



Commonwealth of Massachusetts
Executive Office of Health and Human Services
Division of Medical Assistance
600 Washington Street
Boston, MA 02111
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MassHealth
Eligibility Letter 93
June 14, 2002

TO: Division Staff

FROM: Wendy E. Warring, Commissioner

A handwritten signature in blue ink, appearing to read 'WOW', written over the name 'Wendy E. Warring'.

RE: CommonHealth for Certain Institutionalized Immigrant Children

This letter transmits revised regulations that reinstate state-funded CommonHealth benefits for certain institutionalized immigrant children who were inadvertently excluded from coverage when Health Care Reform was implemented on July 1, 1997. Most of these children are legal permanent residents subject to the five-year bar.

These emergency regulations are effective June 14, 2002.

MANUAL UPKEEP

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519.001: Introduction

(A) Categorical Requirements and Financial Standards. 130 CMR 519.000 explains the categorical requirements and financial standards that must be met to qualify for a MassHealth coverage type. The rules of financial responsibility and the calculation of financial eligibility are detailed in 130 CMR 520.000.

(B) MassHealth Coverage Types. The MassHealth coverage types available to individuals aged 65 and older, institutionalized individuals, and those who would be institutionalized without community-based services are the following:

- (1) MassHealth Standard;
- (2) MassHealth Basic;
- (3) MassHealth Limited;
- (4) MassHealth Senior Buy-In;
- (5) MassHealth Buy-In; and
- (6) MassHealth CommonHealth.

(C) Determining Eligibility. The Division determines eligibility for the most comprehensive coverage available to the applicant, although the applicant has the right to choose to have eligibility determined only for Senior Buy-In or Buy-In coverage. If no choice is made by the applicant, the Division will determine eligibility for all available coverage types.

519.002: MassHealth Standard

(A) Overview.

- (1) 130 CMR 519.002 through 519.007 contain the categorical requirements and asset and income standards for MassHealth Standard, which provides coverage for individuals aged 65 and older, institutionalized individuals, and those who would be institutionalized without community-based services.
- (2) Individuals eligible for MassHealth Standard are eligible for medical benefits on a fee-for-service basis as defined in 130 CMR 515.001. The medical benefits are described in 130 CMR 450.105(A).
- (3) The begin date of medical coverage for MassHealth Standard is established in accordance with 130 CMR 516.005.

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(b) The Division gives preference to members who were eligible for MassHealth Buy-In, as described in 130 CMR 519.011, or MassHealth Senior Buy-In, as described in 130 CMR 519.010, in December of the previous calendar year when determining an individual's eligibility for MassHealth Buy-In, as described in 130 CMR 519.011(B), in the subsequent calendar year.

519.012: MassHealth CommonHealth

(A) Working Disabled Adults.

(1) Eligibility Requirements. MassHealth CommonHealth for working disabled adults is available to community residents aged 65 and older in the same manner as they are available to those under age 65. This means they must meet the requirements of 130 CMR 505.004(B)(2), (3), and (4).

(2) Other Provisions. The following provisions apply to CommonHealth applicants and members aged 65 and older: 130 CMR 505.004(A)(2), (F) through (H), (I)(1) and (2), and (J).

(B) Certain Disabled Institutionalized Immigrant Children.

(1) Eligibility Requirements. MassHealth CommonHealth is available to institutionalized disabled children who meet the requirements of 130 CMR 505.004(D) and 519.006(A)(2), and who:

- (a) have attained the immigration status described in 130 CMR 518.002(D)(2)(a), (b), or (c), and five years have not passed from the date they attained such status;
- (b) are nonimmigrants under the Immigration and Nationality Act (INA); or
- (c) are aliens paroled into the United States under section 212(d)(5) of the INA for less than one year.

(2) Other Provisions. The following provisions apply to CommonHealth applicants and members who are described above in 130 CMR 519.012(B)(1): 130 CMR 505.004(A)(2), (F) through (H), and (I)(1) and (2).

(C) Financial Eligibility. Financial eligibility for all MassHealth CommonHealth applicants and members is based on the regulations in 130 CMR 506.000. The regulations in 130 CMR 520.000 do not apply.