

# Financial Eligibility for Medicaid

How it works, and ways to make it work for you.



# What is Alaska Legal Services?



- Offers **FREE** civil legal services to low income Alaskans to protect their safety, health, and promote family stability.
- **Help clients with CIVIL legal matters**
  - Housing
  - Divorce, custody
  - Domestic violence protective orders
  - Debt, bankruptcy / consumer issues
  - Access to health care and public benefits
  - Wills, life planning documents, probate
- **Eligibility:**
  - 125% - 200% Federal Poverty Income Guidelines for Alaska
  - No conflict of interest
  - Civil legal issue



# What is Disability Law Center?

- **Offers FREE legal services to people experiencing disabilities**
- **Help clients with CIVIL legal matters**
  - Disability discrimination
  - Health services (Medicaid, Medicare)
  - Special education
  - Applying for SSI (Juneau) or SSDI (statewide)



**DISABILITY LAW CENTER** OF ALASKA

 Black/White **AA** Larger Text



# Disclaimers


- Goal to provide guidance / steps on how to think about and assist elders
- Not Medicaid estate planning
- Providing general legal information, not individual advice
- May want to ask individual questions to a specialist attorney

# What is Medicaid good for?

- Health care generally
- Long term care at home, including PCA services
- Long term care in nursing homes
- Prescription drugs (together with Medicare Part D)
- Filling in the gaps in Medicare



# How do you apply...

	<input type="text"/>
<b>DPA Date Received</b>	
<h2>Application for Services</h2>	
What kind of help do you need? Check the programs or services you need.	
<input type="checkbox"/> <b>Medicaid</b> Provides medical coverage to low income Alaskans. <input type="checkbox"/> Long Term Care	<input type="checkbox"/> <b>Temporary Assistance</b> Monthly cash payment for eligible families with children.
<input type="checkbox"/> <b>Medicare Savings Plans</b> Helps Medicare recipients pay for all or part of their Medicare premiums.	<input type="checkbox"/> <b>Adult Public Assistance</b> Monthly cash payment to eligible elderly (age 65 or older), blind, and disabled individuals.
<input type="checkbox"/> <b>Supplemental Nutrition Assistance Program (SNAP)</b> Monthly issuance to assist with food costs. Important: You may be eligible for SNAP within seven days – answer questions below.	<input type="checkbox"/> <b>General Relief Assistance</b> Emergency assistance for the basic needs of eligible individuals. <input type="checkbox"/> rent or utilities <input type="checkbox"/> burial expenses
<input type="checkbox"/> <b>Senior Benefits</b> Monthly cash payment to eligible individuals age 65 or older.	
<hr/>	
<b>Who are you?</b> (Please print and use legal names)	
1. First name, Middle name, Last name, & Suffix	
2. Other Names (maiden, nicknames, etc.)	
3. Home address or directions to your house	
4. Apartment or suite number	
5. City	6. State
7. ZIP code	
8. Mailing address (if different from home address)	
9. Apartment or suite number	

Help us improve our website by providing your valuable feedback



**Deb Etheridge**  
Director

[Contact Us](#)  
[Office Hours & Locations](#)

Phone: 800-478-7778  
Fax: 888-269-6520  
[hss.dpa.offices@alaska.gov](mailto:hss.dpa.offices@alaska.gov)

[Division Overview](#)

[Work For Us!](#)  
[Brochure](#)

### Contact Public Assistance



Using the [secure document upload portal](#) is the best way to provide the information we need, faster. If you are emailing us about an existing Public Assistance case, please include your name and date of birth in your email to us so we can quickly identify you.

**Tip!** Acceptable file types for supplemental documents are: .bmp, .jpg, .jpeg, .png, .gif, .tif, .tiff, and unprotected (not password protected) .pdf, .doc, .docx, .xls, .xlsx, .ppt, .pptx.

### Other ways to submit information

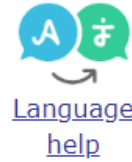
#### Email

To avoid delays please send any documents and information by email to [hss.dpa.offices@alaska.gov](mailto:hss.dpa.offices@alaska.gov).

**Secure Messaging** is also available at [dpa.offices@hss.soa.directak.net](mailto:dpa.offices@hss.soa.directak.net) (requires a DSM account.)

