

Navigating the Medicaid Maze

Beverly Roberts

Director, Mainstreaming Medical Care Program

The Arc of New Jersey

October 18, 2022

broberts@arcnj.org

www.mainstreamingmedicalcare.org



Topics to be covered include:

- What is Medicaid “Unwinding”?
- What happens to SSI/Medicaid when parent starts to collect Social Security?
- How to obtain Medicaid thru DDD Waiver Unit
- NJ WorkAbility Medicaid
- ABLE Accounts
- Medicaid Managed Care
- Different Medicaid Categories

**WHAT IS
MEDICAID
UNWINDING?**

The background of the slide features several thick, light gray wavy lines that flow from the bottom right towards the center, creating a sense of movement and depth.

Medicaid “Unwinding”

- Public Health Emergency (PHE) started in March 2020, due to COVID pandemic.
- While the PHE is in effect, no one should lose Medicaid.
- **“Medicaid Unwinding:”** When PHE ends, Medicaid will mail redetermination paperwork to everyone who has NJ Medicaid.
 - Medicaid Unwinding should not apply to people with SSI & Medicaid.
- If receiving NJ Medicaid, must respond promptly to Medicaid redetermination paperwork. Failure to respond can result in Medicaid termination!!
- When PHE is scheduled to end, I will announce to my listserv.
To sign up: www.mainstreamingmedicalcare.org

Medicaid “Unwinding” (cont.)

What you can do prior to the end of PHE:

- Don’t exceed Medicaid’s maximum allowable resources (usually \$2,000). This maximum also applies if receiving SSI.
 - Exception: If received a back-payment from Social Security – 9 months to spend-down.
- Consider ABLE account, if appropriate.
- Be sure Medicaid has current mailing address. Call 1-800-701-0710, if need to confirm.
- If notified by Social Security that loved one’s current SSI and Medicaid will end, don’t delay in submitting necessary paperwork to Medicaid!

Current Status of the Public Health Emergency (PHE)

- On October 13, 2022, the PHE was renewed by the US Department of Health & Human Services.
- Medicaid members will continue to remain enrolled as they have since March 2020.
- The next possible date for the PHE to end would be January 11, 2023. The federal government has promised at least 60 days' advance notice, so we should know in mid-November whether or not the PHE will actually end on January 11th.
- It is possible the PHE will be renewed again.

**WHAT HAPPENS TO SSI AND
MEDICAID FOR
SON/DAUGHTER WITH IDD
WHEN A PARENT STARTS TO
COLLECT SOCIAL SECURITY
RETIREMENT BENEFIT (OR
IF PARENT IS DISABLED OR
PASSES AWAY)?**

SSI and Medicaid in NJ

- Majority of adults (18 and older) with IDD have SSI and Medicaid.
- When individuals have SSI, they have Medicaid automatically, without a separate Medicaid application.
- There will be changes to the son/daughter's SSI & Medicaid when a parent collects Social Security retirement, or if parent becomes disabled or passes away.

Eligibility for Medicaid as a Section 1634 DAC

- Social Security Admin. (SSA) definition of a Section 1634 DAC:
 - A person who was receiving Supplemental Security Income (SSI) benefits (and Medicaid) and who meets the following:
 - Is at least 18 years of age;
 - Has blindness or a disability which began before the age of 22;
 - Has been receiving SSI based on blindness or disability; and
 - **Has lost SSI due to the receipt of Social Security benefits on a parent's record due to the retirement, death, or disability of a parent.**
- **Also, the person cannot have more than \$2,000 in resources in his/her name** (not including a Special Needs Trust or ABLE account.

The DAC Flyer

A woman with a headscarf and a light blue top is sitting in a black and purple motorized wheelchair. She is smiling slightly and looking towards the camera.

Disabled Adult Children (§1634 DAC)

The logo for the New Jersey Department of Human Services, featuring a stylized orange outline of the state of New Jersey with the text "NJ DHS" and "Department of Human Services" below it.

§1634 DAC Eligibility Group Requirements*:
An individual who was receiving Supplemental Security Income (SSI) benefits and meets the following:

- Is at least 18 years of age;
- Has blindness or a disability which began before the age of 22;
- Has been receiving Supplemental Security Income (SSI) based on blindness or disability; and
- Has lost Supplemental Security Income (SSI) due to the receipt of Social Security benefits on a parent's record due to the retirement, death or disability of a parent.

