

SSI and Medicaid Update for Persons with I/DD

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The Arc of New Jersey

- Largest non-profit advocacy organization for people with intellectual and other developmental disabilities and their families
- Parent directed membership organization founded in 1946
- Chapters in all 21 counties
- Affiliated with The Arc of the United States
- Governed by a volunteer Board of Directors

www.arcnj.org

Mission Statement

The Arc of New Jersey is committed to enhancing the quality of life of children and adults with intellectual and developmental disabilities and their families, through advocacy, empowerment, education and prevention.

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Departments of The Arc of NJ

- The Arc Family Institute
- Governmental Affairs/Public Policy
- Public Affairs/Communications

Programs & Projects

- Mainstreaming Medical Care
- New Jersey Self-Advocacy Project
- Project HIRE
- Criminal Justice Advocacy Program
- Planning for Adult Life

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To Receive DDD Services at Age 21

- **Must be functionally eligible for DDD services and must have Medicaid.***
 - Functional eligibility determined from questionnaire called NJ Comprehensive Assessment Tool (NJ CAT)
- **Best way to have Medicaid: Apply for Supplemental Security Income (SSI) at age 18. Everyone who receives SSI will also get Medicaid.**
 - In low-income family – can apply for SSI as a child.
- ***There is an exception to the DDD regulation on having Medicaid, which is called “Non-DAC”.**

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Social Security Administration (SSA)

- Toll free phone number: 1-800-772-1213, available Monday thru Friday from 7am to 7pm
- Social Security website has a Social Security office locator: [Office locator Search Based off Your Address](#)
- Website also lists all of the offices in the state, with their hours of operation: [List of Cities with New Jersey Social Security Office Locations](#)

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When Applying for SSI: Resources

- When student is younger than 18, family income is considered. On 18th birthday, family's income is disregarded. Only the consumer's income is considered. **Encourage applying for SSI as soon possible after age 18.**
- For SSI - Person with a disability can't have more than \$2,000 in his/her name, with that person's Social Security number.
- If necessary, contact attorney with experience, to set up a Special Needs Trust.

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Why is it Important to Have SSI?

- When parent of person with I/DD retires, becomes disabled, or dies, the son/daughter receives a Social Security Disability (SSD) benefit on parent's work record.
- Monthly SSD on parent's work history is often over \$1,000/mo. – too high to get Medicaid.
- But, when persons with disabilities previously had SSI, they are "Disabled Adult Children: Section 1634 DACs", as defined by the Social Security Admin. **They are eligible to get Medicaid again, after they start receiving SSD on parent's work record, from county Board of Social Services. The amount of the SSD benefit is disregarded.**

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Official Definition: Section 1634 DAC

- **DAC = Disabled Adult Child. See Section 1634 DAC flyer developed by NJ DHS.**
- Social Security Admin. (SSA) definition of a DAC:
 - A person who was receiving Supplemental Security Income (SSI) benefits (and Medicaid) and who meets the following:
 - Is at least 18 years of age;
 - Has blindness or a disability which began before the age of 22;
 - Has been receiving SSI based on blindness or disability; and
 - Has lost SSI due to the receipt of Social Security benefits on a parent's record due to the retirement, death, or disability of a parent.
- Also, the person cannot have more than \$2,000 in assets in his/her name (not including a Special Needs Trust)

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Disabled Adult Child (1634 DAC) Flyer, from NJ DHS



Disabled Adult Children (§1634 DAC)

Eligibility Group Requirements*: An individual who was receiving Supplemental Security Income (SSI) benefits and who meets the following:

- Is at least 18 years of age;
- Has blindness or a disability which began before the age of 22;
- Has been receiving Supplemental Security Income (SSI) based on blindness or disability; and
- Has lost Supplemental Security Income (SSI) due to the receipt of Social Security benefits on a parent's record due to the retirement, death or disability of a parent.

*If the person meets all of the above criteria, they may qualify as a Disabled Adult Child under Section 1634 of the Social Security Act (regarding DAC). This designation comes from the Social Security Administration. Eligibility for Medicaid may continue as long as the person is determined blind or disabled. However, if the person receives income from another source or exceeds the resource limits, they may become ineligible for Medicaid coverage.

