
**MAO COVERAGE GROUPS/CRITERIA FOR THE AGED & DISABLED
FORMER SSI RECIPIENTS**

**F. OBRA
WIDOW(ER)S**

In the Omnibus Budget Reconciliation Acts of 1987 (P.L. 100-203) and 1990 (P.L. 101-508), Congress permanently revised the special, more restrictive disability standard for disabled widow(er)s to the disability standard that applies to all title II and SSI adult disability applicants.

OBRA-87 mandated Medicaid coverage for certain widow(er)s age 60-65 effective July 1, 1988 and after. OBRA-90 mandated Medicaid eligibility for certain widow(er)s age 50-59 effective January 1, 1991. Both widow(er) groups have the same eligibility criteria.

**1. Eligibility
Criteria**

To be eligible as an OBRA-87 or OBRA-90 widow(er), an individual must:

- continue to be eligible for SSI but for their title II benefits;
- received an SSI payment the month before title II payments began; and
- not be entitled to Medicare.

**2. Medicare
Eligibility**

Normally, age 65 will be the effective date for Medicare entitlement; however, there are exceptions such as:

- A widow/widower aged 60 or over may require renal dialysis or a kidney transplant. If this should occur, she/he could become entitled to Medicare on the deceased spouse's Social Security Number (SSN) under the renal provisions. Entitlement to Part A under these provisions could begin the month the beneficiary enters a hospital in anticipation of a transplant, or a third month after dialysis begins.

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- A widow/widower aged 60 or over may be concurrently drawing SSA disability benefits on her/his own SSN. Entitlement to Medicare based on the disability would begin with the 25th month of entitlement to such benefits.

- Section 5103 of OBRA-90 provides that each month of eligibility for SSI will count toward the individual's five-month disability waiting period and 24-month Medicare waiting period. This means that the normal wait for entitlement to disability benefits and/or Medicare can be greatly reduced or even eliminated, depending on the length of time the individual has been receiving SSI benefits. This means that individuals who meet the eligibility criteria described above for OBRA widow(er)s may or may not actually be eligible for Medicaid, depending on when they become entitled to Medicare based on a reduced waiting period.