*A person who meets all of the above criteria may qualify as a Disabled Adult Child under Section 1634 of the Social Security Act (regarding DAC). This designation comes from the Social Security Administration. Eligibility for Medicaid may continue as long as the person is determined blind or disabled. However, if the person receives income from another source or exceeds the resource limits, they may become ineligible for Medicaid coverage.

I lost my SSI benefits and Medicaid coverage when I started receiving Social Security Disabled Adult Child (DAC) benefits. The DAC benefits caused me to be over the SSI income limit. What should I do?

You or your guardian should have received a letter from the Social Security Administration (SSA) verifying that you may continue to be eligible for Medicaid coverage under the §1634 DAC eligibility group. If you did not receive or no longer have this letter, call the Social Security Administration at 1-800-772-1213, Monday through Friday between 7 am and 7 pm, to request a Benefit Award letter verifying Social Security benefits as a Disabled Adult Child or Disabled Dependent Child who received SSI in the past.



The DAC Flyer



Obtaining Medicaid after Losing SSI Benefits

For individuals **ENROLLED** in the Division of Developmental Disabilities (DDD) Supports Program or Community Care Program:

DDD will send you or your guardian the NJ FamilyCare Aged, Blind, and Disabled Programs **Request for Information (RFI) Packet in a blue envelope**, including instructions about where to send the completed form. It is important to complete this RFI Packet as soon as possible and return it as instructed. After your packet is reviewed (this can take up to 90 days), you or your guardian will receive a Final Determination letter.

For individuals **NOT ENROLLED** in the DDD Supports Program or Community Care Program:

Your local County Board of Social Services will send you the NJ FamilyCare Aged, Blind, and Disabled Programs **Request for Information (RFI) Packet in a blue envelope**. It is important to complete this RFI Packet as soon as possible and return it to the County Board of Social Services. After your packet is reviewed (this can take up to 90 days), you or your guardian will receive a Final Determination letter.

If you do not receive the RFI Packet soon after you are notified about your Medicaid being terminated, **contact your County Board of Social Services to request it: www.nj.gov/humanservices/njsnap/home/cbss.shtml**



If you have questions, or if you have difficulty obtaining Medicaid for an individual who may be eligible for §1634 DAC status, please contact your support coordinator or send an email to DDD's Medicaid Eligibility Help Desk: DDD.MediEligHelpdesk@dhs.nj.gov

Transition from SSI to SSDI

If son/daughter has SSI, this is what parents should know regarding a parent's retirement, disability or passing away:

- Son/daughter is eligible for SSDI instead of SSI. **But parent needs to complete a new application prior to son/daughter getting SSDI. Transition from SSI to SSDI is not automatic!**
- When SSDI starts: Medicaid that started when SSI started will be ending -- usually in 4 months – but won't end during PHE.
- **Must apply for Medicaid from the County!**

When applying for Medicaid...

When SSI/Medicaid is ending due to parent's retirement (or due to parent's disability or passing away):

- Son/daughter with IDD cannot have more than \$2,000 in assets with these exceptions:
- Funds in ABLE account (up to \$16,000 can be deposited per year).
- Funds in a Special Needs Trust.

RFI = Request for Information (New Medicaid application)

- If individual with IDD has DDD services: Parent should receive **a Request for Information (RFI Medicaid application from DDD)**. The RFI may be emailed, or mailed.
- The RFI (which is the ABD Medicaid application), should be completed and returned promptly to the address provided.
- Check with Support Coordinator if you don't receive it after son/daughter has switched to SSDI.
- NOTE: *Be sure to submit the RFI to Medicaid, not a regular ABD Medicaid application.*

Special Needs Trusts (SNT)

- If setting up SNT, be sure the attorney is very experienced with this type of trust for Medicaid beneficiary.
- If the SNT has been funded, Medicaid will want to review the document.
- Whenever there are expenditures from SNT, save all receipts. Follow Medicaid regulations, e.g., cannot pay for apt. rent or food with SNT funds.

Save all documentation of disability from SSI application!

