

MEDICAID ELIGIBILITY MANUAL TRANSMITTAL LETTER NO. 112

To: All Medicaid Eligibility Manual Holders

From: John B. McCarthy, Director

Subject: Medicare Premium Assistance Programs (MPAP) and Income Standards

This MEMTL contains three new rules from Chapter 5160:1-3 of the Administrative Code to replace four rescinded rules from Chapter 5160:1-3 and obsoleted ODM Form 07212.

The effective date of the rules is July 1, 2016.

Chapter 3 Medicaid for the Aged Blind or Disabled

5160:1-3-02.1 Medicare Premium Assistance Programs (MPAP)

This rule was rescinded and made new. Pursuant to *Wheaton v. McCarthy*, (6th Cir. 2015), changes to the rule include the addition of the definition of "family" to clarify that for MPAP eligibility, countable income will be compared to the appropriate income standard, which is the specified Federal Poverty Level (FPL) for the number of applicable family members residing in the household of an eligible MPAP individual or couple. Changes also include incorporating the definition of "QDWI" (which is an MPAP program) and the "QDWI" rule 5160:1-3-02.2 into rule 5160:1-3-02.1. Applicable income standards to qualify for the MPAP programs are now included in rule 5160:1-3-02.1. References to rule numbers were updated.

5160:1-3-02.2 Medicare: qualified disabled and working individuals (QDWI)

This rule was rescinded and the language is found in new OAC rule 5160:1-3-02.1.

5160:1-3-02.6 Medicare buy-in

This rule was rescinded and the language is found in new OAC rule 5160:1-3-02.2.

5160:1-3-02.2 Medicare buy-in

This new rule replaces current rule 5160:1-3-02.6. Changes to the rule include removing requirements applicable to MPAP from this rule and moving MPAP to the new rule 5160:1-3-02.1 of OAC, updating rule references, and assigning a new rule number.

5160:1-3-03.5 Medicaid: Need Standards

This rule was rescinded and the language is found in new OAC rule 5160:1-3-03.5.

5160:1-3-03.5 Medicaid: Income Standards

This rule was rescinded and made new to update the term “need standards” to read “income standards” and move the MPAP income standards from this rule to the new rule 5160:1-3-02.1 of OAC. The rule title and references to rule numbers were updated.

ODM Form 07212: Explanation of Qualified Medicare Beneficiary (QMB)

This form was obsoleted as it contains outdated information. Information regarding all MPAP programs can be found on the MPAP Fact Sheet and the MPAP Information Card. These documents are accessible at: <http://medicaid.ohio.gov/FOROHIOANS/Programs/MPAP.aspx>.

The information is available on the Internet and may be accessed at www.medicaid.ohio.gov.