What should an individual do if they lose their SSI benefits and Medicaid coverage because they are now receiving Social Security Disabled Adult Child (DAC) benefits, resulting in their income exceeding the SSI income limit?

You should have received a letter from the Social Security Administration (SSA) verifying that you may continue to be eligible for Medicaid coverage under this eligibility group (§1634 DAC). If you have not received this letter, or no longer have this letter, contact your Social Security Representative by calling 1-800-772-1213 (available Monday - Friday from 7am - 7pm) to request a Benefic Award letter verifying Social Security benefits as a Disabled Adult Child or Disabled Dependent Child who received SSI in the past.



To obtain Medicaid Eligibility for individuals applying who are expected to be enrolled on the Community Care Waiver (CCW):

You will need to complete the Medicaid Only-Community Care Waiver application that is sent to you and provide the necessary documents, including the letter from the SSA verifying that you may be eligible for DAC status for consideration of Medicaid eligibility under Section 1634 of the Social Security Act (regarding DAC).



To obtain Medicaid Eligibility for individuals who are expected to eventually be enrolled on the Supports Program:

You must contact your County Welfare Agency for an appointment to apply for Medicaid. You will need to complete the appropriate Medicaid application, and provide the necessary documents, including the letter from the SSA verifying that you may be eligible for DAC status for consideration of Medicaid eligibility under Section 1634 of the Social Security Act (regarding DAC), to the County Welfare Agency.



If you have any questions or any difficulty obtaining Medicaid for an individual who may have §1634 DAC status, please do not hesitate to contact your DDD Regional Office and ask to speak with your Case Manager. You may also email any questions to: DDD.MediElighelpdesk@dhs.state.nj.us

Produced by DHS Office of Publications 5/2014

Example: Section 1634 DAC

- Individual “A” obtains SSI (and Medicaid), and receives DDD services. At age 30, “A’s” parent dies and she receives SSD of \$1,100/mo. on parent’s work history. Her SSI ends.
- The \$1,100 is too high for her to receive Medicaid, but she is a “Section 1634 DAC” (Disabled Adult Child) because she had SSI in the past!
- Her parent will apply at county Board of Social Services to get Medicaid, as a Section 1634 DAC. She continues to have her DDD services.

NJ Care, Special Medicaid Program

- If not a 1634 DAC, and monthly Social Security Disability (SSD) benefit (on parent’s work history) is below **\$981/mo. (in 2015)**, can apply for NJ Care Special Medicaid Program (also called Community Medicaid).
- To qualify for this type of Medicaid: Must be blind or disabled or 65 years and older to qualify. No more than \$4,000 in resources. **Having this type of Medicaid is okay for DDD services.**
 - Note: Medicaid has a \$20 “disregard” so SSD check could be up to \$1,001/mo.
 - Note: Medicare – after 24 months of SSD; sometimes automatic deduction for Part B

Medicaid Thru NJ WorkAbility

- NJ WorkAbility provides Medicaid for people with disabilities who are employed and between ages 16 & 64.
- Persons with permanent disabilities, working part-time or FT are eligible.
- Can earn as much as \$59,000/yr. Can have \$20,000 in personal assets and still qualify.
 - IRA & 401K personal retirement accts. – not counted for eligibility
- However, if **unearned income in 2015** exceeds \$981/mo (from SSD), **not** eligible for NJ WorkAbility
- Apply at County Board of Social Services or call Division of Disability Services (DDS)
- **Caution:** If person is unemployed, loses NJ WorkAbility.

Can a person with I/DD have DDD services without Medicaid?

- If an individual with I/DD is not Medicaid eligible: Caregiver should fill in the Medicaid troubleshooting form available from The Arc of New Jersey or DDD.
- Medicaid troubleshooting form will be reviewed by DDD's Medicaid Eligibility Helpdesk on case by case basis.
- Depending on the Medicaid issue, DDD may be able to continue current services or provide services to a person new to the DDD system.