- Important to save all medical & IEP documents from when SSI is approved, to re-submit during a Social Security re-application process when a parent collects Social Security retirement benefit, or is disabled, or passes away.

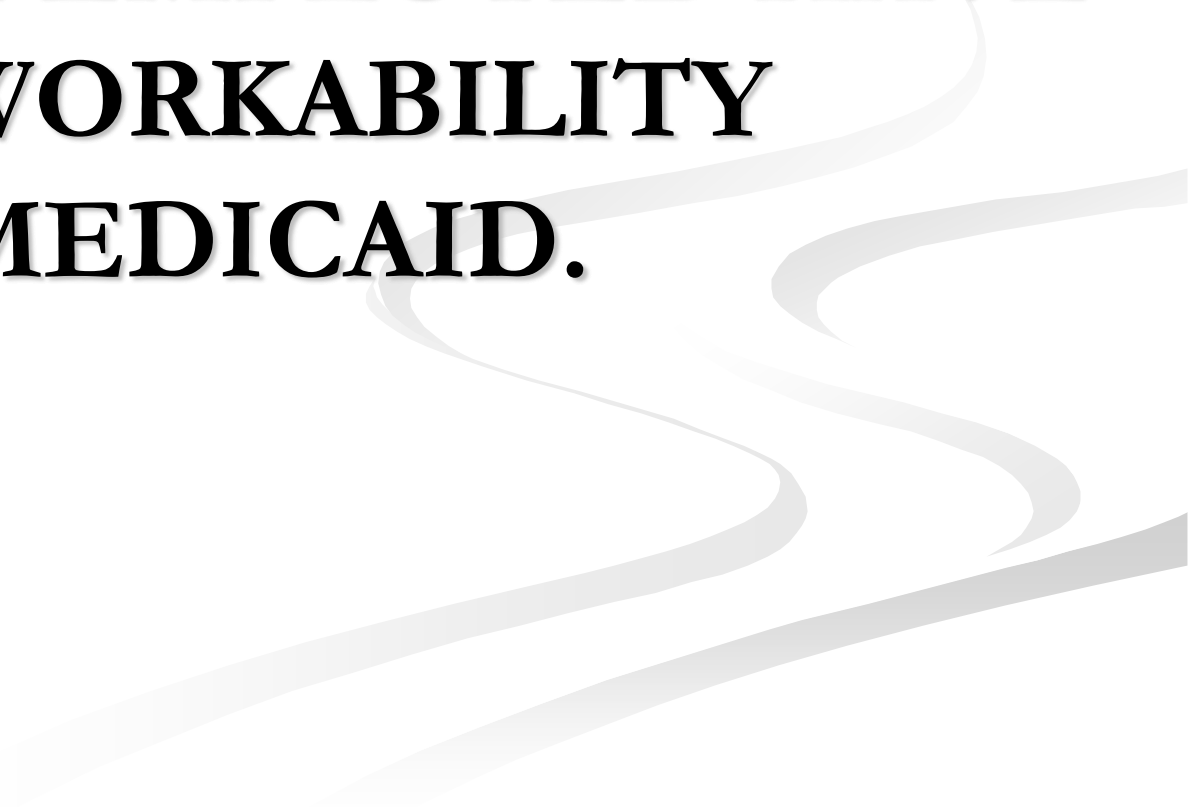
**MEDICAID
ELIGIBILITY FROM
THE DDD WAIVER
UNIT
(ALSO KNOWN AS
“NON-DAC”)**

Medicaid eligibility from DDD Waiver Unit

DDD allows Medicaid eligibility for people with IDD who don't qualify for Medicaid from the County:

- Example: Never had SSI due to high income from parent's retirement, disability or death; or income from child support.
- Income must be above **\$1,133/month** in 2022.
- The maximum total income for approval from DDD Waiver Unit is **\$2,523/month** in 2022.
- Parents will need to complete a Medicaid application.
- Cannot have more than \$2,000 in resources.
- You can request our Medicaid Eligibility Problem Form.

