TO: DIRECTORS, LOCAL DEPARTMENTS OF SOCIAL SERVICES
       DEPUTY/ASSISTANT DIRECTORS FOR FAMILY INVESTMENT
       FAMILY INVESTMENT SUPERVISORS

FROM: KEVIN MAHON, EXECUTIVE DIRECTOR, FIA
       JOSEPH M. MILLSTONE, DIRECTOR, DHMH/MCPA
       JOSEPH E. DAVIS, DIRECTOR, DHMH/PSOA

RE: REDETERMINATIONS OF MEDICAL ASSISTANCE ELIGIBILITY FOR
       INDIVIDUALS (INCLUDING SSI CHILDREN) WHO LOSE SSI
       BENEFITS

PROGRAMS
AFFECTED: MEDICAL ASSISTANCE, TEMPORARY CASH ASSISTANCE, AND
          FOOD STAMPS

ORIGINATING
OFFICE: OFFICE OF POLICY AND RESEARCH

BACKGROUND: On August 22, 1996, the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (PRWORA) changed the definition of disability for children under the Supplemental Security Income (SSI) program. For all new claims filed on or after the enactment of the new law, the new definition of disability for children requires a child to have a medically determinable physical or mental impairment which results in marked and severe functional limitations, which is expected to result in death or which has lasted or can be expected to last for at least 12 months. A child may not be considered disabled if he or she is substantially employed. In addition, the law mandates that maladaptive behavior as a medical criteria may not be used in evaluating mental disabilities in children. The Social Security Administration (SSA) must also complete Continuing Disability Reviews (CDRs) on the cases of all children currently receiving SSI to determine whether they meet the new definition of disability by August 22, 1997. SSA has already sent notification to all children who may be potentially affected.

ACTION REQUIRED: As a result of the CDRs some children currently receiving SSI will no longer be eligible under the new law. Children who lose eligibility for SSI will lose their automatic eligibility for Medical Assistance (MA). Federal regulations and State laws mandate that "Upon receipt of notice from the Social Security Administration that an individual's SSI benefits have been terminated, the local department of social services **shall** notify the individual that a redetermination of Medical Assistance eligibility is required to establish

continuing eligibility; and shall make the application available to the individual. Medical Assistance shall be continued pending the completion of a redetermination or pending an appeal of the results of the redetermination." This applies to anyone who loses eligibility for SSI benefits, unless the individual is deceased or has moved out of the state.

Specifically, states have been asked to ensure that the families of children who lose SSI benefits because of the new law are given the opportunity to provide the information and verifications needed to make an accurate eligibility determination for other MA programs. For this group of SSI terminations only, local departments have 120 days from the date of notification by SSA to complete the redeterminations. Local departments may not close these cases without making a determination of the SSI child's (and if requested, other family members') eligibility for Medical Assistance under Families and Children (FAC), Pregnant Women and Children (PWC), and Maryland Kids Count (MKC) programs.

Case procedures for CARES and non-CARES jurisdictions are attached. Although the procedures were established specifically for SSI children losing eligibility, the requirements relating to redeterminations of MA eligibility are applicable to all SSI determinations of ineligibility, not just those affecting children. Use the procedures for "Children with no Associated TCA Case" with appropriate editing (i.e. no need to test for PWC, MKC) for adult individuals who lose eligibility.

Some of these children and their families will also qualify for Temporary Cash Assistance (TCA) and Food Stamps (FS). Those who are not currently receiving TCA or FS but wish to apply for these programs must be allowed to do so upon request. These families are subject to the same criteria for and entitlement to TCA and FS as all other customers. Families currently receiving TCA and/or MA that have a child who loses SSI eligibility will not need to apply separately. Add the child to the family's existing TCA, FS, and MA cases.

DHR, in conjunction with the Department of Health and Mental Hygiene (DHMH) and SSA, developed an outreach initiative to inform the families of children losing SSI eligibility of other assistance which may be available to them. SSA staff who conduct the reviews have been trained on what services and programs are available at the Local Department of Social Services (LDSS). Printed material includes pamphlets, posters and videos for each LDSS, the SSA District Offices, Local Health Departments (LHDs) and community resource centers. SSA will mail an envelope insert describing other DHR services to each family that loses SSI benefits for their child.