#### Fax

DPA's statewide toll-free fax number is 888-269-6520. and Anchorage



### Public Assistance

- [Home](#)
- [Division Overview](#)
- [News & Updates](#)
- [Contact Us](#)
- [Office Hours & Locations](#)
- [Forms](#)
- [Foreign Language Materials](#)
- [Alaska Connect](#)
- [Secure Document Upload Portal](#)
- [Change Report Form](#)

### Programs

- [Adult Public Assistance](#)
- [Child Care](#)
- [Family Nutrition](#)
- [SNAP Benefits](#)

# How do you qualify ...

- Depends on what you mean by “Elder”
- Age 18-64, Medicaid expansion OR disability (or both)
- Age 65 (also the Medicare age)
- Low income
- Low resources





# Low income

- Adult Public Assistance standard, work incentives apply (\$1751 for one, \$2593 for two)
- Medicaid expansion, gross income (\$2085 for one, \$2831 for two)
- Higher income standard for waiver/long term care (\$2829)
- Earned income disregards: \$65 +  $\frac{1}{2}$  earned income exempt; up to \$2000 in native dividends exempt

# Low resources

- Medicaid expansion (18-64), no resources test
- SSI/Adult Public Assistance, \$2000 for individual, \$3000 for couple
- Higher resources standard for waiver/long term care (\$9430 for one, \$14130 for two)

# Resources exemptions

- Owning the home you live in
- Restricted native property
- One vehicle of whatever amount (and you don't have to be the one driving it)
- Some limited entry permits



6



# Income and resources: an example

- Ms. Thompson is 63, lives alone in the home she owns, has earned income of \$2100 per month, and has \$6000 in savings in the bank.
- What are her Medicaid eligibility problems?
- [Over-income for the expansion; over-resources for disability-based coverage]

# Income and resources: slightly different facts

- Ms. Thompson buys a car; her resources, besides the home and the car, are about \$150.

Is there still a Medicaid eligibility problem?

- [Qualifies under disability coverage]
- Now suppose that Ms. Thompson is 68. Earned income: \$2100 per month.  
Countable resources: below \$2000.
- [Qualifies under old-age coverage]
- What if the \$2185 is not Ms. Thompson's earned income, but her Social Security retirement?
- [No longer qualifies because she's over income]

# Income Trusts (Miller Trusts)



- Income trusts – when are they a good idea?
  - Need to be disabled under SSI standards
  - Trustee pays you money at the upper income limit (one person, \$1751, two people, \$2593)
  - You don't control what the trustee does with the money
  - Trustee should not use trust money to pay for food or shelter
  - Money in the trust at the time of your death, available for State claim

# Asset Trusts

- Asset trusts – are they generally a good idea?
- Limits for people over 65 – Pooled Trusts
- [Not when there are ways for you to make assets exempt]

# Medicaid trusts ...

- Ms. Thompson is getting \$2100 in Social Security retirement. If she's over-income for regular Medicaid, is there still some help she can get with Medicare premiums and cost-sharing?
- [Yes, SLMB]
- If she decided to try for full-scope Medicaid, and set up a Miller trust, how much money would go into the Miller trust?
- [\$2100]
- How much money would the trustee pay over to her?
- [\$1751]
- Is that worth it?
- [Depends on whether you're expecting Medicaid to cover more than \$349 each month]



# Maintaining services...

- Need to renew eligibility every year
- Keep an eye out for notices
- May need to quickly submit updated documents to DPA
- Keep of copy of anything you submit to DPA

# What to do if you're denied or terminated...

- Have 30 days to appeal
- Must be in writing
- Right to a “fair hearing”
- Denial notice informs you of how to appeal



shutterstock.com · 1808841761

# Medicaid paying for Medicare [“QMB/SLMB”]

- Medicare Part A premium
- Medicare Part B monthly premium (\$174.70)
- Medicare Part B cost-sharing (20% of the bill)
- Income (sometimes): \$2117 for one, \$2874 for two

# Medicaid's claims against your resources

- Claims against your home
- What happens when a spouse or child has been living with you?
- Claims against other resources
- Transfer of assets penalties
- Where to get advice about 'Medicaid estate planning'

# Where to get more information

- Aged, Disabled, and Long Term Care Medicaid Manual
- [http://dpaweb.hss.state.ak.us/manuals/adltc/adltc.htm#t=title\\_page.htm](http://dpaweb.hss.state.ak.us/manuals/adltc/adltc.htm#t=title_page.htm)
- Modified Adjusted Gross Income Medicaid Manual
- [http://dpaweb.hss.state.ak.us/manuals/MAGI2/magi.htm#t=magi\\_medicaid\\_eligibility\\_manual%2Fmagi\\_medicaid\\_eligibility\\_manual.htm](http://dpaweb.hss.state.ak.us/manuals/MAGI2/magi.htm#t=magi_medicaid_eligibility_manual%2Fmagi_medicaid_eligibility_manual.htm)

# Thank you for your time!

Heather Parker, [hparker@alsc-law.org](mailto:hparker@alsc-law.org)

**Alaska Legal Services**

907-586-6425



Mark Regan, [mregan@dlcak.org](mailto:mregan@dlcak.org)

**Disability Law Center of Alaska**

907-586-1634



8711 Teal St, Units 203 and 303

Juneau, AK 99801