

Starting Soon...

Medicaid Monday: Recertification and Post-Covid Protocols

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Welcome

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- ▶ Presentation is Posted:
Pierrolaw.com/Resources Under Medicaid Planning
- ▶ Fill Out Our Survey with Feedback





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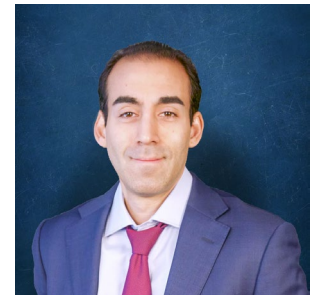
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January	2023 Update and the Surprising New Numbers
February	Qualifying and Why It's Become Harder
March	Medicaid Asset Protection Trusts
April	Using a Pooled Trust to Qualify for Medicaid Home Care
May	Nursing Home Medicaid
June	What Happens If You're Denied?

<https://www.pierrolaw.com/medicaid-planning-videos/>

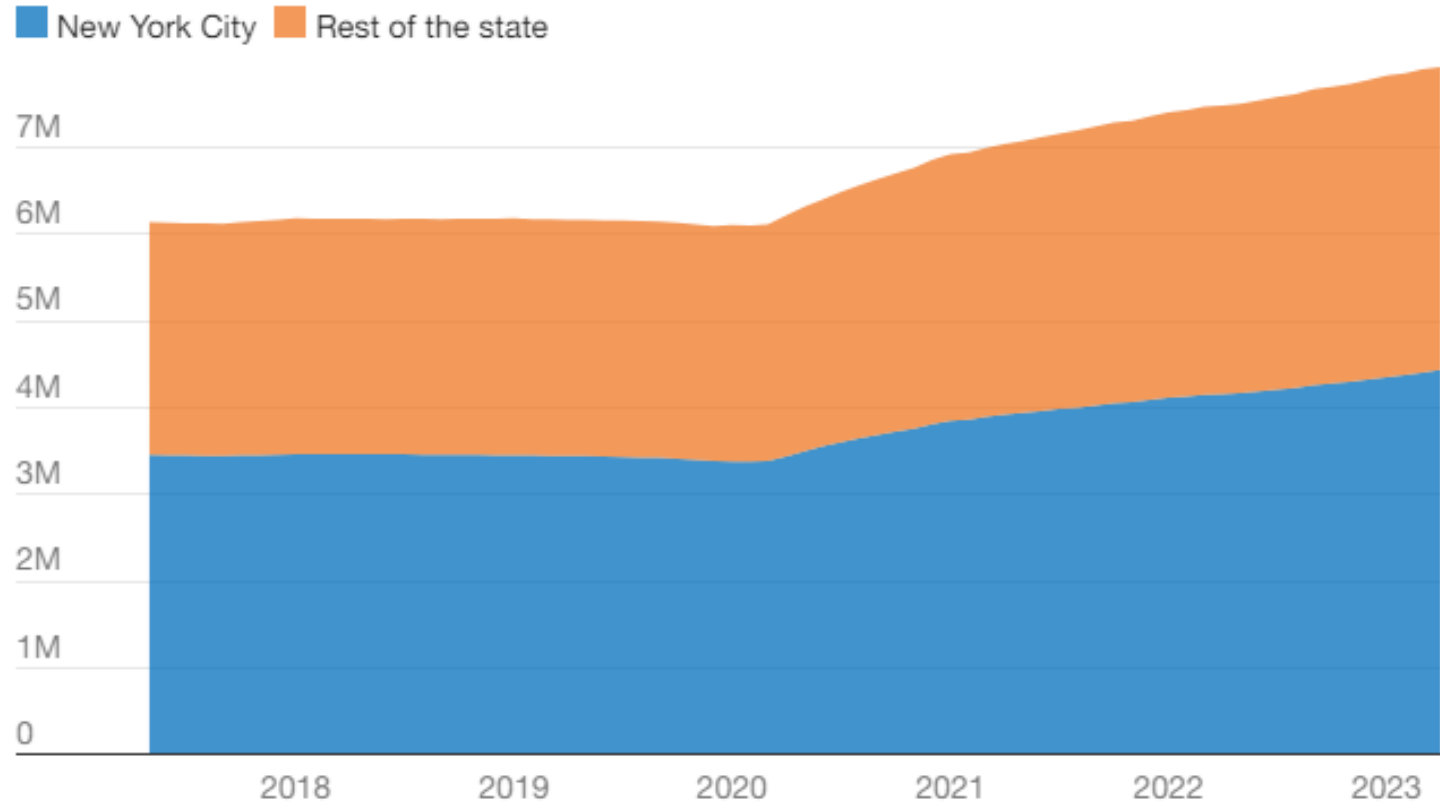
SOMEWHAT GOOD NEWS: INCOME LEVELS ALLOWED – ROSE IN 2023

Landmark Medicaid Increases Passed in NYS Budget:
Same income limit will be used for younger people under
Affordable Care Act and for Age 65+, blind & disabled

YEAR	INCOME / MTH		ASSET LIMIT	
	SINGLES	COUPLES	SINGLES	COUPLES
2023	\$1,677 + \$20	\$2,268 + \$20	\$30,182	\$40,821
Difference over 2022	+\$743	+\$901	+\$13,382	+\$16,221