This campaign will inevitably cause an increase in the numbers served. However, DHR is committed to providing the families of children who lose eligibility for SSI prompt access to other programs and service to which they may be entitled.

INQUIRIES: Call Phyliss J. Arrington, MA Programs Policy Specialist, on (410) 767-7079

c: DHR Executive Staff   Constituent Services
      DHMH Executive Staff   FIA Trainers
      FIA Management Staff   CTF

PROCEDURES FOR NON-CARES JURISDICTION

I. <u>Children With no Associated TCA nor MA Case:</u>

Upon receipt of the SDX from SSA which identifies that the child no longer receives SSI, if the SDX shows no associated TCA case, the FIA Case Manager notifies the family that a redetermination is required to establish continuing eligibility for Medical Assistance (MA) for the child.

- ◆ Send the **DHMH 1158 Application for Medical Assistance*** along with the **DHMH 4225 Notice to MA Recipients Terminated From the SSI Program** and a **DHR/FIA 1052 Request for Information** form. The customer must return the application in 15 days in order to initiate the redetermination for the child and, if also requested, the family.

- ◆ If the application is not returned by the 15th day, the FIA Case Manager sends a **DHMH 4226, Notice of Termination of Medical Assistance** to inform the customer of the child's ineligibility for MA for *failure to submit an application for redetermination.* Unless a fair hearing is requested, cancel the SSI child's MA certification effective the end of the month, provided the SDX was received by the tenth day of the month. If the SDX was received after the tenth day of the month, cancel the MA certification effective the end of the following month.

- ◆ If the application is returned by the 15th day, date stamp it when it is received at the local department. The FIA Case Manager reviews the application to determine what required information and verifications are still needed to determine eligibility for Medical Assistance in Families and Children (FAC), Pregnant Women and Children (PWC), and Maryland Kids Count (MKC) programs.

- ◆ The FIA Case Manager sends a new **DHR/FIA 1052 Request for Information** form requesting that any remaining verifications required for an eligibility determination be returned within 15 days. If the worker determines that a face to face interview is necessary to make an accurate eligibility determination for MA, include an appointment for the Caretaker Relative or Caretaker Relative Other than Parent (CTROP) on the **DHR/FIA 1052.**

- ◆ If the customer fails to provide the necessary information and verifications required and/or appear for the face to face interview if deemed necessary, the FIA Case Manager sends a. **DHMH 4226 Notice of Termination of Medical Assistance** notifying the customer of the SSI child's ineligibility for *failure to submit the required information and/or verifications needed to redetermine eligibility*.

- ◆ If the customer provides the necessary information and verifications required, the FIA Case Manager determines the child's (and if requested, other family members') eligibility for FAC. If not eligible for FAC, test eligibility for the SSI child (and siblings at request) for PWC then MKC respectively. Send a **DHR/FIA 733 Notice of Action** or other appropriate notification to inform the customer of the eligibility decision within 30 days of receipt of the application.

- ◆ Close the SSI AMF (M600) with code 496 in order to obtain a new AMF clearance for FAC.

- ◆ If an ineligible decision for FAC is the result of excess income only, provide the family with an

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explanation of spend-down eligibility. Send a **DHMH 1158A Supplement to the Application,** a **DHMH 4200 Record of Medical Expenses,** and hold the FAC case in preserved status. Set the period under consideration by the date the application was received. Deny the FAC AMF with code 404, to obtain a new AMF clearance to test PWC and MKC eligibility.

♦ If the family or child is eligible for FAC, PWC, or MKC, complete 8000s to close the existing SSI/MA with appropriate codes and to certify the family/child for MA using appropriate codes for FAC, PWC, or MKC.

Note: The DHR/IMA CAF may be used instead of the DHMH 1158 Application for Medical Assistance. However, if the customer returns the CAF requesting TCA or FS in addition to the MA, the local department honors the date the application is received and complies with established time frames in making a determination of eligibility for those programs. These families must come in for a face to face interview. The FIA Case Manager follows existing procedures for TCA and FS applications. If the family is found ineligible for TCA, the FIA Case Manager follows the above instructions in determining eligibility for MA programs.

