



MassHealth for Older Adults in the Community

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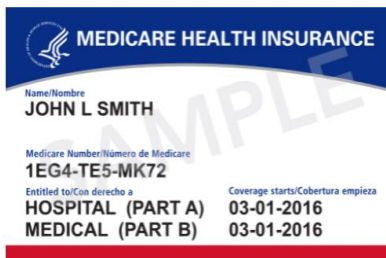
Massachusetts Law Reform Institute

May 2, 2023

- ❑ Poverty law & policy center & state-wide support for local Legal Services and community partners
- ❑ MLRI engages in administrative and legislative advocacy, trainings, coalition building and litigation.
- ❑ MLRI areas of practice:
 - Health Care
 - Food Security and Economic Security
 - Immigration
 - Housing law - public and private tenant rights
 - Employment and Unemployment Compensation
 - Family Law and Domestic Violence
 - Child Welfare
 - Race Equity and Language Access

MassHealth: An Introduction

- MassHealth = Medicaid in Massachusetts
- Difference between Medicaid and Medicare:
 - Medicaid = state and federally funded health coverage for people with low incomes; administered by state Medicaid agency
 - Medicare = federally funded health coverage regardless of income; administered by federal agency
 - Elderly & disabled may have both Medicaid and Medicare



MassHealth Redeterminations

The Basics

- **MassHealth Protection:** From March 18, 2020 - March 31, 2023, almost no one enrolled in MassHealth lost coverage
 - ~ 800,000 members protected from loss of coverage



MassHealth Redeterminations

The Basics

- **End of protection and return to business as usual:**
Protection ended March 31, 2023. At some point between April 1, 2023- March 31, 2024 each member will have their eligibility checked by MassHealth
- Automatic renewal: ~50% of members will be automatically renewed into same or better coverage (no action needed)
- Blue Envelope: Others will get a blue envelope with a renewal notice they'll need to return





MassHealth Redeterminations

How to Prepare

- **Update address:**
 - Call MassHealth Customer Service (800) 841-2900
 - Mail handwritten note to Health Insurance Processing Center, PO Box 4405, Taunton, MA 02780
 - Fax handwritten note to (857) 323-8300
- **Warning:** updating other changes (besides address) may result in downgrade or termination
 - For members who MassHealth has determined eligible in the past 12 months based on application or renewal.
- **Watch for mail from MassHealth:**
 - Blue envelope: renewal form
 - Other important mail may arrive in white envelopes

MassHealth Redeterminations

How to Renew



- **By phone:** Call MassHealth Customer Service at (800) 841-2900, TDD/TTY: 711



- **Online submission:** If member's renewal has an e-Submission number, can scan and upload a copy of completed paper renewal, or download a fillable form to complete and upload.



- **By mail or fax:**



- Mail to MassHealth Enrollment Center, PO Box 290794, Charlestown, MA 02129
- Fax to (617) 887-8799



- **In person:** Visit a MassHealth Enrollment Center

MassHealth Redeterminations

How to Renew

- **Schedule an appointment:**
telephonic or virtual appointment
with a MassHealth Enrollment
Center (MEC) worker



- Schedule online
 - Call customer service at (800) 841-2900
- **Abbreviated SACA-2 Renewal:**
 - Only 4 pages to fill out
 - List of people who cannot use this form in MassHealth Renewal Help Guide (pg 58)



MassHealth Redeterminations

If Member Loses Full MassHealth

- ❑ **Medicare:** Loss of MassHealth is a qualifying event for a special enrollment period for Medicare
- ❑ **Medicare Savings Plan:** Help from MassHealth in paying Medicare costs
- ❑ **PACE and Frail Elder Waiver:** MassHealth programs with higher income eligibility than MassHealth Standard
- ❑ **ConnectorCare:** If not eligible for premium-free Medicare Part A

MassHealth Redeterminations

Resources for Advocates

□ MassHealth Renewal Help Guide



□ Outreach Toolkit

This is a flyer titled 'Attention MassHealth members 65 or older'. It features a photo of an elderly couple in the top right corner. A green speech bubble next to them says 'You will need to renew your coverage this year.' The flyer lists three steps to renew coverage: 1. Update your info (call Customer Service at 800) 841 2900), 2. Check your mail, and 3. Respond to MassHealth. It also includes a note about the Special Enrollment Period (SEP) and a list of other programs like Medicare Savings Program (MSP), The Frol Elder Waiver (FEW), Prescription Advantage, and PACE. At the bottom, it says 'Act now. Stay covered.' and provides the website masshealthrenew.org and the phone number 800-841-2900 (TTY: 711). Logos for MassHealth, HEALTH CONNECTOR, and HCFA are at the bottom.