Medicaid Eligibility Problem Form or DDD's Troubleshooting Form

The Arc of New Jersey's Mainstreaming Medical Care Program
Medicaid Eligibility Problem Form
www.mainstreamingmedicalcare.org Date of Report: _____

Consumer Name: _____		DDD Client? <input type="checkbox"/> Yes <input type="checkbox"/> No	Date of Birth: _____	Age now: _____
Address: _____ County: _____				
Name of Contact Person: _____		Contact Person's Telephone: _____		Email: _____
Relationship to Consumer: _____				
Assets				
Amount of money in the bank in the name of the consumer: \$ _____				
Any other assets in the name of the consumer (e.g., stocks, bonds)? <input type="checkbox"/> Yes <input type="checkbox"/> No				
If there are assets in the name of the consumer, are a special needs trust ever developed? <input type="checkbox"/> Yes <input type="checkbox"/> No				
Comments: _____				
Supplemental Security Income (SSI)* <input type="checkbox"/> Yes <input type="checkbox"/> No If yes, monthly amount: \$ _____				
At what age did SSI start? _____ to the person still receiving SSI? <input type="checkbox"/> Yes <input type="checkbox"/> No				
If no, at what age did person stop receiving SSI? _____				
Do you know the circumstances that caused the person to lose SSI? Please explain: _____				
Comments: _____				
Medicaid History				
Has the person ever received Medicaid? <input type="checkbox"/> Yes <input type="checkbox"/> No If yes, approximate age when Medicaid started: _____ Approximate age when Medicaid ended: _____				
Do you know why Medicaid ended? <input type="checkbox"/> Yes <input type="checkbox"/> No If yes, please explain: _____				
If the person has never received Medicaid, did the consumer ever apply for Medicaid? <input type="checkbox"/> Yes <input type="checkbox"/> No				
If yes, explain why Medicaid was denied: _____				
If no, explain why no application was ever made to Medicaid: _____				
Comments: _____				
Social Security Disability? <input type="checkbox"/> Yes <input type="checkbox"/> No If yes, monthly amount: \$ _____ At what approximate age did SSDI start? _____				
Did consumer begin receiving benefits from Social Security based on parent's work history? <input type="checkbox"/> Yes <input type="checkbox"/> No If yes, please explain: _____				
Medicaid? <input type="checkbox"/> Yes <input type="checkbox"/> No				
Employment Status of Parents				
Mother: Working? <input type="checkbox"/> Yes <input type="checkbox"/> No		Father: Working? <input type="checkbox"/> Yes <input type="checkbox"/> No		
Retired? <input type="checkbox"/> Yes <input type="checkbox"/> No If yes, age of consumer when mom retired: _____		Retired? <input type="checkbox"/> Yes <input type="checkbox"/> No If yes, age of consumer when dad retired: _____		
Deceased? <input type="checkbox"/> Yes <input type="checkbox"/> No If yes, age of consumer when mom died: _____		Deceased? <input type="checkbox"/> Yes <input type="checkbox"/> No If yes, age of consumer when dad died: _____		
Disabled? <input type="checkbox"/> Yes <input type="checkbox"/> No If yes, age of consumer when mom became disabled: _____		Disabled? <input type="checkbox"/> Yes <input type="checkbox"/> No If yes, age of consumer when dad became disabled: _____		
Consumer Employment Questions				
Currently employed? <input type="checkbox"/> Yes <input type="checkbox"/> No If yes, Number of hours/week: _____ Salary: \$ _____ per month				
If currently employed: Did consumer apply for Medicaid + Workability Program? <input type="checkbox"/> Yes <input type="checkbox"/> No Comments: _____				
Receiving unemployment income? <input type="checkbox"/> Yes <input type="checkbox"/> No If yes, amount of unemployment income: \$ _____ per month				
Receiving SSDI because of consumer's work history? <input type="checkbox"/> Yes <input type="checkbox"/> No If yes, amount of SSDI per month: \$ _____				
Does consumer have any other income not listed above? <input type="checkbox"/> Yes <input type="checkbox"/> No If yes, what is the other income and amount? _____				
Comments: _____				
Miscellaneous				
If applicable, Please mention any other issues that you think are relevant to the person's applying for Medicaid: _____				
I give permission for this information to be forwarded to The Arc of New Jersey, and also give permission for it to be forwarded to the NJ Division of Medical Assistance and Health Services (NJ Medicaid) and/or the Division of Developmental Disabilities (DDD): _____				
Signature: _____				Date: _____

