

MISSISSIPPI DIVISION OF MEDICAID

Eligibility Policy and Procedures Manual

CHAPTER 200 – Income: Aged, Blind and Disabled (ABD) Categories

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200.07.09H DEEMING RULES FOR VA PENSION AND COMPENSATION PAYMENTS WITH AND WITHOUT A&A AND UME

Under the deeming provision, the income of an ineligible spouse or parent who receives income based on need is not deemed to an eligible spouse or child in at-home cases. Needs-based pension and needs-based compensation payments are non-deemable along with any other income of the ineligible. However, if an ineligible spouse or parent receives a VA payment that is solely attributed to UME, the receipt of such payment will result in deeming the remaining income of the ineligible to the eligible.

For example, if an ineligible spouse receives Social Security and VA that is attributed solely to UME, the ineligible's Social Security would be deemable to the eligible. However, if the ineligible receives a VA needs-based pension or needs-based compensation payment in addition to payment for UME, all income of the ineligible is non-deemable to the eligible person.

200.07.09I VA CAREGIVER PAYMENTS

VA provides family caregivers a monthly stipend payment to provide personal care to eligible veterans who have serious post-9/11 injuries and elect to receive their care in a home setting. To be eligible for the VA caregivers program, the veteran must have:

- Been medically discharged from service;
- A serious injury that was aggravated in the line of duty on or after 9/11/2001;
- Need of personal care because of the inability to perform one or more activities of daily living; and
- Been enrolled in VA health services.

Eligible caregivers include a parent, spouse, child, a step-family member, an extended family member or someone who lives with the veteran but is not a member of the family of the veteran.

VA caregiver payments are unearned income to which the \$50/\$20 general exclusion applies. The monthly stipend is compensation to the caregiver for providing personal care services to the eligible veteran.