

250% Working Disabled Medi-Cal Program

Non-Financial Eligibility Requirements

This program provides full-scope Medi-Cal to working disabled individuals with countable income below 250% of the federal poverty level (FPL). Eligible persons must pay a premium based upon their income. Certain immigrants are not eligible. (See Special Factors).

Disabled: To qualify as disabled, applicants must show that:

- They have been determined to meet the Social Security definition of disability. This can be done by showing that the applicant: a) gets Social Security disability benefits; b) no longer gets Social Security disability benefits because of work, but gets Medicare because of continued disability; c) currently gets Medi-Cal or In-Home Supportive Services (IHSS) or Supplemental Security Income (SSI) benefits based on disability; **OR** d) got Medi-Cal, IHSS, SSI or Social Security benefits within the last 12 months and, during that time, was not determined to no longer be disabled. **OR**
- The applicant is determined by the Disability Determination Service Division – State Program (DDSD-SP) Department of Social Services to meet Social Security’s definition of disability without taking into consideration earnings. (Remember, “substantial gainful activity” (SGA) does not matter when determining disability for a working individual.)

Working: Applicants should be considered “working” if they have any monthly earnings from work.

Beneficiary Costs and Countable Income Limits

Income Limit: Applicants qualify if their *countable* monthly income (i.e. after deductions) is below 250% of the FPL. For a single individual, that’s \$2,167; for a married couple (both applying for benefits), \$2,917. Special rules explain how food, clothing and shelter given to the applicant might count as income. For purposes of determining countable income, SSI/SSP rules are used. Only the working disabled person’s income and part of the income of his/her spouse (or parent if a child) counts.

Premiums: All eligible persons must pay a monthly premium based upon *countable income*, ranging from \$20 to \$250 (for an individual). (See below).

Countable Income	Premium for 1 Person	Premium for a Couple
\$1 – \$600	\$20	\$30
\$601 - \$700	\$25	\$40
\$701 - \$900	\$50	\$75
\$901 - \$1100	\$75	\$100
\$1101 - \$1300	\$100	\$150
\$1301 - \$1500	\$125	\$200
\$1501 - \$1700	\$150	\$225
\$1701 - \$1900	\$175	\$275
\$1901 - \$2100	\$200	\$300
\$2101 – \$2603	\$250	\$375

<p>Monthly Income Deductions for Determining Countable Income</p>	<p>Generally, the SSI income counting rules apply with certain exceptions.</p> <ul style="list-style-type: none"> • Special Income Deduction: <u>All</u> disability-based income <i>does not count</i> (workmen's compensations, SSA, state and private disability income). • \$20 from income (earned or unearned). • Earned Income Deductions: 1) \$65 from earnings + any unused portion of the \$20 deduction above; 2) Any impairment-related work expenses that you pay for yourself. (These are out-of-pocket expenses that the applicant need to become or remain employed, like maintenance of a specialized van, special clothing, attendant care services, transportation costs, medical devices, work-related equipment, residential modifications, etc.); 3) half of any remaining earned income. <p>Example: Mary receives \$1000 a month in SSDI benefits. She works 8 days a month and grosses \$600. She pays a neighbor \$10 per day to drive her to work. She cannot use a bus because of her panic attacks. Her SSDI does not count. Only \$217.50 of her earned income counts. ($\\$600 - \\$20 - \\$65 = \\515. $\\$515 - \\$80(8 \times \\$10) = \\$435 \div 2 = \\$217.50$). Mary is eligible because her countable income (\$217) is well below the \$2,167 limit. Her monthly premium is \$20 (see chart on page 1).</p>
<p>Property Limits</p>	<p>Generally, SSI property rules apply.</p> <ul style="list-style-type: none"> • Property limits: <ul style="list-style-type: none"> • Adults: only the property of the applicant and their spouse counts. Single adults cannot have more than \$2000 in <i>countable</i> property. Married couples cannot have more than \$3000 in <i>countable</i> property. • Children: only the applicant's property and some of the applicant's parents' property counts. Applicant cannot have more than \$2000 in countable property. (A child is defined as someone who is unmarried and not the head of the family and either under age 18 <u>or</u> under age 22 and a student attending school or a vocational training program.) • Exempt property: applicant's home, clothing, one car, and certain other things such as items necessary for self-employment (building, inventory, bank account) or used on the job (tools, second car, etc.). • Special Property Deduction: individual retirement accounts (IRA) or other retirement plans (like KEOGH or 401(k) plans) do not count even if the applicant has access.
<p>Special Factors</p>	<ul style="list-style-type: none"> • Except for the special income and property exemptions above, a beneficiary would be eligible for SSI • Beneficiaries may be terminated with a notice of action if they fail to pay premiums for two consecutive months but the county must redetermine their eligibility (under SB 87). • Undocumented immigrants are not eligible. "Qualified aliens" (i.e. lawful permanent residents, refugees, asylees, persons granted withholding of deportation, conditional entry, paroled for at least one year, Cuban-Haitian entrants, or certain battered spouses and children) are eligible, regardless of their date of entry. Immigrants who are permanently residing under color of law (PRUCOL) are eligible <u>only</u> if they are lawfully residing in the U.S. and receiving SSI on August 22, 1996. • People over 65 may also be in this program.
<p>Aid Codes/ Sources of Law</p>	<p>Aid Codes: 6G. Law: 42 USC §1396a(a)(10)(A)(ii)(XIII); California Welf. & Inst. Code § 14007.9; DHS ACL's 00-16, 00-51, 01-14, 01-26, 01-46, 02-34, 02-39/40; Medical Eligibility Procedure Manual Article 5R; HCFA Letter to State Medicaid Directors (March 9, 1998).</p>