

grant for the GR claimant. Specified relatives are defined as mother and father of children age twenty-one (21) or over, sister, brother, son, daughter and grandparents of the claimant, as well as the spouses of these relatives if living in the home.

The poverty level in effect at this time is:

<u>Family Size</u>	<u>Monthly Income Level</u>
1	\$ 749.00
2	\$1,010.00
3	\$1,272.00
4	\$1,534.00
5	\$1,795.00
6	\$2,057.00

For each additional person add \$262.00.

Thus, to determine eligibility when involved with a case with employed (including self-employed) specified relatives, a support capability determination must be completed to determine the specified relative's ability to support the GR claimant. This determination must be completed as follows:

The gross income (both earned and unearned) of the specified relative and the specified relative's dependents would be subtracted from the poverty level for that number of people. The specified relative's dependents would include his spouse and his children under age 21 living in the home. Gross income is total earned and unearned income minus "Overhead Expenses of Producing Income" as defined in this section. Taxes and other expenses of producing income are not subtracted.

If a deficit is computed, the specified relatives are considered to not have sufficient income to support the GR claimant.

If a surplus is computed, the specified relatives are considered to have sufficient income to support the GR claimant and the amount of the surplus must be included as unearned income in the GR claimant's budget to determine need and amount of grant.

The GR claimant's need and amount of grant determination will then be completed with the added provision of including as unearned income the surplus amount from the specified relative's support capability determination.

For any case involving a specified relative who is not employed, a support capability determination would not be made.

For any case in which the specified relative is receiving AFDC, GR, SAB, BP, MA, or as a conversion case, the specified relative will be considered to not have sufficient income to support the GR claimant. Thus, a support capability determination would not be made in these cases. Note: If a dependent of the specified relative is receiving assistance but the specified relative is not, the specified relative and their dependents (including the assistance grant) must be included in a specified relative support capability determination.

Since it is necessary to know the specified relative's income, refusal to provide information necessary to allow the caseworker to establish the specified relative's income will create ineligibility for the GR claimant.

State Office will obtain verification of enrollment in Medicare Part A and the date of the change to premium Part A at the same time SSA QDWI status is verified.

3. Need

a. Income Standards

The QDWI income standard is 200% of the Federal Poverty level for the size of the assistance group involved. QDWI income standards are as follows:

<u>Assistance Group Size</u>	<u>QDWI Income Standard</u>
1	\$1497.00
2	\$2020.00

The QDWI income standard is absolute. An individual cannot "spend down" to become eligible.

Include in the assistance group the claimant and the claimant's spouse (if living together). Dependent children are not considered in the assistance group.

NOTE: For married couples living together, include both in the assistance group even if the spouse is receiving another type of assistance. Exclude all income of the spouse from AFDC, SP, SAB, SNC and GR grants. Include the spouse's BP grant in determining QDWI eligibility. If the claimant is receiving another type of assistance, s/he is NOT QDWI eligible.

b. Budgeting Procedures

Budgeting for QDWI eligibility follows budgeting guidelines for QMB on the IM-30A. Use Lines 1 through 11 on the IM-30A. Use the income standards as noted above on Line 10 rather than QMB income standards. Do not use Lines 12 through 18 on the IM-30A for QDWI as the claimant cannot receive MA and QDWI.

4. Resources

The QDWI resource maximums are twice the SSI maximums. Currently, the QDWI maximums are:

Single	\$4,000
Married	\$6,000

Determine as resources anything that is considered available under the December 1973 eligibility requirements for aged and disabled persons. Refer to Chapter XI for the December 1973 eligibility requirements. Consider the resources of all members of the assistance group.

5. Eligibility for Other Assistance

QDWI eligibles must not be otherwise eligible for Medicaid. When an individual applies for QDWI, explore eligibility for other types of assistance. Record the determination of ineligibility for other assistance on the IM-2. If the claimant is eligible for any other type of assistance, s/he is not eligible for QDWI.

NOTE: If it appears the claimant is MA eligible, a disability determination by MRT is required.

6. Transfer of Property

Transfer of property is not an eligibility factor for the QDWI program.

7. Citizenship, Residency, Social Security Number

Use the guidelines in Chapter XI to determine eligibility on the factors of citizenship, residency and social security number.

B. Procedures

1. General Instructions

Enter the application in the name of the applicant for "W" type of assistance.

Only one individual may be registered on a "W" type of assistance. Register a separate application for each spouse if both apply for QDWI benefits.

The federal time limit for processing QDWI applications is 45 days. When pending applications for QDWI become delinquent, workers will receive a notice through the S020 print subsystem. Workers must enter one of the following delay codes in Field 11 (Presumptive Eligibility) of IMU5:

a. A - Agency Delay.

Use this code when the case is not processed timely due to an agency delay.

b. C - Client Delay.

Use this code when the case is not processed timely due to a delay that is strictly the fault of the claimant.

c. H - Hearing or Court Decision Delay.

Use this code only when an administrative hearing or court decision orders that an application be registered back to the original date of application.

Enter delay codes on pending applications using case action code 96 in Field 5 (Case Action). The only entry required is the appropriate delay code. Do not approve the claimant for benefits when the only action taken is to enter a delay code.

