

## Who Qualifies? Non-Financial Rules

Section 2

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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



Section 2

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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

Section 2

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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

Section 2

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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
  - Medicare



Section 2

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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.

Section 2

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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**.

Section 2

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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**.

Section 2

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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.

Section 2

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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.

Section 2

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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.**

Section 3

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

- ☛ Individuals who are **institutionalized**,
- ☛ Individuals in **hospice**, or
- ☛ Individuals who require a level of care normally provided in either a hospital or nursing facility, but are electing to receive this care **in the community instead** (“Community-Based Care”). They are at risk of becoming institutionalized within 30 days absent receiving their care in the community.

Section 3

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### Category Requirements: Other Eligibility Groups

- ☛ Receiving SSI
- ☛ Receiving an Auxiliary Grant: cash assistance 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

Section 3

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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”)

Section 3

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