Institutionalized Individual Income Allowance remains the same: \$50

Medicaid enrollment jumped 1.8 million during the pandemic



Note: From March 2020 to April 2023. Figures do not include Child Health Plus and Essential Plan enrollees, who also must recertify their eligibility

Chart: Alexandra Harris/Times Union • Source: [New York State Department of Health](#)

States paused eligibility reviews during the Pandemic in order to receive 'supplemental' federal aid.

SPECIAL PROTECTIONS FOR CONTINUOUS MEDICAID COVERAGE – PHASING OUT

If you HAD Medicaid in March 2020, or OBTAINED Medicaid since then, you were guaranteed continuous benefits

- Annual renewals were paused

As of July 2023, New York has the ability to end Medicaid coverage in certain circumstances.

This is called the “UNWINDING” of the Public Health Emergency.

Three year HIATUS from continuous coverage is over.

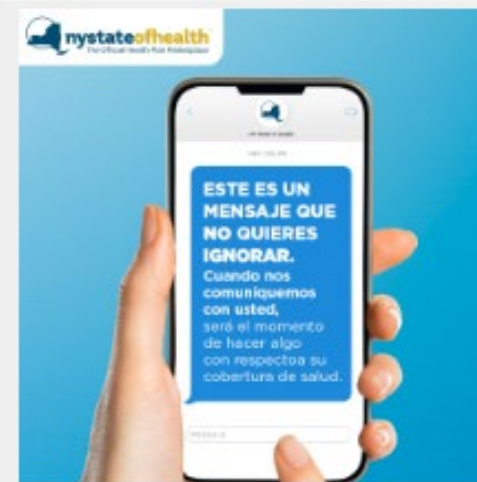
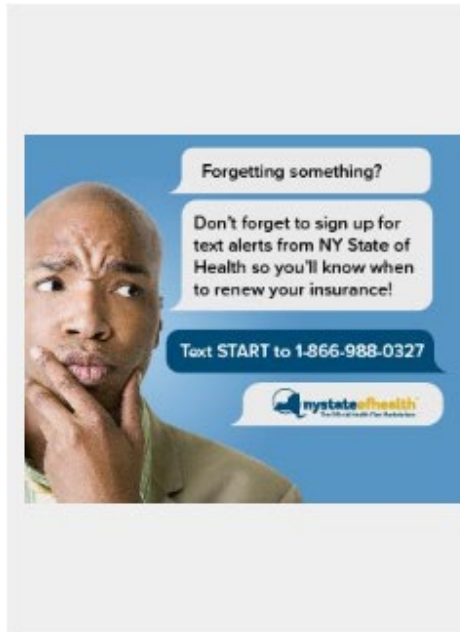
UNWINDING FROM THE COVID-19 PUBLIC HEALTH EMERGENCY

Starting in March, New York began the process of preparing to complete more than 9 million Medicaid renewals which would occur within 1 year.

