

Section 2


Module 2: Who Qualifies? *Non-Financial Rules*



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Virginia Residency

- Applicants **must live in Virginia**
- **Self-declaration** on the application.
No proof of residency is required
- Even homeless people can apply



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Social Security Numbers

- Social Security Numbers (SSN) **are required for most applicants seeking coverage.**
 - If an applicant has not yet applied for a SSN, s/he should be ready to provide proof that one was requested.
 - **Local DSS** caseworkers will help people get a SSN if one is necessary.
 - **Many non-citizens don't have – and can't get – a SSN, but they can still get Medicaid.**
- The application **asks for SSNs of non-applicants** in the household, but giving this information is **voluntary.**
 - Helps with verifying income.
 - Providing a non-applicant's SSN is not required and not listing them will not affect the eligibility of anyone else on the application

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Assignment of Rights from Third-Party Payments

- Virginia's Medicaid/FAMIS programs require that the applicant assign any rights to **third party payments** to the state.
 - For example: a personal injury settlement received by an enrollee would be assigned to Virginia to reimburse the state for any medical bills paid for the injury.
- A family or individual agrees to this by signing the application

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Requirement to Apply for Other Entitlement Benefits

- If an applicant is or looks to be entitled to other benefits, s/he must apply for them **first** to be eligible for Medicaid.
- These benefits include:
 - Social Security
 - Veterans' Compensation
 - Annuities
 - Pensions
 - Worker's Compensation
 - Railroad, Civil Service, or Federal Employee Retirement
 - Black Lung Benefits



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Residents of Institutions

- **Inmates in a public institution** (e.g., detention center or jail), who meet all other eligibility requirements, are eligible for Medicaid coverage for **inpatient hospitalization services only**.
 - The Virginia Departments of Corrections, and local and regional jails, can help make sure eligible individuals become enrolled before release
 - Cover Virginia maintains a special unit, the Cover Virginia Incarcerated Unit, to receive and process applications from incarcerated Virginians
- Halfway houses **with >16 beds** count as “institutions,” for the purposes of eligibility.
- Adults between the ages of 21 to 65 who are in an Institute for the treatment of Mental Disease (IMD) are not eligible for Medicaid.

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Citizenship or Immigration Status

- **Non-pregnant adult** applicants for Medicaid must be either **U.S. Citizens** or in certain “**qualified**” **immigrant categories**.
 - The most common status is **Lawful Permanent Resident (LPR)**, sometimes called a “green-card holder.”
- **Refugees, Asylees, and those with humanitarian status** from certain countries who meet income requirements may be eligible for the first 7 years that they are in the U.S.
- **Unauthorized immigrants** who are otherwise qualified (income, resources, residency) may be eligible for Medicaid to cover **emergency services only**.

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LPRs Who Arrived After 8/22/96

To qualify for Medicaid, most **Lawful Permanent Resident adults (LPRs, “green-card holders”)** must have lived **legally in the U.S. for 5 years or more**.



- Lawfully-residing immigrants who do not meet this “5-year bar” requirement may still be eligible for:
 - Subsidized coverage through the **Marketplace**
 - Emergency Medicaid
- Exception: **Veterans** or **active-duty military immigrants**, and their families, as well as **those from certain countries, are exempt from the requirement to have been in the U.S. for 5 years**.

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Citizenship and Identity

- Applicants' identity, citizenship, and immigration status will be verified electronically.
- If the information provided on the application cannot be verified electronically and the applicant is otherwise eligible for coverage, s/he will be **enrolled in coverage and will have 90 days to provide documentation** verifying citizenship, immigration status, or identity.
 - If applicant fails to provide documents within 90 days, coverage will be cancelled.

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Double-Check Application Information!

- ☛ A person's **name**, **date of birth**, and other information provided on the application must be accurate and must match any documentation that person provides to verify identity, citizenship, or immigration status.
 - *Example: The birthdate for an applicant born on January 7, 1956, should be written 01/07/56, rather than 07/01/56.*
- ☛ If a person has a hyphenated last name, it is important to make certain **both last names** are included on an application and written the same as on the person's documents verifying identity or immigration status.

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“Aged,” “Blind,” or “Disabled”

- ☛ **Aged: 65 years old or older**
- ☛ **Blind: Visual acuity of not greater than 20/200**
 - Receive Supplemental Security Income (SSI) or Social Security Disability Income (SSDI) based on Blindness, OR
 - Are determined Blind by Disability Determination Services (DDS)
- ☛ **Disabled:** Unable to do any substantial gainful activity or work because of a severe, medically determinable physical or mental impairment that has lasted or is expected to last for 12 or more continuous months, or is expected to result in death:
 - Receive SSI, SSDI, or Railroad Retirement based on disability
 - Are determined disabled by DDS
 - Received SSI, SSDI, or Railroad Retirement for at least 1 month in the year prior to applying for Medicaid. If benefits ended, must be for a reason **other than no longer being disabled or blind.**

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Category Requirements: 300% of Supplemental Security Income (SSI) Groups

- ☛ Individuals who are **institutionalized**,
- ☛ Individuals in **hospice**, or
- ☛ Individuals who would normally need a level of care provided in either a hospital or nursing facility, and **would be eligible** for Medicaid if institutionalized, but are receiving this care **in the community instead** (“Community-Based Care”).

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Category Requirements: Other Eligibility Groups

- ☉ Receiving SSI
- ☉ Receiving an Auxiliary Grant: income for recipients of Supplemental Security Income (SSI) and certain other aged, blind, or disabled individuals residing in:
 - An Assisted Living Facility, or
 - An Adult Foster Care home, or
 - A Supportive Housing arrangement approved by the state

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Category Requirements: “Protected Cases”

- ☉ Certain former SSI Recipients
 - Pickle Amendment
 - Would be eligible for SSI if certain cost-of-living increases were disregarded (*since 1977*)
 - Calculator tool – see Tool Kit
 - Disabled widow/er
 - Former disabled child or adult
 - Qualified Severely Impaired Individuals who are ineligible for SSI due to earnings
- ☉ Former Auxiliary Grant Recipients
- ☉ Blind or disabled individuals who were eligible in December 1973, or their spouses (“conversion cases”)

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