most are done at the State level through vendor
- At the County Welfare Agencies (CWAs)
- <https://www.nj.gov/humanservices/ddd/individuals/applyservices/>



Children and Medicaid

- NJFamilyCare Medicaid: MAGI up to 147% FPL (\$3822/month family of 4)
- NJFamilyCare Children's Health Insurance Program or CHIP: up to 355% FPL
- Waiver Programs:
 - MLTSS with PDN for children (higher level of care than adult)
 - Children's Support Services Program (SED) – CSOC/Performance
 - Children's Support Services Program (IDD) – CSOC/Performance



We're Here to Help:



ADVANCING JUSTICE. ADVOCATING INCLUSION.

New Jersey's designated Protection and Advocacy agency under federal law.



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We're Here to Help:



*Authorized by the federal
Developmental Disabilities Act to
engage in advocacy, capacity building
and systemic change activities.*



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