

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

<b>POLICY STATEMENT</b>	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.
<b>BASIC CONSIDERATIONS</b>	<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"> <li>• The A/R is currently receiving RSDI.</li> <li>• The A/R received AABD or AFDC and RSDI in 8/72.</li> <li>• The A/R is currently eligible for SSI if the 1972 RSDI COLA is disregarded.</li> <li>• The A/R meets all basic and financial eligibility criteria.</li> </ul> <p><b>NOTE:</b> Length of Stay (LOS) and Level of Care (LOC) are <b>NOT</b> requirements for this COA.</p> <p><b>NOTE:</b> Prior receipt of SSI is <b>NOT</b> a requirement for this COA.</p>
<b>PROCEDURES</b>	<p>Follow the steps below to determine Medicaid eligibility under the Protected Medicaid 1972 COA:</p> <p><b>Step 1</b> Accept the A/R's Medicaid application.</p> <p><b>Step 2</b> Obtain information required to complete the eligibility determination.</p> <p><b>Step 3</b> Using county and state records, determine whether the A/R received AABD or AFDC in 8/72.</p> <p><b>Step 4</b> Obtain the following verification from the Social Security Administration:</p> <ul style="list-style-type: none"> <li>• The current amount of the A/R's RSDI benefit.</li> <li>• The amount of the A/R's 8/72 RSDI COLA.</li> </ul> <p><b>Step 5</b> Determine all basic eligibility criteria except LOS and LOC. Refer to the Chapter 2200, Basic Eligibility Criteria.</p>

**PROCEDURES**  
(cont.)

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| <b>Step 6</b> | 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"><li>• Whose income and resources to consider</li><li>• Which SSI income and resource limit (individual or couple) to use</li><li>• Which eligibility budget to complete</li></ul> |
| <b>Step 7</b> | Approved Medicaid under the Protected Medicaid 1972 COA if the A/R meets all the above eligibility criteria, including retroactive months if needed.<br><br><b>NOTE:</b> Do not approve Medicaid under the Protected Medicaid 1972 COA for any month for which the A/R was eligible for and received a SSI payment.                                                                                      |