Children With an Associated TCA Case:

When the SDX indicates that there is an associated TCA case for the family of the child losing SSI eligibility, the FIA Case Manager follows interim change procedures to add the child to the assistance unit of the existing case. For TCA cases, the FIA Case Manager shall:

♦ Review the case record to determine what verifications are necessary to add the SSI child to the assistance unit (child support information, school verification, living with, etc. The SDX should contain sufficient enumeration information).

♦ Send the customer a **DHMH 4225 Notice to MA Recipients Terminated From the SSI Program** along with a **DHR/FIA 491 Change Form.** If additional verification or documentation is needed to add the SSI child to the assistance unit, send a **DHR/FIA 1052 Request for Information.** Allow the customer 15 days to return the **DHR/FIA 491.**

♦ If the **DHR/FIA 491** is not returned by the 15th day, the FIA Case Manager sends a **DHMH 4226 Notice of Termination of Medical Assistance** to inform the customer of the SSI child's ineligibility for MA for *failure to submit required information and/or verifications needed to make a redetermination of eligibility.*

▸ If the SSI child is the natural or adopted child of the head of household, or a sibling of the children in the TCA unit, the TCA case must also be closed. Include all parents and children and sisters and brothers in the TCA assistance unit. Send a **DHR/FIA 733 Notice of Action** citing the appropriate COMAR concerning non-compliance with the Mandatory Filing Unit, and follow established procedures to close the entire case.

♦ Complete an 8000 to cancel the SSI/MA of the child effective the last day of the current month, provided the SDX was received by the tenth day of the month. If the SDX was received after the tenth day of the month, cancel the SSI/MA effective the end of the following month.

♦ If the customer returns the **DHR/FIA 491** by the 15th day, date stamp it when it is received at the local department. Review the case to determine what information and verifications are still needed. Send a new **DHR/FIA 1052** requesting that any remaining verifications required for an eligibility determination be returned within 15 days.

♦ If the remaining verifications are not submitted by the 15th day, send a **DHMH 4226 Notice of Termination of Medical Assistance** to inform the customer of the SSI child's ineligibility for MA for *failure to submit required information and/or verifications needed to make a redetermination of eligibility.*

   ► If the SSI child is the natural or adopted child of the head of household, or a sibling of the children in the TCA unit, the TCA case must also be closed. All parents and children and sisters and brothers must be included in the TCA assistance unit. Send a **DHR/FIA 733 Notice of Action** citing the appropriate COMAR concerning non-compliance with the Mandatory Filing Unit, and follow established procedures to close the entire case.

♦ Complete an 8000 to cancel the SSI/MA of the child effective the last day of the current month, provided the SDX was received by the tenth day of the month. If the SDX was received after the tenth day of the month, cancel the SSI/MA effective the end of the following month.

♦ Once the customer has provided the necessary information and verifications required, the FIA Case Manager shall complete the appropriate forms to add the SSI child to the TCA assistance unit effective the first of the month following the child's eligibility end date on the SDX. If the family also receives FS, the Case Manager shall take appropriate action to change the FS with the same effective dates to reflect the loss of SSI and the increase in TCA.

♦ Complete an 8000 to cancel the SSI/MA of the child effective the last day of the current month and an 8000 to add the child to the existing MA for the family effective the first day of the following month. These 8000s should be stapled together for on-line call in.

♦ Send the customer a **DHR/FIA 733 Notice of Action** within 30 days of receiving the **DHR/FIA 491** to notify the family of the eligibility decision.

Children With an Associated MA Case:

When the SDX indicates that there is an associated NPA/MA case for the family of the child losing SSI eligibility, the FIA Case Manager follows interim change procedures to add the child to the assistance unit of the existing case. The FIA Case Manager shall:

♦ Review the case record to determine what verifications are necessary to add the SSI child to the assistance unit.