When a delay code has not been entered on a delinquent application, the appropriate delay code is mandatory for applications processed delinquent. If the application is pending delinquent and the case action code for Field 5 (Case Action) is 08, 11 or 20, entry of a delay code is required.

2. Applications - If a claimant applies for QDWI benefits, the worker will:

a. Complete an IM-1 in the applicant's name.

b. Have the applicant complete pages 1 through 7 of the IM-2.

c. Have the applicant read and sign the IM-3.

d. Send an IOC to the Program and Policy Unit in State Office requesting verification of SSA QDWI status and the date of the change to premium Part A.

For conditional enrollment cases, if the TPQY is returned showing no Part A entitlement, the caseworker must contact the local SSA office for clarification before the QMB application is rejected for no participation in Part A Medicare.

Make a determination of QMB eligibility on all factors including Part A participation. If the client is eligible on all factors, complete an IMU5 transaction establishing the QMB coverage. The effective date of QMB coverage must be the month following the month the determination is made, or the effective date of Part A entitlement, whichever is later.

E. NEED

1. Assistance Group

Although QMB eligibility is determined on an individual basis, the income and resources of certain household members are considered when establishing need.

Those whose income and resources are to be considered are:

- the claimant;
- the claimant's spouse, if living together; and
- Part A eligible dependent children in the home.

NOTE: Dependent children are not considered in the assistance group with a Part A eligible parent unless they are also eligible for Part A Medicare.

Part A Medicare eligible dependent children (under age 18) of parents who are ineligible for QMB are subject to the deeming procedures of Medical Assistance for Disabled Children. See Section XIII of this chapter.

For married couples living together, include both in the assistance group, even if one is receiving another type of assistance.

2. QMB Income Standard

The QMB income standard is 100% of the Federal Poverty Level for the size of assistance group involved. QMB standards are as follows:

<u>Assistance Group Size</u>	<u>QMB Income Standard</u>
1	\$ 749.00
2	\$1,010.00
3	\$1,272.00

For each additional person, add \$262.00.

The QMB income standard is absolute and a person may NOT "spend down" to become eligible.

3. Income considered

All income, earned and unearned, that is considered for the Medical Assistance program is also considered for QMB. Refer to pp. 5b-14 of this chapter for specific inclusions. Additionally, BP grants received by the claimant or his/her spouse are included in the QMB budget.

4. Income Exemptions/Deductions

All income exemptions used for Medical Assistance budgeting apply for the QMB program. Also exclude the following cash grants: AFDC, SP, SAB, GR, and SNC.

In addition, as a result of federal legislation, effective January 1, 1991, cost of living (COLA) increases in OASDI and SSI which are received in January of each year cannot be considered on the QMB budget until the effective date of the Federal Poverty guidelines in April of the same year.

This means, for QMB budgets only, use the old amount of OASDI or SSI for January through March of each year. Use the increased amounts of OASDI and SSI beginning in April of each year, at the same time the increased income standards are effective.

5. Completion of the QMB budget

Compute the QMB budget using the IM-30A. QMB budgeting procedures follow those of Medical Assistance (found in this chapter) with the following exception: **No deduction from income is allowed for medical insurance premiums on the QMB budget.** This includes the SMI premiums for Medicare.

For each applicant, the worker must consider gross income of the assistance group, minus all allowable deductions. The resulting net income is compared to the QMB standard (based on assistance group size) to determine eligibility.

If net income exceeds the standard, the claimant is not eligible. If net income is equal to or less than the standard, the claimant is eligible.

Following are representative examples of QMB budgeting situations:

F. RESOURCES

1. Resource maximums

The QMB resource maximums are:

- \$4000 for a single individual, and
- \$6000 for a claimant with a spouse in the home.

2. What resources are to be considered

Resources for the QMB program include anything considered as available under the December 1973 eligibility guidelines for aged and disabled persons. (Chap. XI, Sect. V)

NOTE: In Medicaid vendor cases, where the claimant is eligible due to a division of assets, the QMB resource maximum for a couple (\$6000) still applies.

3. Whose resources are to be considered

Consider the resources of all members of the assistance group. For Part A eligible dependent children of parents who are ineligible for Part A, consider resources in accordance with instructions for Medical Assistance for Disabled Children.

4. Transfer of Property

Penalties for transfer of property will be imposed for QMB as for other adult programs:

a. Transfers prior to July 1, 1989

When making a determination of penalty for transfers that occurred prior to July 1, 1989, use the policy outlined in Chap. XI, Sect. IX, pp. 1-11. If the QMB applicant is also a recipient of Medicaid vendor payments or SNC cash payments, determine the penalty period using the guidelines for the vendor or SNC cash case, and apply the same penalty to the QMB case. If the claimant is a recipient of MA, GR, SP, SSI only, or QMB only, use the average Medical Assistance payment in determining the length of any penalty period.

b. Transfers after July 1, 1989

Transfers occurring July 1, 1989, or later do not affect QMB eligibility.

G. CITIZENSHIP, RESIDENCY, SOCIAL SECURITY NUMBER

The eligibility factors of citizenship, residency, and social security number for the QMB program follow the guidelines as outlined in Chapter XI, Sections I and II.

NOTE: Lawful Temporary Residents (LTR) are not eligible as QMB recipients.