- Renewal forms are used to verify current income and financial resources
- Renewal forms contain a deadline to respond. The date of someone's renewal is based on their original enrollment date and when their current coverage ends



NYS DEPARTMENT OF HEALTH: PUBLIC RELATIONS AWARENESS CAMPAIGN



- Local Medicaid offices are to determine if recipient is still eligible
 - Examples of what's being asked:
 - Current Income
 - Did your spend down change?
 - Current Assets
 - Residency



REDUCTIONS AND TERMINATIONS

No Medicaid recipient's coverage could be reduced or terminated prior to July 1, 2023 (unless the recipient died, moved out of state or voluntary ended coverage)

Starting July 1, 2023:

Coverage can be reduced or ended only:

- ▶ If a completed review occurs and 10-days passes following Medicaid giving advance written notice to the enrollee that coverage will be reduced or terminated
- ▶ Notice must contain information regarding how to request a fair hearing.

REDUCTIONS AND TERMINATIONS CONT.

Additional Protections:

- ▶ No resource test for renewals for 1 year. This is a **ONE-YEAR** exemption. Those newly applying for Medicaid have to adhere to standard resource allowance rules.
- ▶ For those who don't return the renewal paperwork – Medicaid will send a second renewal notice
- ▶ If recipient receives SNAP benefits – Medicaid automatically renewed for 1 year
- ▶ If recipient receives only Social Security income – they are also to be automatically renewed.

AID CONTINUING AND FAIR HEARING PROTECTIONS

- ▶ If fair hearing is requested due to discontinuance or reduction of Medicaid service – appellant will automatically receive aid continuing.
- ▶ *Aid Continuing* is normally granted solely for hearings requested within **10 days** after the Notice was mailed before the “effective date” of the adverse action.
- ▶ The time limit to request a fair hearing is usually **60 days** but is now **120 days** for Managed Long Term Care and managed care plan decisions.
- ▶ However, any aid continuing granted in these fair hearing during the Unwind is not subject to recoupment, even if the Agency's action is sustained by the fair hearing decision.



PREDICTIONS: MILLIONS TO LOSE COVERAGE

- ▶ 18 million Americans could lose coverage
- ▶ New York's uninsured recipients could jump 20%, according to the Robert Wood Johnson Foundation
- ▶ New York's enrollment in the *Essential Plan* should reduce the amount of *uninsured in the State*
 - ▶ One of two states participating through Affordable Care Act
 - ▶ Offers low-cost or free insurance to those exceeding income limits

WHAT ABOUT THE ABILITY TO ATTEST?



- ▶ Self Attestation of income, assets and most other eligibility factors will end for applications filed after July 1, 2023
 - ▶ Also includes attestation as to asset transfers
- ▶ Signals a return to how applications were filed and processed prior to the Public Health Emergency.

SIGNATURE EASEMENTS – ALSO EXPIRED

During Public Health Emergency – Medicaid application could be signed by someone acting on the individual's behalf

- ▶ NOW – Additional forms needed if application is signed by someone other than the applicant or their spouse (DOH-5147 Form)



WHAT ABOUT MISSING INFORMATION?



- ▶ During the Public Health Emergency, if Medicaid Application and/or Supplement A was missing information, the local Medicaid office could accept updated information by phone.
 - ▶ Districts now will require documentation in writing

OTHER HELPFUL HINTS

- ▶ In NYC – many renewals can be completed online through the creation of online account. Accounts can be created at www.nyc.gov/accesshra
- ▶ Make sure address of Medicaid recipient is up to date with local Medicaid office to ensure receipt of renewal documentation!



EXAMPLE 1 – APPLICANT NOW FORCED TO APPLY FOR SOCIAL SECURITY

- ▶ John Doe Applied for Chronic Care Medicaid in 2022, and was approved with no NAMI due to his lack of monthly income.
- ▶ Upon recertification, applicant now must apply for SS Disability and Medicare as a condition to continue to receive Medicaid. Districts are to resume requiring applicants/recipients to pursue all available income and resources as a condition of Medicaid eligibility.

EXAMPLE 2 – HUSBAND AND WIFE CHRONIC CARE

- Wife who was approved for Medicaid in 2020 never had to complete recertification due to Public Health Emergency.
- Husband now forced to gather information regarding updated income sources for both spouses for first time and several income sources have proven difficult to obtain updated information from.
- While this was standard practice, it signifies a change for a family that is not new to receiving Medicaid benefits.

NEXT MEDICAID MONDAY

12-12:30pm, August 14, 2023

Special Needs and Medicaid Planning

- How to plan for a Special Needs Person in your life
- What if someone who is receiving government benefits receives an inheritance?
- What if someone receiving Medicaid benefits wishes to work but still requires assistance?

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PRESENTED BY



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