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**MAO COVERAGE GROUPS/CRITERIA FOR THE AGED & DISABLED**

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**MAO LONG TERM CARE "AT-HOME" COVERAGE GROUPS**

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F. **WORKING  
DISABLED  
(WD'S)**

Section 4733 of the Balance Budget Act of 1997, allowed states the option to offer Medicaid coverage to disabled working individuals who, because of relatively high earnings, cannot qualify for Medicaid under existing statute (1905(q) (2) (B) under which disabled working individuals may be eligible for medical assistance. Except for their earned income, these individuals would be considered to be receiving SSI benefits (although there is no requirement for the individual to have ever received SSI).

1. **Eligibility  
Criteria**

Effective July 1, 1999, the following criteria must be met in order for an individual or couple to qualify for working Disabled (WD) coverage.

“Working” means that the disabled individual must be engaged in some type of work activity that earns at least \$500 per month in gross earnings.

- the number of hours employed will not be a factor nor the type of work; however, the minimum gross earning threshold of \$500 per month must be met
- each individual who applies must be working to be considered. If a couple wants coverage, both must be disabled and working and each must earn \$500

“Disabled” means the individual meets the SSI disability criteria except for the application of “substantial gainful activity” (SGA) criteria. The fact that the individual is working is not to be considered in making the disability decision.

- Disability decisions for applicants who do not receive a disability benefit will be determined by DDS. Refer cases to DDS in the usual manner described in Section D; however, the DOM-325 Form must be clearly notated that it is a request for a “Working Disabled” decision. This is the only way DDS will know to ignore SGA.

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- There is no requirement for the eligible to have had a disability determination prior to WD coverage.
- Individuals age 65 or over may be considered for WD coverage, but disability must be determined the same as for someone under 65.
- Utilization of Other Benefits is not applicable to WD's; however, if coverage changes to another coverage group, Utilization of Benefits apply.

Budget Rules & Income follow SSI criteria as follows:

- The WD eligible may be an individual, a WD couple or a WD eligible with an ineligible spouse, in which case allocations to ineligible children rules apply.
- Mixed budgeting is not allowed; one member of a couple cannot be tested as a PLAD while the other spouse is a WD.
- Income is budgeted in two separate steps:
  1. Earned income from all sources for the WD and spouse, if any, is combined and earned income disregards are applied. The remaining countable earned income cannot be equal to or exceed 250% of the FPL for an individual or couple, as appropriate.
  2. Unearned income from all sources for the WD and spouse, if any, is combined and the general exclusion applied and remaining unearned income must not be equal to or exceed the SSI FBR for an individual or couple, as appropriate.

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Resources must not exceed \$3000 for an individual and \$4000 for a couple.

All other non-financial requirements of Medicaid eligibility must be met.

**2. Effective Date of Benefits**

Medicaid benefits for WD coverage is effective with the first of the month in which all factors of eligibility are met, which includes up to 3 months prior to the month of application. However, benefits cannot begin any earlier than July 1, 1999, which is the implementation date for this coverage group.

WD eligibles receive full Medicaid benefits.

**3. Premiums**

Certain individuals eligible for Medicaid as a WD will pay premiums or cost-sharing charges, set on a sliding scale based on earned income. If total countable earned income is less than 150% of FPL, no premium is due. The Sliding Scale for Working Disabled Premiums is located in the appendix.

**4. Liberalized Policy**

Effective July 1, 2000, the definition of "working" will be changed to paid activity of a minimum of 40 hours per month. The amount of money earned will not be a factor nor the type of work; however, the minimum of 40 hours per month must be met.

If a couple wants coverage, both must be disabled and each must be working 40 hours per month.

Effective July 1, 2000, the maximum unearned income limit will be 135% of the Poverty Level. The Poverty Level chart is listed in the appendix.

Effective July 1, 2000, resources must not exceed \$4,000 for an individual and \$6,000 for a couple.

Effective April 1, 2001, resources must not exceed \$24,000 for an individual and \$26,000 for a couple. July 1, 2000 through March 31, 2001, resources could not exceed \$4,000 for an individual and \$6,000 for a couple.