

MEDICAID EXTENSIONS/CONTINUATIONS

COMPARISON CHART – 1619B, PICKLE, and DAC

	1619 B	PICKLE	DAC
ELIGIBILITY CRITERIA	<p>Any certified blind or certified disabled person who is a qualified severely impaired individual will continue to be eligible for Medicaid despite earnings that demonstrate his or her ability to engage in substantial gainful activity under the Supplemental Security Income (SSI) program. A person is a qualified severely impaired individual if:</p> <p>(1) s/he was eligible for Medicaid and received SSI benefits, State supplementary payments, or benefits under section 1619(a) of the Social Security Act in the month preceding the first month in which the provision of this paragraph are applied; and</p> <p>(2) the Social Security Administration has determined that :</p> <ol style="list-style-type: none"> a. the person continues to be blind or to have a disabling physical or mental impairment; b. the person continues to meet all other requirements for SSI eligibility except for earnings; c. the lack of Medicaid coverage would seriously inhibit the person's ability to continue or to obtain employment; and the person's earnings are insufficient to provide a reasonable equivalent of the SSI, Medicaid, and publicly funded attendant care benefits that would be available to the person if s/he were not employed. 	<p>Section 503 of Public Law 94-566, referred to as the Pickle Amendment, protects Medicaid eligibility for all recipients of Retirement Survivors and Disability Insurance (RSDI) who were previously eligible for RSDI and Supplemental Security Income (SSI) benefits concurrently. These recipients are individuals who would be eligible for SSI, if all RSDI Cost of Living Adjustments (COLAs) received since they were last eligible for and receiving RSDI and SSI benefits concurrently, were deducted from their countable income. The RSDI beneficiary may have lost his/her SSI benefit for reasons other than COLAs and still be considered Pickle eligible.</p> <p>To be eligible under the Pickle Amendment, a Medicaid applicant or recipient (A/R) must meet the following criteria:</p> <ol style="list-style-type: none"> (1) at any time after April, 1977 s/he received SSI and RSDI benefits concurrently, and subsequently became ineligible for SSI; (2) s/he is currently eligible for and receiving RSDI; and (3) s/he would be eligible for SSI, if the RSDI COLAs received by the A/R and his/her spouse, since the last month that the A/R received both RSDI and SSI benefits, are disregarded. 	<p>Section 6 of Public Law 99-643 [42 U.S.C. 1383c(c)], provides that individuals who lose Supplemental Security Income (SSI) eligibility because of the receipt of Social Security Disabled Adult Child (DAC) benefits, or because of an increase in the amount of these benefits continue to be eligible for Medicaid if certain criteria are met.</p> <p>DAC Social Security benefits are received upon the disability, retirement or death of a parent. An individual is eligible for Medicaid as a DAC beneficiary if all of the following criteria are met:</p> <ol style="list-style-type: none"> (1) the individual is at least 18 years old; (2) the individual became certified blind or certified disabled before reaching the age of 22; (3) the individual was receiving SSI benefits on the basis of blindness or disability; (4) the individual lost SSI benefits on or after July 1, 1987; and (5) the individual's loss of SSI benefits was the result of entitlement to a DAC benefit, or an increase in the benefit.
RESOURCE LEVEL	\$ 2000.00	\$ 2000.00	\$ 2000.00
INCOME LEVEL	The person must have gross earned income that is insufficient to replace SSI, Medicaid, and any publicly funded attendant care. See SSA Redbook for threshold details.	The person's income must be at or below SSI standards after the deduction of RSDI COLAs.	The person's income must be at or below SSI standards after disregarding the DAC benefit or increase in the DAC benefit.
RESIDENTIAL PROGRAM REQUIREMENT	None	The individual must live in an Individualized Residential Alternative (IRA), Community Residence (CR), Family Care (FC) or at home to be eligible for Medicaid under the Pickle Amendment.	The individual must live in an Individualized Residential Alternative (IRA), Community Residence (CR), Family Care (FC) or at home to be eligible for DAC budgeting in MABEL.
SPENDDOWN AND/OR NAMI CONTRIBUTION	There is no spenddown for community budgeting if the person is otherwise fully eligible. A NAMI contribution is required for Intermediate Care Facility (ICF), Developmental Center (DC), Small Residential Unit (SRU), Multiply Disabled Unit (MDU) and nursing home residents (NH).	There is no spenddown for community budgeting if the person is otherwise eligible. The person is not eligible for the special Medicaid budgeting under the Pickle Amendment when the individual is living in a Developmental Center (DC), Intermediate Care Facility (ICF), Small Residential Unit (SRU), Multiply Disabled Unit (MDU) and nursing home residents (NH).	There is no spenddown for community budgeting if the person is otherwise fully eligible. The person is not eligible for DAC budgeting in Intermediate Care Facilities (ICFs), Developmental Centers (DCs), Small Residential Units (SRUs), Multiply Disabled Unit (MDUs) and nursing home residents (NH).
REINSTATEMENT	Individual eligibility cannot be reinstated if eligibility is in suspense for 12 consecutive months.	Eligibility for Medicaid under the Pickle Amendment can be reinstated if the person's income and resources are within SSI eligibility requirements.	Eligibility for special DAC budgeting can be reinstated if the person's income and resources are within SSI eligibility requirements.
MEDICARE BUY-IN ELIGIBLE	Yes, <u>if</u> the individual is eligible for Medicare.	Yes, <u>if</u> the individual is eligible for Medicare.	Yes, <u>if</u> the individual is eligible for Medicare.