Back to: MassHealth for Older Adults in the Community





Types of MassHealth Available to People 65+

Age-based Eligibility

- ❑ **MassHealth Standard:** people 65 and over who meet income and asset test
- ❑ **Family Assistance:** Certain immigrants 65 and over who are Lawfully Present or PRUCOL but not eligible for MassHealth Standard or ConnectorCare due to immigration status
- ❑ **MassHealth Limited:** Immigrants 65 and over who would be eligible for MassHealth Standard or Care Plus but for immigration status



Resources on Immigration Status

- MLRI, Understanding eligibility of non-citizens for MassHealth and Health Connector
- Materials for Immigrants & Public Benefits
BBT (April 5, 2023)



Types of MassHealth Available to People 65+

Eligibility Based on Factors Other than Age

- ❑ **MassHealth Standard:** Automatic eligibility for recipients of SSI or cash assistance (TAFDC or EAEDC)
- ❑ **MassHealth Standard:** Clinically eligible for nursing home care
- ❑ **MassHealth Standard:** Parents or caretaker relatives living with a child under 19
- ❑ **CommonHealth:** Working disabled adults who are ineligible for MassHealth Standard



MassHealth Benefits

- Different MassHealth Programs determine the types of coverage a person can get
- MassHealth Standard is the most comprehensive; Limited is the least (emergency only)
- For details of different coverage types:
 - List of MassHealth benefits by coverage type
 - MassHealth Senior Guide for Healthcare Coverage



Age-based Eligibility

Who Qualifies?

- Age: 65 and older
- Resident of MA: Live in MA with intent to remain; do not need fixed address
- Financial eligibility:
 - Income \leq 100% FPL
 - Assets \leq \$2,000 (individuals) or \$3,000 (couples)
- U.S. citizen or eligible immigration status

Age-based Eligibility

Income Counting

- Income (earned & unearned) - deductions = must be \leq 100% FPL
- Count both applicant's income and income of spouse (if living together).

□ MassHealth's 2023 Income Standards and FPL Guidelines:

| Family Size | 100% Federal Poverty Level | |
|-----------------------------------|-------------------------------|----------|
| | Monthly | Yearly |
| 1 | \$1,215 | \$14,580 |
| 2 | \$1,644 | \$19,728 |
| 3 | \$2,072 | \$24,864 |
| 4 | \$2,500 | \$30,000 |
| 5 | \$2,929 | \$35,148 |
| 6 | \$3,357 | \$40,284 |
| 7 | \$3,785 | \$45,420 |
| 8 | \$4,214 | \$50,568 |
| For each additional person add | \$429 | \$5,148 |



Age-based Eligibility

Income Counting (*130 CMR 520.009*)

- Earned income: compensation received for work or services performed. Includes:
 - Wages
 - Self-employment income

- Unearned income includes:
 - Social Security benefits



Age-based Eligibility

Income Counting (*130 CMR 520.015*)

- Examples of excluded, non-countable income (but not limited to):
 - Retroactive Social Security Benefits
 - Income in kind
 - Reverse mortgage payments
 - Economic Incentive/Stimulus Payments paid out by IRS during pandemic



Age-based Eligibility

Income Counting (*130 CMR 520.010-520.013*)

- Deductions:
 - Unearned income deduction: \$20 per month
 - If less than \$20 unearned income, remainder deducted from earned income
 - Earned income deduction: \$65 and half of remaining earned income
 - Allowable business expenses from self-employment and rental income (ex. maintenance and repair costs)

Age-based Eligibility

Income Counting Example: Mary

- 100% FPL for 1 person = \$1,215/month
- Mary (67 years old), is not married. She earns \$1,000/month in wages, and receives \$300/month in rental income and \$15/month in SSI.

- Does Mary's income qualify her for MassHealth Standard?
- Trick question! You don't have to do the math, she is a recipient of SSI so she is automatically eligible.