♦ Send the customer a **DHMH 4225 Notice to MA Recipients Terminated From the SSI Program** along with a **DHR/FIA 491 Change Form.** If additional verification or documentation is needed to add the SSI child to the assistance unit, send a **DHR/FIA 1052 Request for Information.** Allow the customer 15 days to return the **DHR/FIA 491.**

♦ If the **DHR/FIA 491** is not returned by the 15th day, the FIA Case Manager sends a **DHMH 4226 Notice of Termination of Medical Assistance** to inform the customer of the SSI child's

ineligibility for MA for *failure to submit required information and/or verifications needed to make a redetermination of eligibility*.

♦ Complete an 8000 to cancel the SSI/MA of the child effective the last day of the current month, provided the SDX was received by the tenth day of the month. If the SDX was received after the tenth day of the month, cancel the SSI/MA effective the end of the following month.

♦ If the customer returns the **DHR/FIA 491** by the 15th day, date stamp it when it is received at the local department. Review the case to determine what information and verifications are still needed. Send a new **DHR/FIA 1052** requesting that any remaining verifications required for an eligibility determination be returned within 15 days.

♦ If the remaining verifications are not submitted by the 15th day, the FIA Case Manager sends a **DHMH 4226 Notice of Termination of Medical Assistance** to inform the customer of the SSI child's ineligibility for MA for *failure to submit required information and/or verifications needed to make a redetermination of eligibility*.

♦ Complete an 8000 to cancel the SSI/MA of the child effective the last day of the current month, provided the SDX was received by the tenth day of the month. If the SDX was received after the tenth day of the month, cancel the SSI/MA effective the end of the following month.

♦ Once the customer has provided the necessary information and verifications required, the FIA Case Manager completes the appropriate forms to add the SSI child to the existing MA assistance unit effective the first of the month following the child's eligibility end date on the SDX.

♦ Complete an 8000 to cancel the SSI/MA of the child effective the last day of the current month and an 8000 to add the child to the existing MA for the family effective the first day of the following month. These 8000s should be stapled together for on-line call in.

♦ Send the customer a **DHR/FIA 733 Notice of Action** within 30 days of receiving the **DHR/FIA 491** to notify the family of the eligibility decision.

PROCEDURES FOR CARES JURISDICTIONS

I. <u>Children with no Associated TCA nor MA AU:</u>

Upon receipt of the SDX which identifies that the child no longer receives SSI, the FIA Case Manager sends notification to the family that a redetermination is required to establish continuing eligibility for Medical Assistance (MA) for the child.

◆ Send the DHMH 4225, **Notice to MA Recipients Terminated From the SSI Program**, along with the **DHR/FIA 7001 Application** form and the **DHR/FIA 1052 Request for Information** form. The customer is required to return the application in 15 days to initiate a redetermination of MA for the child and, if also requested, the family. Set a 745 alert to follow up on the 15th day.

◆ If the application is not returned by the 15th day, the FIA Case Manager closes the SSI AU (S02) with reason code '552' (Failure to establish eligibility). On the MAFI screen, use PF13 to enter the following statement "Your child is no longer eligible for SSA and you failed to return the application to redetermine Medical Assistance under a new category."
  ► **NOTE**: If the SDX was received by the tenth day of the month, the SSI AU may not be closed until the end of the following month.

◆ If the application is returned by the 15th day, date stamp it when it is received. The FIA Case Manager reviews the application and verifications received to determine what required information and verifications are still needed to determine eligibility for Medical Assistance in Families and Children (FAC), Pregnant Women and Children (PWC), and Maryland Kids Count (MKC) programs.

◆ The FIA Case Manager sends a new **DHR/FIA 1052 Request for Information** form requesting that any remaining verifications required for an eligibility determination be returned within 15 days. If the Case Manager determines that a face to face interview is necessary to make an accurate eligibility determination for MA, include an appointment for the Caretaker Relative or Caretaker Relative Other than Parent the **Request for Information**. Set a 745 alert for follow up on the 15th day.

◆ Follow local procedures to have the application screened for the appropriate program(s) using Option 'J' from the AMEN. Do not use "Add a Program" as the child will not be the head of household in the MA case.

