

# DVHA: COVID-19 Updates

Addie Strumolo

Deputy Commissioner

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# Medicaid Coverage of Treatment of Emergency Medical Condition

- ▶ Available to those eligible for Medicaid but for immigration status
- ▶ Follows Medicaid income and household size eligibility rules
  - ▶ Eligibility rules are federal
- ▶ Medicaid income calculation rules do not vary based on immigration status of applicant
- ▶ Household size generally depends on tax filing status (whether the applicant intends to file a tax return)
- ▶ DVHA cannot provide advice about tax filing including claiming out-of-country dependents

# Eligibility - Tax Filer

Eligibility Factor	Definition	Basis
Household	individual + tax dependents (IRS rules)	HBEE 28.03(e)(2), 42 CFR 435.603(f)(1)
Income	modified adjusted gross income (MAGI*)	HBEE 28.03(c)(1), 42 CFR 435.603(d)
Income limit	138% of the federal poverty level	HBEE 7.03(a)(5), 28.03(c)(4), 42 CFR 435.119

\*MAGI is generally AGI plus certain other income like exempt interest, additional social security benefits

- Child support is not deductible
- Alimony is deductible if agreement prior to 12/31/18

# Eligibility - Tax Filer Example

- ▶ Worker intends to file taxes
- ▶ Does not live with spouse or children
- ▶ Claims spouse and one child as tax dependents
- ▶ Medicaid eligibility based on
  - ▶ Household of three
  - ▶ Monthly income limit: \$2,498

# Eligibility - Non Filer

Eligibility Factor	Definition	Basis
Household	individual + spouse and children living with them	HBEE 28.03(e)(4), 42 CFR 435.603(f)(3)
Income	modified adjusted gross income (MAGI*)	HBEE 28.03(c)(1), 42 CFR 435.603(d)
Income limit	138% of the federal poverty level	HBEE 7.03(a)(5), 28.03(c)(4), 42 CFR 435.119

\*MAGI is generally AGI plus certain other income like exempt interest, additional social security benefits

- Child support is not deductible
- Alimony is deductible if agreement prior to 12/31/18

# Eligibility - Non Filer Example

- ▶ Worker does not intend to file taxes
- ▶ Does not live with spouse or children
- ▶ Medicaid eligibility based on
  - ▶ Household of one
  - ▶ Monthly income limit: \$1,467

# Medicaid Coverage of Treatment of Emergency Medical Condition

- ▶ Emergency medical condition
  - ▶ The individual has, after sudden onset, a medical condition (including emergency labor and delivery) manifesting itself by acute symptoms of sufficient severity (including severe pain) such that the absence of immediate medical attention could reasonably be expected to result in serious:
    - ▶ (i) Jeopardy to the individual's health;
    - ▶ (ii) Impairment of bodily functions; or
    - ▶ (iii) Dysfunction of any bodily organ or part.
- ▶ Basis: HBEE 17.02(d), 42 USC 1396d(v)(3), 42 CFR 440.225(b)