

COVID-19 and NY Medicaid, a Focus on Persons with Disabilities

Based on federal Families First Coronavirus Response Act and CARES Act (3/18 & 3/27/20), as implemented by NY Dept of Health (DOH) policy, GIS 20 MA/04, https://health.ny.gov/health_care/medicaid/publications/docs/gis/20ma04.pdf. These policies will remain in effect for the duration of the COVID-19 public health emergency.

Key Policies Affecting Current Medicaid Beneficiaries and New Applicants in New York

- ◆ No person who was a beneficiary, as of March 18, 2020, or became eligible after March 18th will lose Medicaid during the pandemic emergency unless they voluntarily terminate coverage or move out of state.
- ◆ Recertification of eligibility is not required during the emergency period. Active cases with coverage dates ending in March through June will be automatically extended for periods of up to 12 months.
- ◆ Any case that was closed for failure to renew or failure to provide documentation that had Medicaid coverage on or after March 18, 2020 will be reopened and coverage restored with no gap in coverage.
- ◆ Medicaid will count the base UI amount (\$104 to \$504 per week for up to 39 weeks) but will not count the extra \$600 per week (for up to 4 months) in unemployment insurance under the CARES Act.

Can a Spend Down Obligation Increase or Decrease During the Emergency Period?

- ◆ The spenddown (i.e., “excess income” or “pay-in”) allows persons with disabilities to qualify for Medicaid if countable income exceeds Medicaid’s limit (\$875 per month for a one-person household in 2020).
- ◆ During the emergency, Medicaid cannot increase a person’s spenddown even if their income increases.
- ◆ However, if countable income decreases during this period, the spenddown can decrease.

What if a Person Enrolled in the Medicaid Buy-In for Working People with Disabilities (MBI-WPD) Stops Working as a Result of the COVID-19 Emergency?

- ◆ To qualify for the MBI-WPD a person must have earned income and meet other eligibility criteria.
- ◆ Existing policy allows an MBI-WPD beneficiary up to a six-month grace period, within a 12-month period, if that person has a job loss or stops working through no fault of their own.
- ◆ A COVID-19 related job loss entitles a person to a grace period that, in some cases, “should be extended” for 6 additional months, suggesting that the grace period could be more than 6 months in a 12-month period.

If SSI is Terminated During the Emergency Period will Automatic Medicaid Continue?

- ◆ In NY, a person who is eligible for any amount of monthly SSI qualifies for Medicaid automatically.
- ◆ An SSI termination can occur, for example, because of a change in income (theirs, a spouse’s, or a parent’s if a child under 18) or because countable resources are now above SSI’s \$2,000 limit.
- ◆ For terminations effective March 18th or later, Medicaid cannot be terminated during the emergency period.
- ◆ If the SSI termination is effective before March 18th Medicaid cannot be terminated until the agency determines if the person is Medicaid-eligible under a different eligibility category.

What if 1619b Medicaid is Terminated During the Emergency?

- ◆ Medicaid can continue, under 1619b, if earnings lead to an SSI termination. That coverage usually terminates when the beneficiary stops working and has no earnings.
- ◆ SSI eligibility (with automatic Medicaid) will be restored if this results in countable income below SSI limits.
- ◆ However, even if unearned income (including UI payments) makes this person ineligible for SSI, Medicaid must be continued during the emergency period if the 1619b termination is effective on or after March 18th.

This document is produced, printed, and disseminated at U.S taxpayer expense, with 100% of funding through a Social Security cooperative agreement that funds our WNY Work Incentives Planning and Assistance (WIPA) Project. Although Social Security reviewed this document for accuracy, it does not constitute an official Social Security communication.