◆ Once the customer has provided the necessary information and verification required, the worker determines the child's and, if requested, other family members' eligibility for FAC. If not eligible for FAC, or the SSI child's parent/guardian is not requesting FAC for self and other family members, test eligibility for the SSI child and other siblings for PWC, then MKC respectively.
  ► During Interview (Option 'O'), remove the child's SSI income from the UINC screen and update the disability end date information on the DEM2 screen. Enter a '572' closing reason on the SSI (S02) STAT screen. Update all necessary information for the MA AU. The ELIG screen will appear for the SSI AU. On the MAFI, confirm the closing date and use PF13 to add the following text: "Your child's SSI has been

canceled. His/Her eligibility is being review for other Medical Assistance programs."

- ► Process (Option 'P') the MA AU, making sure to enter '555' (Worker Voided Application) for the month in which the child was still receiving SSI.
- ► Finalize (Option 'Q') the MA AU. Do not suppress the notice.
- ► If the FAC AU is being denied for overscale resources, the Case Manager reviews eligibility under the PWC program. Use Option 'J' from the AMEN to create a new AU for each potential PWC child. Interview, Process and Finalize ('O', 'P', and 'Q') the AU(s). If any children are ineligible financially for PWC the Case Manager then manually determines eligibility for MKC.
  - ► Since CARES is not programmed for MKC, the Case Manager completes calculation(s) off-line.
  - ► Complete an AMF-1 to pend the child(ren).
  - ► If eligible for MKC, complete an 8000 to open the MA case and update the AMF-1 to approve MKC.
  - ► If ineligible for MKC, complete the AMF-1 with the appropriate denial code.
- ► If the FAC AU is being denied due to overscale income, then CARES will automatically place the case in a spend-down status and generate the appropriate notices.
- ► Narrate all case activity.

Children With an Associated TCA AU:

Upon receipt of the SDX from SSA which identifies the child no longer eligible for SSI, the FIA Case Manager follows interim change procedures to add the child to the existing assistance unit.

♦ Review the case record to determine what verifications are necessary to add the SSI child to the assistance unit.

♦ Send the customer a **DHMH 4225 Notice to MA Recipients Terminated from the SSI Program**, a **DHR/FIA 491 Change Form** and a **DHR/FIA 1052 Request for Information** form to add the SSI child. Allow the customer 15 days to return the **Change Form** and requested verifications. Create a 745 alert to follow up on the 15th day.

♦ If the **Change Form** and requested verifications are not returned by the 15th day, the FIA Case Manager closes the SSI AU (S02) with a '552' reason code (Failure to establish eligibility). On the MAFI screen, use PF13 to enter the following statement "Your child is no longer eligible for SSI and you failed to return the information needed to redetermine eligibility for Medical Assistance under a new category." If the SSI child is the natural or adopted child of the head of household, or a sibling of the children in the TCA unit, the TCA AU must also be closed with a '552' reason code. All parents and children and sisters and brothers must be included in the TCA assistance unit.
  - ► NOTE: If the SDX was received by the tenth day of the month, close the SSI AU at the end of that month. If the SDX was received after the tenth day of the month, the SSI AU may not be closed until the end of the following month.

♦ If the **Change Form** is returned by the 15th day, date stamp it when it is received at the local department. The FIA Case Manager reviews the verifications received to determine what required information and verifications are still needed to determine eligibility for TCA.

- The FIA Case Manager sends a new **1052 Request for Information** form requesting that any remaining verification required for an eligibility determination be returned within 15 days. If the Case Manager determines that a face to face interview is necessary to make an accurate eligibility determination for TCA, include an appointment with the **Request for Information**. Set a 745 alert to follow up on the 15th day.

- Once the customer has provided the necessary verifications, the Case Manager determines the child's eligibility for TCA.
    - From AMEN, enter option 'K' (Add a Person) using the TCA AU number and pend the SSI child in the existing TCA AU using the date the 491 was received.
    - During Interview (Option 'O'), remove the child's SSI income from the UINC screen and update the disability end date information on the DEM2 screen. Enter a '572' closing reason on the SSI (S02) STAT screen. Update all necessary information for the child's TCA. The ELIG screen will appear for the SSI AU. On the MAFI, confirm the closing date and use PF13 to add the following text: "Your Child's SSI has been canceled. His/Her eligibility is being reviewed for TCA."
    - Process (Option 'P') the TCA AU, making sure to enter '555' (Worker Voided Application) for the month in which the child was still receiving SSI and the 491 was received.
    - Finalize (Option 'Q') the TCA AU. Do not suppress the notice.
    - Narrate all case activity.

