

## 2052 – CONTINUING MEDICAID DETERMINATION

<b>POLICY STATEMENT</b>	Eligibility must be reviewed under all Medicaid Classes of Assistance (COAs) before denying a Medicaid application or an individual in a Medicaid Assistance Unit (AU), and prior to termination of ongoing Medicaid eligibility for an entire AU or individual in an AU. For individuals who have been terminated SSI, DFCS will redetermine their Medicaid eligibility prior to DCH terminating their Supplemental Security Income (SSI) Medicaid.
<b>BASIC CONSIDERATIONS</b>	<p>Do <b>not</b> deny or terminate Medicaid eligibility before completing a Continuing Medicaid Determination (CMD) to consider Medicaid eligibility under all other COAs.</p> <p>Complete a CMD on all SSI terminations that appear on DCH generated reports. Refer to Section <a href="#">2750</a>, DCH Reports-Exparte Lists, for processing instructions.</p> <p><b>NOTE:</b> If the MES becomes aware of A/Rs who, because of an SSI denial/termination, have been inappropriately receiving Medicaid under an exparte COA, follow the same instruction found in Section <a href="#">2750</a>.</p> <p>Process the CMD according to which COA is most advantageous to the applicant/recipient (A/R).</p> <p>Any Medicaid application form may be used to consider eligibility under any Medicaid COA. However, additional requirements may need to be satisfied depending on the specific COA under consideration. EXAMPLE: A Form 700 used for another ABD COA may require verifications. Refer to Sections <a href="#">2060</a> and <a href="#">2065</a> for acceptable application forms.</p>
<b>ABD Medicaid</b>	<p>For ABD Medicaid, consider eligibility under all COAs in the following order:</p> <ul style="list-style-type: none"> <li>• FBR COAs</li> <li>• LA-D/Medicaid CAP COAs</li> <li>• Q-Track COAs</li> <li>• AMN</li> </ul> <p><b>NOTE:</b> Q-Track COAs may be approved while the A/R is waiting to meet an ABD Medically Needy spenddown. Refer Medicare recipients to GeorgiaCares for help in applying for Medicare Part D. See <a href="#">Section 2931, Medicare Part D</a>.</p> <p>QI-1 recipients cannot be dually eligible ongoing with another COA.</p>

**BASIC  
CONSIDERATIONS  
(cont.)**
**Family Medicaid**

For Family Medicaid, consider eligibility in the following order:

- Newborn
- LIM
- Other Family Medicaid COAs based on LIM eligibility criteria, i.e., TMA, 4MCS
- RSM
- PeachCare for Kids®
- Family Medicaid Medically Needy.

**NOTE:** If all verification requirements are met for RSM PgW and/or RSM Child, eligibility may be approved for either of these COAs while eligibility is being determined under LIM.

**NOTE:** Medicaid eligibility for a child in foster care is determined first under the IV-E FC program. If ineligible under the IV-E FC program, Medicaid eligibility is determined under CWFC Medicaid.

**Chafee Independence  
Program Medicaid**

Reference [Section 2818](#) – Chafee Independence Program Medicaid for eligibility criteria and procedures for Revenue Maximization, RSM Project and county offices.

**CMD Application  
Requirements**

A new application is **not** required at CMD when eligibility for a COA is terminated and previously eligible AU members are subsequently approved for another COA.

A new application is **not** required if the previously eligible AU received a Q-track Medicaid COA based on an original application filed using Form DCH 700.

A new application is **not** required while completing a CMD for an AU member that is going to a higher or lower COA. For Family Medicaid, if the existing AU has trickled to a lower COA, a new application **is** required in order to process a CMD to a higher COA (such as from RSM child to LIM) if you are adding an existing BG member or new individual to the AU. If a CMD is processed to a higher COA, and all of the existing AU members are still covered (such as from TMA to LIM) a new application is **not** required. Refer to [Section 2065](#), Family Medicaid Application Processing.

A new application is **never** required when approving Newborn Medicaid COA.

**BASIC  
CONSIDERATIONS  
(CONTD.)**
**CMD Interview  
Requirements**

An interview is **not** required as part of the CMD process, including when adding an individual to an existing AU and when a new individual is included in the approval of a new COA as part of the CMD process. It may be necessary, however to contact the AU by telephone, by mail or in person if the new COA requires information not included at the time of application for the terminated COA.

**PROCEDURES**
**ABD and Family  
Medicaid**

Follow the steps below to complete a CMD for an ABD or Family Medicaid denial or termination:

- Step 1** Consider eligibility under all COAs (both ABD and Family Medicaid) prior to denial or termination of Medicaid.
- Step 2** Approve Medicaid under the COA that will provide the most medical coverage if the A/R meets all eligibility requirements for the COA.
- Step 3** Deny or terminate Medicaid if the A/R does not meet the requirements for any Medicaid COA.
- Step 4** Notify the A/R of his/her Medicaid eligibility as follows:
  - Send **adequate** notice when completing the CMD on an application or changing COAs for a current Medicaid recipient
  - Send **timely** notice if the CMD results in termination of Medicaid eligibility or the reduction of Medicaid benefits for a current recipient.

**NOTE:** When completing CMD from LIM to TMA or 4MCS, timely notice is required.

**SSI Terminations**

Federal Law mandates that a CMD be completed on all SSI terminations before Medicaid can be terminated by DCH. As part of this CMD process, DCH will determine if continued eligibility:

- should exist under SSA Section 1619(a) or (b) Work Incentives and, therefore, should be referred to SSA (See [Section 2579](#));
- OR**
- exists under another Medicaid coverage group and switch the individual to this new Medicaid coverage group.

PROCEDURES  
(contd.)

## SSI Terminations

Reports listing the names of individuals who have been converted to a new coverage group will be generated and forwarded to local DFCS offices. Refer to [Section 2750](#), DMA Reports-Ex Parte Lists, for specific instructions on how to complete the CMD process for an A/R terminated from SSI.

The Personal Responsibility and Work Opportunity Act of 1996, commonly referred to as the Welfare Reform Act, specifically prohibits individuals wanted in connection with a felony or in violation of the terms of their parole or probation or an outstanding warrant, from receiving SSI, Food Stamps, TANF benefits, and federal housing assistance. There is no prohibition written into federal law that prohibits these so called “fugitives” from receiving Medicaid. If someone is terminated from SSI due to their “fugitive” status Medicaid cannot be denied for the same reason. The fugitive could still be eligible for Medicaid provided he/she meets the requirements for some other group covered under the State’s Medicaid plan, such as the Adult Medically Needy program.