Age-based Eligibility

Income Counting Example: Isabel



- 100% FPL for 1 person = \$1,215/month
- Isabel (68 years old), is not married. She earns \$1,300/month in wages, and receives \$5/month in dividend income and \$400/month in Social Security Retirement benefits.
- Does Isabel's income qualify her for MassHealth Standard?
 - Earned income minus deductions: $\$1300 - \$65 = \$1,235 \div 2 = \mathbf{\$617.50}$
 - Unearned income minus deduction: $\$405 - \$20 = \mathbf{\$385}$
 - Yes! Total = **\$1,002.50** which is $< 100\%$ FPL

Age-based Eligibility

Deductible/Income Spenddown Standard

- MassHealth's 2023 Income Standards and FPL Guidelines:

| Family Size | MassHealth Income Standards | | 100% Federal Poverty Level | |
|-----------------------------------|--------------------------------|----------|-------------------------------|----------|
| | Monthly | Yearly | Monthly | Yearly |
| 1 | \$522 | \$6,264 | \$1,215 | \$14,580 |
| 2 | \$650 | \$7,800 | \$1,644 | \$19,728 |
| 3 | \$775 | \$9,300 | \$2,072 | \$24,864 |
| 4 | \$891 | \$10,692 | \$2,500 | \$30,000 |
| 5 | \$1,016 | \$12,192 | \$2,929 | \$35,148 |
| 6 | \$1,141 | \$13,692 | \$3,357 | \$40,284 |
| 7 | \$1,266 | \$15,192 | \$3,785 | \$45,420 |
| 8 | \$1,383 | \$16,596 | \$4,214 | \$50,568 |
| For each additional person add | \$133 | \$1,596 | \$429 | \$5,148 |



Age-based Eligibility

Deductible/ Income Spenddown (*130 CMR 520.030*)

- If countable income exceeds 100% of FPL: After meeting a deductible in a 6 month period, benefits provided for the balance of the 6 month period.
- Deductible amount = monthly countable income – monthly income standard (\$522(single) or \$650(married)) x 6
- What bills meet the deductible?
 - Bill must not be covered by health insurance or other third party coverage, including Medicare but 6 mo of Medicare premiums can be taken off the top

Age-based Eligibility

Deductible/ Income Spenddown Example: Henry



- Henry (65 years old), is not married. His countable monthly income is \$1,300/month.
 - What is Henry's deductible?
- $\$1,300 \text{ (countable income)} - \$522 \text{ (income standard)} = \$778 \times 6 = \$4,668$



Age-based Eligibility

Asset Limits (*130 CMR 520.003*)

- Countable assets cannot exceed \$2,000 for an individual or \$3,000 for a couple
- Some differences for long term care applicants



Age-based Eligibility

Countable Assets (*130 CMR 520.007*)

- Countable assets include:
 - Cash (currency, checks, bank drafts)
 - Bank accounts
 - IRAs, Keogh plans, and accessible pension funds from former employer
 - Securities
 - Cash surrender value of life insurance with face value > \$1,500
 - Vehicles (first one not counted)
 - Real estate (primary residence not counted)



Age-based Eligibility

Noncountable Assets (*130 CMR 520.007- 520.008*)

- Noncountable assets include:
 - Principal residence
 - First vehicle for personal use
 - Personal possessions: furniture, clothing, jewelry
 - Some funeral or burial arrangements
 - Special-needs and pooled trusts
 - Pension funds set aside by current employer
 - Face value of life insurance policies with no cash surrender value (term life policies)
 - Economic Incentive/Stimulus Payments paid out by IRS during pandemic

Age-based Eligibility

Assets Counting Example: Leo

- Leo, 68 and single, has \$750,000 equity in the house he lives in, one car worth \$3,000, a \$5,000 piano and \$2,500 in the bank.
- Does he exceed the asset limit?
 - Yes! By \$500
 - The equity in his principal residence, his only car, his piano are not countable assets
 - The \$2,500 in his bank account are countable assets.
- What can he do to meet the asset test?





Age-based Eligibility

Asset Spend-down (*130 CMR 520.004*)

- If an applicant's assets exceed the limit, MassHealth rules give them a notice with the excess amount and an opportunity to reduce their assets without having to reapply.
 - Ex: Leo has \$2,500 in countable assets. He spends \$500 on clothes and furniture. He is eligible for MassHealth on the first date that his assets did not exceed \$2,000.

