

2123 – PROTECTED MEDICAID 1972 (PUBLIC LAW 92-603)

POLICY STATEMENT	Protected Medicaid 1972 (PL 92-603) is a class of assistance (COA) that provides Medicaid for an individual/couple who received AABD or AFDC and RSDI concurrently in 1972 and became ineligible for AABD or AFDC because of the 20% 1972 COLA increase in RSDI.
BASIC CONSIDERATIONS	<p>To be eligible under the Protected Medicaid 1972 COA an A/R must meet the following conditions:</p> <ul style="list-style-type: none"> • The A/R is currently receiving RSDI. • The A/R received AABD or AFDC and RSDI in 8/72. • The A/R is currently eligible for SSI if the 1972 RSDI COLA is disregarded. • The A/R meets all basic and financial eligibility criteria. <p>NOTE: Length of Stay (LOS) and Level of Care (LOC) are NOT requirements for this COA.</p> <p>NOTE: Prior receipt of SSI is NOT a requirement for this COA.</p>
PROCEDURES	<p>Follow the steps below to determine Medicaid eligibility under the Protected Medicaid 1972 COA:</p> <p>Step 1 Accept the A/R's Medicaid application.</p> <p>Step 2 Conduct a face-to-face interview.</p> <p>Step 3 Determine whether the A/R received AABD or AFDC in 8/72 using county and state records.</p> <p>Step 4 Obtain verification from the SSA to verify the following:</p> <ul style="list-style-type: none"> • The current amount of the A/R's RSDI benefit. • The amount of the A/R's 8/72 RSDI COLA. <p>Step 5 Determine all basic eligibility criteria except LOS and LOC. Refer to the Chapter 2200, Basic Eligibility Criteria.</p>

**PROCEDURES
(cont.)**

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| Step 6 | Determine financial eligibility using the current SSI income and resource limits. Refer to the Chapter 2500, ABD Financial Responsibility and Budgeting, to determine the following: <ul style="list-style-type: none">• Whose income and resources to consider• Which SSI income and resource limit (individual or couple) use• Which eligibility budget to complete |
| Step 7 | Approved Medicaid on the system using the Protected Medicaid 1972 COA if the A/R meets all the above eligibility criteria, including retroactive months if needed.

NOTE: Do not approve Medicaid using the Protected Medicaid 1972 COA for any month for which the A/R was eligible for and received a SSI payment. |