
MAO COVERAGE GROUPS/CRITERIA FOR THE AGED & DISABLED

FORMER SSI RECIPIENTS

C. COST-OF-LIVING (COL) ELIGIBLES

Section 503 of P.L. 94-566 (the Pickle Amendment) protects categorical Medicaid eligibility for certain recipients of title II Social Security benefits who have lost eligibility for SSI lost eligibility for SSI benefits. This group of eligibles is limited to all current title II recipients who after April, 1977 were entitled to and received both title II and SSI benefits and who lost SSI eligibility. Medicaid eligibility can be established if the individual would still be eligible for SSI if the title II cost-of-living increase(s) which the individual received since the individual was last eligible for and received SSI and title II concurrently were deducted from income. The reason for loss of SSI benefits is not a factor in determining whether an individual is entitled to Medicaid coverage as COL recipient.

1. Eligibility Criteria

To be eligible under the COL coverage group, the individual must meet all of the following criteria:

- The individual must be currently eligible for title II (RSDI) benefits;
- The individual must have been simultaneously eligible for and received both title II and SSI benefits at some time since April, 1977;
- The individual must have lost SSI eligibility since April, 1977;
- The individual must be currently eligible for SSI (on all factors) after deducting from countable income the title II cost-of-living increase(s) received since the last month of simultaneous eligibility for and receipt of SSI.

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2. Restrictions

The only individuals who may be considered eligible for COL Medicaid coverage by virtue of applying the COL disregard are the ones who meet the criteria outlined above. If an eligible couple applies and both members of the couple received SSI and title II and were terminated from SSI, then eligibility may be determined for both individuals as an eligible couple. If a couple applies and only one member of the couple meets the criteria outlined above, it is not possible to determine eligibility for the ineligible spouse as a COL even though the ineligible spouse may be aged, blind or disabled. Although the ineligible spouse cannot be determined eligible as a COL, the title II cost of living increase(s) received by the ineligible spouse since the eligible spouse was last eligible for and received SSI will also be disregarded in the budgeting (deeming) process. The same is true of a parent or parents whose title II income is deemed to an eligible child, i.e., the parent(s) title II cost of living increases are disregarded beginning with the date the child was terminated from SSI.

No individual or couple can remain eligible or obtain eligibility for Medicaid as a COL recipient if the individual's or couple's income, including the disregarded cost-of-living amount(s) of Social Security, is less than the current SSI Federal Benefit Rate (FBR) appropriate for the case. Persons with total income less than the appropriate FBR are potentially eligible for SSI and should be advised to apply for SSI. Eligibility for Medicaid as a MAO recipient is precluded for these individuals because they do not belong to any MAO coverage group.

3. Annual

As a result of a federal court case known as Lynch v. Rank,

**Review
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SSI**

States are required to notify SSI recipients who were terminated from SSI for the previous 3 years about their possible Medicaid eligibility as a COL eligible. SSA provides

Recipients

tapes each year that identify SSI terminations for the previous 3 years and a notice is issued to each living resident of Mississippi identified on the tapes. The individual is informed of the possibility of Medicaid coverage if all COL criteria is met.