

Overview of Medicaid Eligibility Basics

Created in collaboration by:



DISABILITY RIGHTS NEW JERSEY
ADVANCING JUSTICE. ADVOCATING INCLUSION.

 **The New Jersey Council
on Developmental Disabilities**
Advocate. Collaborate. Educate. **njcdd.org**

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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.



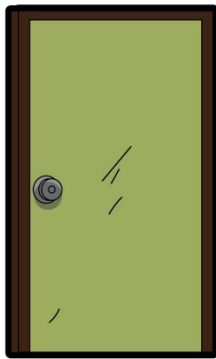
Today's Learning Take-Aways

- There are many ways to be eligible for Medicaid
- You only need to be eligible under one Medicaid program
- No termination until all program eligibility reviewed
- You have appeal rights and a right to continuation of benefits pending appeal

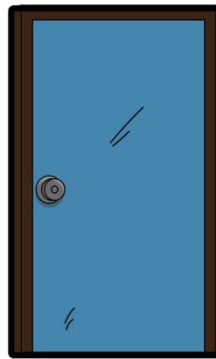


NJ FAMILY CARE

Affordable health coverage. Quality care.



**SSI
Medicaid Only**



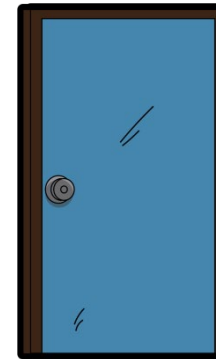
**NJ Care
ABD**



**NJFamilyCare
ACA Expansion
MAGI Medicaid**



Workability



**MLTSS
(Institutional
Medicaid)**



**Medicare
Savings
Program**



SSI-Related and Medicaid Only

- Eligibility

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

- Income

- $\leq \$825.25$ individual; $\leq \$1216.36$ couple
- (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
(includes Personal Care Assistance)



NJ Care: Aged, Blind, & Disabled

- Eligibility

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

- Income*****

- $\leq \$1074.00$ individual, $\leq \$1452.00$ couple



- 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 ≤ \$1482/month individual (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

https://www.state.nj.us/humanservices/dds/documents/NJ_WORKABILITY/Updated_2020_WorkAbility_Guidelines.pdf

- Eligibility
 - Age 16 years to 64 years old
 - Working full or part-time with proof of employment
 - Self-employed must have net earning of \$400 and file federal taxes per NJ Medcomm
 - Disability Determination
- Total Earned Income Potential
 - No unearned income: gross earned income \leq \$5,433 individual
 - With unearned income (e.g., alimony), earned income threshold will vary
- Unearned Income Threshold (e.g., alimony, SS Survivors benefits, unemployment, +)
 - Unearned income \leq \$1074/month for an individual
 - Individual's SSDI is not counted
- Resources
 - \$20,000 for individual, \$30,000 for couple
 - Does not include: home, 1 car for work/medical transportation, 401K/IRA



NJ Workability

Where do I apply?

NJ Workability → On-Line or with County Welfare Agencies (CWAs) with paper application

<https://www.state.nj.us/humanservices/dds/services/workability/>

Benefit Package = Plan A



Managed Long Term Services and Supports (MLTSS)

- Financial Eligibility

- Income \leq \$2382* for an individual
- Resources $<$ \$2000 for individual
- 5 year look-back: No gifting
- Qualified Income Trust/QIT and Spousal Impoverishment protections

- Clinical Eligibility

- 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 medically necessary criteria (e.g., seizure disorder)



Managed Long Term Services and Supports (MLTSS) includes:

- Personal Care Assistance (PCA)(state plan)
- Private Duty Nursing (PDN)
- Respite
- Care management
- Home and vehicle modifications
- Home delivered meals
- Personal emergency response systems
- Mental health and addiction services
- TBI specific community-based services
- Assisted Living Facilities
- Nursing Homes



Where do I apply for MLTSS?

ADRC: 1(877) 222-3737

Office of Community Choice Options or OCCO 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



Additional Medicaid Programs for DDD Clients: Medicaid is required to receive services from DDD

- SSA 1634 Disabled Adult Child (DAC)
- 1115 wavier: Community Care Program (CCP)
- 1115 waiver: DDD Supports Program or Supports Plus PDNJ



Section 1634 Disable 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
 - Resources \leq \$2000 (not including a Special Needs Trust or ABLE)
- RFI = Request for Information from DDD



1115 Waiver: Community Care Program (CPP)

Financial Eligibility

- Income \leq \$2382 income
- Resources \leq \$2000 resources (not including Special Needs Trust and ABLE accounts)
- 5 year look back: No gifting
- QIT/Spousal Impoverishment Protections?

Other Eligibility

- Be reached on the CCP waiting list
- Meet functional criteria for DDD services
- Meet LoC for ICF-IID



DDD Supports Program and Supports Plus PDN

Financial Eligibility

- Income ≤\$2382 income
- Resources ≤\$2000 resources
- 5 year look back: No gifting
- QIT/Spousal Impoverishment Protections?

Clinical Eligibility

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

Private Duty Nursing: Medically necessary; covered by Medicaid MCO



DDD Supports includes:

- Assistive Technology
- Behavioral Supports
- Cog Rehab
- Community inclusion Services
- Day Habilitation
- Direct Service Professionals (DSPs)
- Occupational Therapy
- Prevocational Training
- Support Coordination
- Supported Employment
- Private Duty Nursing (if medically necessary)



Where do I apply for CCP and Supports?

- Must be DDD eligible: DDD intake including CAT Assessment
- May be eligible under other Medicaid programs (e.g., SSI, ABD)
- For individuals with higher incomes: Medicaid Waiver Unit in DDD



Children and Medicaid

- NJFamilyCare Medicaid: MAGI up to 147% FPL (\$3247/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 adults)
 - Children's Support Services Program (SED)
 - Children's Support Services Program (IDD)



Medicare Savings Programs

- Qualified Medicare Beneficiary (QMB)
 - Income: $\leq 100\%$ FPL (\$1074)

QMB “Plus” = individual has full-scope Medicaid

QMB “Only” = ineligible for full scope Medicaid

- Specified Low-Income Medicare Beneficiary Program (SLMB)
 - Income: \leq \$1288/month
- Qualified Individual or QI
 - Income: \leq \$1449/month

Resource limit for all MSPs: \leq \$7,970



Where do I apply for MSPs?

- Division of Aging Services: 1 (800) 792-9745
- Online at: NJSAVE
- Screened by Medicaid if not eligible for another Medicaid program



What if my Medicaid is terminated:

Written Notice:

- Right to a fair hearing
- Right to continuation of services pending the outcome of the hearing
- **Constitutionally** protected rights!



Prior to termination: Medicaid must consider all program eligibility!

- Federal Right: 42 C.F.R. §435.916(f)
- SSI: Medicaid Communication 19-01
- Medicare Savings Programs: Appellate Division Decision: D.C. v. M.L. (July 28, 2020)
- Medicaid agency must transition to eligible program with no gap in coverage



Families First Coronavirus Relief Act



After the Public Health Emergency



Questions?



New Jersey is renewing its Medicaid Waiver

- MLTSS, DDD, CSOC/PerformCare, TBI services all affected
- Comments on the draft waiver renewals due by end of business on October 11, 2021.
- https://www.state.nj.us/humanservices/dmahs/home/1115_demo.html



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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