

2121 – WIDOW(ER) 1984 (PUBLIC LAW 99-272)

POLICY STATEMENT	Widow(er) 1984 (PL 99-272) is a class of assistance (COA) for an individual who received RSDI and SSI concurrently and became ineligible for SSI due to an adjustment in his/her RSDI disabled widow(er)'s benefit effective 1/84.
BASIC CONSIDERATIONS	<p>NOTE: Do NOT determine initial ABD Medicaid eligibility under the Widow(er) 1984 COA on any application filed on or after 7/1/88. Complete annual reviews for continued eligibility on established cases as for any other COA.</p> <p>To be eligible under the Widow(er) 1984 COA the A/R must meet the following conditions:</p> <ul style="list-style-type: none"> • The A/R received RSDI and SSI in 12/83. • The A/R became entitled to and received an adjustment in his/her RSDI disabled widow(er)'s benefit effective 1/84 that caused SSI termination in the month the increased benefit was actually received. • The A/R was continuously entitled to the increased RSDI benefit from 1/84 until the increase was actually received. • The A/R is eligible for SSI if the 1/84 increase in the RSDI disabled widow(er) benefit and any subsequent COLAs are 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>
PROCEDURES	<p>Complete an annual review of eligibility for individuals currently eligible under the Widower 1984 COA. Refer to Section 2705, Reviews.</p> <p>Use the following guidelines for completing the review:</p> <p>Obtain verification from the SSA to verify the following:</p> <ul style="list-style-type: none"> • The A/R's receipt of RSDI and SSI in 12/83. • The A/R's receipt of an increased RSDI disabled widow(er)'s benefit effective 1/84. • The A/R's ineligibility for SSI the month increased benefit was actually received. • The A/R's continuous receipt of an RSDI disabled widow(er)'s benefit. • The current amount of the RSDI widow(er)'s benefit and all subsequent COLAs.

PROCEDURES
(cont.)

Determine financial eligibility using the current SSI income and resource limits. Refer to Chapter 2500, ABD Financial Responsibility and Budgeting, to determine the following:

- Whose income and resources to consider.
- Which SSI income and resource limit (individual or couple) to use.
- Which eligibility budget to complete.

Determine the A/R's countable income by disregarding the following amounts of RSDI income:

- The 1/84 increase in the RSDI disabled widow(er)'s benefit.
- All subsequent COLAs.

NOTE: The RSDI claim number will end with a beneficiary identification code (BIC) that includes "W" if the A/R receives RSDI as a disabled widow(er)/disabled surviving divorced spouse.

NOTE: Do NOT approved Medicaid using the Widow(er) 1984 COA for any month for which the A/R was eligible for and received a SSI payment.