

Do you know about the “workaround” that enables some adults with disabilities with MassHealth Modified Adjusted Gross Income (MAGI) over 133% of poverty to qualify for MassHealth?

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In mid-July, 2015, the new MassHealth-Connector eligibility and enrollment system (sometimes called hCentive or HIX) got an upgrade. It can now make MassHealth Standard determinations for disabled adults with Modified Adjusted Gross Income (MAGI) up to 133% of poverty and for MassHealth Standard or CommonHealth for disabled children with MAGI at any income level. Based on this upgrade, MassHealth is asking over 36,000 household with a disabled family member to renew their eligibility by reapplying in the new system by September 15. However, HIX is still not able to make the correct decision for some adults with disabilities. There is a protection in place for them in the form of a “workaround,” but in the meantime they are likely to be confused by the notices coming from HIX. Be on the lookout for adults who were receiving MassHealth Standard based on disability (or for some immigrants, Family Assistance), were notified to reapply by Sept. 15, 2015, and who get notices from HIX that they do not qualify for MassHealth because their income is too high, or that they now qualify for ConnectorCare. These individuals should remain on MassHealth until they get a new notice from the MA-21 computer system if they are:

- Disabled adults claimed as a tax dependent by their parents. The workaround will recalculate eligibility without counting the parents’ income.
- Former SSI recipients now getting SSDI child’s benefits based on the earnings record of a parent who has died, retired or become disabled. The workaround will recalculate eligibility under a special rule that applies to these former SSI recipients.
- Immigrants with income at or below the poverty level who were on Family Assistance rather than MassHealth Standard based on their immigration status. The workaround will be able to find these disabled adults eligible for Family Assistance.

What kinds of MassHealth are available to disabled adults with MAGI over 133% of poverty?

- MassHealth Standard for disabled adults with “Disabled Adult Household MAGI” under 133% of poverty.
Under the regular MAGI rules, if an adult is claimed as a tax dependent by his or her parents, the income of the entire tax household will be used to determine the household income of the adult child. However, for disabled adults there is a special rule that uses a different household definition. The “Disabled Adult Household MAGI” rule only counts the income of the disabled adult, any spouse living with him/her, and any children under 19 living with him/her. This rule is

in the MassHealth regulations at 130 CMR § 506.002(C). The disabled adult household MAGI is used to decide if a disabled adult has income up to 133% of poverty and qualifies for MassHealth Standard. 130 CMR § 505.002(E).

- The workaround for the disabled adult household MAGI rule. The HIX is not yet able to apply the Disabled Adult household MAGI rule. It will make a determination based on the usual MAGI rule that counts the income of the parents who claim a disabled adult as a dependent. However, there is a workaround. The application of a disabled adult with MAGI over 133% of poverty will be passed on to the MassHealth Enrollment Center (MEC). If the disabled adult is over 19 and claimed as a dependent by his or her parents, the MEC will recalculate the disabled adult's income based on the disabled adult MAGI rule. If the disabled person's income (and that of any spouse or child under 19 living with him or her) is not over 133% of poverty, he or she will be eligible for MassHealth Standard.
- Example: Mom and Dad live with disabled 27 year old Son. Mom and Dad have income of \$60,000, Son has no income. Mom and Dad file jointly and claim Son as a dependent. Son has been on MassHealth Standard since turning 19. He files a reapplication in August 2015 and includes information about his tax household. HIX finds he is eligible for partial Health Safety Net based on his parents' income and a Connector plan. The MEC protects his current MassHealth Standard from ending until it completes the workaround. The MEC applies the workaround: His Disabled Adult MAGI is \$0. He is still eligible for MassHealth Standard.
- MassHealth Standard for disabled adult children who lost SSI when they began collecting SSDI- Disabled Adult Child benefits based on the death, disability or retirement of a parent. There is another situation where HIX will determine that an individual has income too high for MassHealth Standard, but in fact the individual will still be eligible for Standard. This special rule affects disabled adults who were receiving SSI until they began receiving a higher amount of Social Security child benefits based on the earnings of a parent who has died, retired or become disabled him or herself. In this situation, if the disabled adult child would still be eligible for SSI but for the SSDI child's benefits, he or she remains eligible for MassHealth. The rule about the Disabled Adult Child (DAC) MassHealth benefit is at 130 CMR §§ 505.002(E)(1)(b) and 519.004. Application of the DAC rule requires a "workaround" at the MEC, and submission of the SACA-2 application form.
- CommonHealth for disabled adults with Disabled Adult MAGI over 133% of poverty who are either working or have met a one-time spenddown. CommonHealth is a program available to disabled adults with income too high to qualify for MassHealth Standard. In order to qualify for CommonHealth, disabled adults must either be working at least 40 hours per month or they must have medical bills that meet or exceed the amount of a one-time deductible. HIX has not been programmed to make determinations for CommonHealth for adults. For this reason, MassHealth is not asking adults now on CommonHealth to renew their eligibility in the new

system yet. However, some disabled adults who were eligible for MassHealth Standard and *are* being asked to reapply may have experienced an increase in income that puts them over the income limit for MassHealth Standard. There is a workaround for this situation. If HIX determines that a disabled adult's MAGI income is over 133% of poverty, it will make a determination about coverage through the Connector and/or the Health Safety Net without regard to disability. The case will then pass over to the MEC. The MEC will first see if the disabled adult is eligible for MassHealth Standard under the disabled adult MAGI rule or as a DAC, if not it will determine eligibility for CommonHealth. A disabled adult who is working will be found eligible for CommonHealth. A disabled adult who is not working will be found ineligible for CommonHealth until meeting a spenddown. The amount of the spenddown will be calculated based on the Disabled Adult household MAGI. 130 CMR § 506.009.

What is the workaround for Lawfully Present Non-Citizen Adults with Disabilities with income at or under 100% of poverty?

Non-citizen adults with disabilities with income at or under 100% of poverty who do not have a Medicaid-Qualified immigration status but who are in the U.S. lawfully or under color of law (PRUCOL) are eligible for MassHealth Family Assistance. 130 CMR § 504.006(B)(3). However, HIX is not programmed to determine their eligibility for MassHealth Family Assistance based on disability. If a low-income disabled immigrant is not eligible for Standard, for example if he or she has been a legal permanent resident for less than five years, HIX will find him or her eligible for MassHealth Limited and Health Safety Net and (in most cases) for ConnectorCare. The MEC will need to apply a workaround to make the appropriate Family Assistance determination.

Remember: Most people with disabilities are not required to reapply. See this flyer from Health Care for All with more information on who needs to reapply, how to reapply, and where to get help reapplying.

https://www.hcfama.org/sites/default/files/2015_masshealth.renewals.for_.people.with_.disabilities.pdf

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