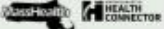
Age-based Eligibility

How to Apply

- ❑ Must use paper

SACA-2 Application

- ❑ Income and asset verification
- ❑ 3 month retroactive start date
- ❑ Apply in person, by mail or fax; and by phone (NEW!) and online (NEW!)
- ❑ Get help from many orgs

Application for Health Coverage for Seniors and People Needing Long-Term-Care Services 

Please Print Clearly. Be sure to answer all questions. Fill out all parts of the application, along with all supplements that apply. If you need more space, attach a separate piece of paper to the application. Put Person 1's name and social security number at the top of any attached paper. For each member in your household, please put the name(s) of the individual(s) under the program or programs he or she wants to apply for. Please see the Senior Guide to learn more about coverage under these programs.

Please list the names of everyone who is applying for health coverage on this application.

| | |
|---|---|
| <input type="checkbox"/> MassHealth or the Health Safety Net (HSN) (If living at home, or in a rest home, an assisted living facility, a continuing care retirement community, or life care community, fill out this application and any supplements that apply to you or any household member.) MassHealth will check if anyone applying for health coverage on this application is eligible for MassHealth or the HSN. You: _____ Spouse: _____ | <input type="checkbox"/> Health Connector Programs Health coverage through the Massachusetts Health Connector is not MassHealth. If you have Medicare, you will not be eligible for any cost sharing or Advance Premium Tax Credits, and you cannot purchase a plan through the Health Connector, unless you were enrolled in a Health Connector plan when you became eligible for Medicare. The only time you should apply for Health Connector programs if you have Medicare is if you are not enrolled in Medicare yet but would have to pay for your Medicare Part A premium. In this case, you may be eligible for a Health Connector plan. You: _____ Spouse: _____ |
|---|---|

☐ **Long-Term Care and/or Home- and Community-Based Services Waiver**
(If applying for or getting long-term-care services at home under an HCBS Waiver, or in a nursing home or chronic hospital, fill out this application and any supplements that apply to you or any household member, including all or part of the Long-Term-Care Supplement.)
You: _____
Spouse: _____

NOTE: PACE – Program of All-Inclusive Care for the Elderly
Some MassHealth members may be eligible to enroll in the Program of All-Inclusive Care for the Elderly (PACE), which provides members access to a wide range of medical, social, recreational, and wellness services through a center-based model. See page 10 of the Senior Guide for more information.

STEP 1 Person 1 (YOU)—Tell us about YOURSELF.

We need one adult in the household to be the contact person for your application. Please note that this should be someone who appears on the application, not a third party who wishes to serve as a contact for the applicant(s). Please see the Authorized Representative Designation (ARD) at the end of this application, to establish a third-party contact.

| | | | |
|--|-----------|---|------------|
| 1. First name, middle name, last name, and suffix | | 2. Date of birth | |
| 3. Street address <input type="checkbox"/> Check this box if homeless. You must provide a mailing address. | | 4. Apartment or unit number | |
| 5. City | 6. State | 7. ZIP code | 8. County |
| 9. Is this a hospital, nursing facility, or other institution? <input type="checkbox"/> Yes <input type="checkbox"/> No If Yes, facility name | | | |
| 10. Mailing address <input type="checkbox"/> Check if same as street address. | | 11. Apartment or unit number | |
| 12. City | 13. State | 14. ZIP code | 15. County |
| 16. Phone number | | 17. Other phone number | |
| 18. Email | | 19. # of people listed on the application | |



Eligibility Based on Factors Other than Age

- Automatic eligibility for recipients of SSI or cash assistance (TAFDC or EAEDC)
 - MassHealth Standard or, for some immigrants on EAEDC, Family Assistance
- Parents or caretaker relatives living with a child under 19
 - MassHealth Standard
- Working disabled adults who are ineligible for MassHealth Standard:
 - CommonHealth

Eligibility for Parents/Working Disabled 65+

MAGI Financial Rules

- MassHealth uses MAGI financial rules for some kinds of non-age-based eligibility

| Age-based Eligibility (65+) | Eligibility based on MAGI |
|---|---|
| Lower income limit | Higher income limit |
| Income counting = traditional method based on SSI rules | Income counting = Modified Adjusted Gross Income (MAGI) |
| Asset test | No asset test |