**SOME PEOPLE WITH IDD
WHO ARE EMPLOYED HAVE
NJ WORKABILITY
MEDICAID.**



**NJ Legislation was enacted in
January 2022 to fix some NJ
WorkAbility problems, but it has
not been implemented yet.**

NJ WorkAbility

Current regulations

- Eligibility: Persons with permanent disabilities, who are working PT or FT, between ages 16 and 64.
- Individual's gross *earned income* can be much as \$64,596/yr, or \$5,383/mo. Can have \$20,000 in personal assets and still qualify.
- IRA & 401K personal retirement accts are okay; not counted for eligibility.

NJ WorkAbility: Difference between “earned” & “unearned” income

Current regulations on unearned income. WE HOPE THIS PROBLEM WILL BE FIXED SOON.

- **SSDI income from individual’s own work record is earned income.**
- **But SSDI from a parent’s work record is “unearned” income; unemployment income; investments are also unearned income.**
- **In 2022: Unearned income threshold cannot exceed \$1,133/mo. If unearned income exceeds \$1,133/month not eligible for NJ WorkAbility.**

NJ WorkAbility (Cont.)

These 3 problems will be corrected when NJ WorkAbility legislation is implemented.

1. Receiving “unearned” income from parent’s SSDI above \$1,133/month will be okay.
 2. Eligibility for NJ WorkAbility at age 65+ if still employed.
 3. Eligibility for NJ WorkAbility continues if unemployed for less than 12 months
- No one should be terminated from any type of Medicaid during the coronavirus pandemic.

ABLE ACCOUNTS



Achieving a Better Life Experience

(ABLE) Act of 2014

- Helpful if “spend down” is needed for Medicaid eligibility.
- Persons with disabilities can deposit up to \$16,000/year in an ABLE tax-exempt savings account (in 2022).
- Eligibility: Must be receiving SSI or SSDI; Age of onset of disability must be before age 26, **OR**
- With medical documentation, can deposit money into ABLE account (up to max. of \$16,000/yr) as spend-down *before* applying for SSI.
- ABLE accounts won't affect continuing financial eligibility for Medicaid, SSI and other public benefits.

ABLE Accounts (cont.)

- **ABLE accounts are available in NJ. Can open ABLE account in this state or another state.**
<https://savewithable.com/nj/home.html>
- Visit the **ABLE National Resource Center website** www.ablenrc.org, for state-specific information. Great website; webinars; state-by-state comparisons.
- **Important: Upon the death of the beneficiary, the state in which he/she lived may file a claim for all or a portion of the funds in the ABLE account to recoup costs paid by the state while the beneficiary was receiving services through the state Medicaid program.**

MEDICAID MANAGED CARE

The background of the slide features several thick, light gray wavy lines that flow from the bottom right towards the center, creating a sense of movement and depth.

Medicaid Managed Care

- Everyone enrolled in Medicaid must be enrolled in Medicaid managed care. Can select the managed care org. (MCO).
- Health Benefits Coord. for Medicaid questions or to switch to another MCO “for good cause”: **1-800-701-0710**.
- Care management available, upon request, from the MCO.
- If son/daughter has private insurance, it is primary payer. Medicaid should cover prescription co-pays.

Five Medicaid MCOs in NJ:

1. Horizon NJ Health
2. United Health Care Community Plan
3. Amerigroup
4. WellCare
5. Aetna Better Health

Personal Care Assistance (PCA) and Personal Preference Program (PPP)

- To be eligible, Medicaid enrollees must need assistance with activities of daily living (ADLs) e.g., dressing, bathing, feeding, grooming, toileting, etc.
- This assistance is covered by NJ Medicaid, but requires doctor's prescription and MCO nurse assessment to approve the eligibility and the number of hours per week.
- Contact MCO care manager to get started.
- Difference between PCA and PPP: PCA provided by home health agency; with PPP, the family chooses the provider, which is often a parent.

DIFFERENT MEDICAID CATEGORIES



Two Major Medicaid Categories

1. **Aged Blind and Disabled (ABD):** Most people with IDD are enrolled in ABD Medicaid/NJ FamilyCare
2. **NJ FamilyCare – Medicaid Expansion:** eligibility based on income not on disability.

New Jersey Care Special Medicaid Program (Community Medicaid)

- This ABD Medicaid program is for people with a disability; income under \$1,133/month in 2022.
- Complete the Aged, Blind and Disabled (ABD) Medicaid application and submit to County Board of Social Services (BOSS).
- Can have up to \$4,000 in resources.