Please email or fax the completed form to Beverly Roberts at brob@thearcnj.org / fax (732)966-2967 or Jennifer Lynch at jlynch@thearcnj.org / fax (732)914-6317. We will get back to you as soon as possible.

*Electronic Signature accepted. *Typed signature with date indicates electronic verification of the information provided. Revised 10/2016

Achieving a Better Life Experience (ABLE) Act of 2014

- ABLÉ accounts can't be opened until regulations are finalized, following a public comment period.
- Persons with disabilities can deposit up to \$14,000/yr. in an ABLÉ tax-exempt savings account.
- **ABLE account won't affect eligibility for SSI, Medicaid and other public benefits. (Current limit is \$2,000 in savings.)**
- Eligibility: Must be receiving SSI and/or SSDI; Age of onset of disability must be before age 26.
- May be some drawbacks: e.g., definition of "qualified disability expenses"; check the details in regulations to be sure this is best approach before opening ABLÉ account.

Continuation of Parent's Private Health Insurance

- All young adults can stay on parent's health insurance until age 26.
- Special process for young adults with disabilities who are not capable of self-sustaining employment to stay on parent's private health insurance.
- Can have Medicaid **and** private health insurance. Medicaid is always payer of last resort.
- The Arc of NJ's fact sheet on private insurance.

NJ WINS

The Family Resource Network's **New Jersey Work Incentives Network Support (NJWINS)** program assists beneficiaries who have SSI or SSDI to start, continue or increase work efforts while maintaining benefits for as long as they are needed.

Website: www.njwins.org

NJWINS services include:

- A **Work Incentives Analysis Report** that will give you a snapshot of the present state of your benefits.
- A **Work Incentives Plan** is a detailed, step by step instructional that prescribes solutions for any SSI or SSDI benefit problems outlined in the Work Incentives Analysis.
- The **training** necessary to implement the Work Incentives Plan
- Regular **follow up** to ensure proper application of Work Incentives.
- A **Closer Summary** to capture the details of successful Work Incentives application.

NJ WINS

NJWINS can serve anyone ages 14 to 64, in the NJ counties listed below, who is receiving SSI or SSDI benefits and is considering work, starting work, continuing present work or increasing work efforts.

Greg Makely
Director of Employment Services
Email: gmakely@familyresourcenetwork.org
Phone: 609-468-7420
Toll-Free: (866) 946-7465
Fax: (732) 262-4373

Andrea Infante
Email: ainfante@familyresourcenetwork.org
Phone: 609-276-9595
Fax: (856) 854-5171
Counties: *Burlington, Mercer, Ocean*

Amira Hassan
Email: ahassan@familyresourcenetwork.org
Phone: 732-228-1975
Fax: (732) 262-4373
Counties: *Essex, Bergen, Morris, Monmouth*

Andrea Jimenez
Email: ajimenez@familyresourcenetwork.org
Phone: 732-503-5950
Fax: (732) 262-4373
Counties: *Hudson, Passaic, Union*

Elisa Cohen
Email: ecohen@familyresourcenetwork.org
Phone: 732-503-2474
Fax: (609) 392-5621
Counties: *Hunterdon, Middlesex, Somerset, Sussex, Warren*

NJ WINS

For beneficiaries residing in **Cape May, Camden, Atlantic, Gloucester, Cumberland and Salem counties**, remote service will be offered by the following agency, which can be contacted at the address and phone listed below:

Full Circle Employment Solutions LLC
P.O. Box 7030
Hyattsville, MD 20787
Phone: 888-466-2942 x20

Questions?



New Announcement!

PART 2

Medicaid Managed Care

also known as

NJ FamilyCare

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