MassHealth Standard: Parent/Caretaker Relative

(130 CMR 505.002 & 519.005)

Qualifications:

- Parents/caretaker relative living with a child under 19
 - Caretaker relative must have primary responsibility for the child, and neither parent lives in the home
- MA resident; and U.S. Citizen or qualified immigrant
- MAGI \leq 133% FPL
- No asset test

Compare with age-based eligibility:

- Apply with ACA-3 (can create online account)
- Only 10 day retro

CommonHealth: Working Disabled

(130 CMR 519.012)

Qualifications:

- ❑ Permanently and totally disabled
- ❑ Employed at least 40 hours/month (or if less, have been employed at least 240 hours in prior 6 months)
 - NEW for under 65: no working requirement
- ❑ MA resident; and U.S. Citizen or qualified immigrant
- ❑ Ineligible for MassHealth Standard
 - no upper income limit; premiums for MAGI > 150% FPL

Compare with age-based eligibility:

- ❑ Apply with SACA-2 (same as age-based)
- ❑ Only 10 day retro



CommonHealth: Retirement

Coming Soon

- New program for long-time CommonHealth members 65 and over!
 - Expected to go into effect July, 2023
- If enrolled in CommonHealth for 10+ years, can remain on CommonHealth without working



MassHealth's Medicare Savings Program


(130 CMR 519.010- 519.011)

- MassHealth's Medicare Savings Program helps MA residents pay for Medicare costs.
- MA expanded income and asset limits effective Jan 1, 2023
 - Governor has proposed eliminating the asset in her budget and the Legislature is expected to agree




Higher Financial Limits Based on Medical Need *(130 CMR 519.007)*

- MassHealth programs designed to help people live at home instead of in a long-term-care facility
 - Program of All-Inclusive Care for the Elderly (PACE)
 - Home and Community Based Services Waivers (HCBS)
 - Higher income/asset limits
- PCA deduction *(130 CMR 520.013)*
 - Special income deduction for people 65+ who would need a Personal Care Attendant (PCA)
 - For more info: MassHealth Senior Guide for Healthcare Coverage



Program of All-Inclusive Care for the Elderly (PACE) *(130 C.M.R. 519.007)*

- Type of managed care program with access to all services covered by Medicare and MassHealth *plus* services to help member live in community
 - Additional services may include: meal delivery, social services, in-home services, etc.
- Center-based services provided at a PACE Center
 - Must live in service area
 - Services provided at PACE Center include doctor's offices, rehabilitation gym, social work officers, activities center, etc.



Program of All-Inclusive Care for the Elderly (PACE) *(130 C.M.R. 519.007)*

- Eligibility:
 - Must be eligible for nursing home level of care
 - Must be able to safely live in community
 - Age 55 or older (must be disabled if 55-64)
 - Income \leq \$2,742/month (2023); \leq assets \$2000; spousal finances not counted
- How to apply:
 - Contact PACE organization for your service area



Home and Community Based Services Waivers (HCBS) *(130 C.M.R. 519.007)*

- Provides MassHealth Standard services *plus* expanded range of community-based services
- Different eligibility criteria:
 - Must be clinically eligible
 - Lower age limits for some HCBS waivers
 - Frail Elder HCBS waiver age limit is 65+
 - Expanded financial eligibility



Senior Care Options (SCO)

(130 CMR 508.008)

- Voluntary managed care plan for seniors
- Combines health services with social support services
- For duals, integrates Medicare/Medicaid
- No copays
- Eligibility:
 - Age 65 or older
 - MassHealth Standard member
 - Not diagnosed with end-stage renal disease
 - Live in an area serviced by a SCO plan



Medicaid/MassHealth- Federal Law

- ❑ 42 USC §1396 et seq.
- ❑ 42 CFR Part 430 et seq.
- ❑ Federal agency: Centers for Medicare and Medicaid Services (CMS)
- ❑ Federal website: [Medicaid.gov](https://www.Medicaid.gov)
- ❑ Secondary sources: National Health Law Program, [healthlaw.org](https://www.healthlaw.org)



MassHealth – State Law

- MGL c. 118E
- 130 Code of Mass. Regs. 515-522 and 610
- State agency: Executive Office of Health and Human Services
 - Office of Medicaid
 - Executive Office of Elder Affairs, Office of Long Term Services & Supports (OLTSS)
- State website: Mass.gov/masshealth