Children With an Associated MA AU:

Upon receipt of the SDX from SSA which identifies that the child is no longer eligible for SSI, the FIA Case Manager must follow interim change procedures to add the child to the existing FAC AU or add a program to an existing PWC AU. (If other household members are active in the MKC program, the SSI child must first be tested under PWC.)

- Review the case record to determine what verifications are necessary to add the SSI child to the assistance unit.

- Send the customer a **DHMH 4225 Notice to MA Recipients Terminated from the SSI Program**, a **491 Change Form**, and a **1052 Request for Information** to add the SSI child. Allow the customer 15 days to return requested verifications. Create a 745 alert to follow up on the 15th day.

- If the 491 Change Form and requested information is not returned by the 15th day, the FIA Case Manager closes the SSI AU (S02) with a '552' reason code (Failure to Establish Eligibility). On the MAFI screen, use PF13 to enter the following statement "Your child is no longer eligible for SSI and you failed to return the information needed to redetermine Medical Assistance under a new category."
    - NOTE: If the SDX was received by the tenth day of the month, the SSI AU must be closed at the end of that month. If the SDX was received after the tenth day of the month, the SSI AU may not be closed until the end of the following month.

- If the 491 Change Form is returned by the 15th day, date stamp it when it is received. The FIA Case Manager reviews the verifications received to determine what required information and

verifications are still needed to determine eligibility for MA.

♦ The FIA Case Manager sends a new 1052 Request for Information form requesting the remaining necessary verifications be returned within 15 days. If the case manager determines that a face to face interview is necessary to make an accurate eligibility determination for MA, an appointment shall be sent along with the 1052. Set a 745 alert to follow up on the 15th day.

♦ Once the customer has provided the necessary verifications, the worker determines the child's eligibility for MA.
  ► From AMEN enter:
    ► Option 'K' (Add a Person) for FAC using the existing AU number and pend the SSI child in the existing FAC AU using the date the 491 was received, or
    ► Option 'L' (Add a Program) for PWC using an existing active AU number and pend the entire household using the date the 491 was received.
  ► During Interview (Option 'O'), remove the child's SSI income from the UINC screen and update the disability end date information on the DEM2 screen. Enter a '572' closing reason on the SSI (S02) STAT screen. Update all necessary information for the MA AU. The ELIG screen will appear for the SSI AU. On the MAFI, confirm the closing date and use PF13 to add the following text: "Your child's SSI has been canceled. His/Her eligibility is being reviewed for other Medical Assistance programs."
  ► If the customer is pending in an FAC category:
  ► Process (Option 'P') the FAC AU, making sure to enter '555' (Worker Voided Application) for the month in which the child was still receiving SSI.
  ► Finalize (Option 'Q') the TCA AU. Do not suppress the notice.
  ► If the FAC AU is being denied for overscale resources, the case manager must review eligibility under the PWC program. The case manager must use Option 'J' from the AMEN to create a new AU for each potential PWC child. Interview, Process and Finalize ('O', 'P', and 'Q') the AU(s). If any children are ineligible financially for PWC, the case manager must then determine eligibility for MKC.
  ► If the FAC AU is being denied due to overscale income, then CARES will automatically place the case in a spend-down status and generate the appropriate notices.
  ► If the customer is pending in a PWC category:
  ► Process (Option 'P')the PWC AU, making sure to enter '555' (Worker Voided Application) for the month in which the child was still receiving SSI.
  ► Finalize (Option 'Q') the TCA AU. Do not suppress the notice.
  ► If the PWC AU is being denied due to overscale income, then the case manager must determine eligibility for the child(ren) in the MKC program.
  ► MKC procedures:
  ► Since CARES is not programmed for MKC, the case manager must complete the calculation(s) off-line.
  ► Complete an AMF-1 to pend the child(ren).
  ► If eligible for MKC, complete an 8000 form to open the MA case and update the AMF-1 with the appropriate denial code.
  ► Send all appropriate manual MKC eligibility notices to the customer.
  ► Narrate all case activity.