Medicaid and Private Duty Nursing (PDN)

How to start the process for Medicaid coverage of Private Duty Nursing (PDN), for individuals who are medically fragile:

- If family is not low income: Medicaid covers private duty nursing (PDN) through Managed Long-Term Services and Supports (MLTSS).
- Can initiate application for PDN through Division of Disability Services (DDS). Call 1-888-285-3036.

**NJ MEDICAID THAT
DOES NOT
PERTAIN TO
HAVING A
DISABILITY**

Medicaid/NJ FamilyCare – not connected to having a disability

- Income maximum for an individual: **\$1,482/month;** (**\$17,784/year**).
- Eligibility based on low income of the individual, not on disability.
- Cannot be a dependent on parent's tax return!
- Cannot receive Medicare and have this type of Medicaid!
- Example: Receiving SSDI and then Medicare starts after 24 months – not eligible for this type of Medicaid.

TYPES OF MEDICAID ELIGIBILITY IN NJ

AGED, BLIND, OR DISABLED (ABD)

Supplemental Security Income (SSI) Medicaid

Provided automatically when a person with IDD is approved for SSI benefits. Apply for SSI at age 18 or above through your local SSA Office here: bit.ly/ssaoffices

Medicaid Only

For individuals with IDD who do not receive monthly SSI, but meet SSI income and resource limits. bit.ly/medicaidonly

NJ Workability

Offers healthcare to individuals with IDD ages 16-64 who are employed and whose income would disqualify them from other forms of Medicaid. bit.ly/njworkability

HOW TO GET IT

Apply for SSI at age 18
bit.ly/Apply4SSI
ABD Medicaid Application
bit.ly/ABDapplication

WHAT'S COVERED?

Doctor visits, prescriptions, x-rays, dental, lab testing, eyeglasses, mental health, hospitalization, specialist visits, hearing aids, Personal Care Assistant (PCA),

Disabled Adult Child (DAC)

For persons whose SSI ended because they received benefits from a parent who retired, became disabled, or died. Request for information (RFI) is for people who have DDD. bit.ly/dacmedicaid

New Jersey Care... Special Medicaid Program

For individuals with IDD with income below \$1,133/month. Contact your County Board of Social Services: bit.ly/njcbss

Long Term Services and Supports

Applies to younger individuals who need significant support, such as private-duty nursing, etc. bit.ly/longtermsupport

QUICK FACT

Medicaid is an entitlement-based program. Anyone who is determined eligible by the Medicaid Office has the right to receive Medicaid and its related services. Eligibility is not guaranteed.

NJ FAMILYCARE

- Also called Medicaid Expansion.
- Eligibility is based on income, not on the individual having a disability.
- The maximum monthly income limit increases each year.
- The maximum gross income for a single adult in 2021 is \$1,482/month.
- The individual cannot be listed as a dependent on their parent's tax return.
- The individual cannot receive Medicare.
- ABD is a better route if eligible.

HOW TO GET IT

Applicants must have financial eligibility.
NJ FamilyCare Quickstart
bit.ly/njfamilycare

QUICK FACT

Adults must have legal resident status for 5 years to be eligible. Children and pregnant women with legal resident status are eligible, regardless of length of residency.

WHAT'S COVERED?

Doctor visits, prescriptions, x-rays, dental, lab testing, eyeglasses, hospitalization, mental health, preventative screenings, regular checkups



IMPORTANT: Continuation of Parent's Private Health Insurance AFTER age 26

- All young adults can stay on parent's health insurance until age 26.
- **BEFORE** child's 26th birthday – parent requests a form from employer's Human Resources Dept.
- Special process for young adults with disabilities who are not capable of self-sustaining employment to stay on parent's employer's health insurance – for as long as parent has the health insurance.
- Can have private health insurance *and* Medicaid. Medicaid is always payer of last resort.
- The Arc of NJ's fact sheet on private insurance.

Contact Information

Beverly Roberts, Director

Mainstreaming Medical Care Program

The Arc of New Jersey

Broberts@arcnj.org

To sign up for our listserv:

www.mainstreamingmedicalcare.org

The Arc of NJ website: www.arcnj.org

Questions?

