

Chapter 182-506 WAC

MEDICAL FINANCIAL RESPONSIBILITY

WAC

182-506-0010 Medical assistance units for MAGI-based programs.
182-506-0012 Determining a person's medical assistance unit.
182-506-0015 Medical assistance units for non-MAGI-based Washington apple health programs.

DISPOSITION OF SECTIONS FORMERLY CODIFIED IN THIS CHAPTER

182-506-0020 Assistance units for medical care services (MCS). [Statutory Authority: RCW 41.05.021, 74.09.035, and 2011 1st sp.s. c 36. WSR 12-19-051, § 182-506-0020, filed 9/13/12, effective 10/14/12.] Repealed by WSR 14-16-019, filed 7/24/14, effective 8/24/14. Statutory Authority: RCW 41.05.021, 41.05.160, Public Law 111-148, 42 C.F.R. § 431, 435, and 457, and 45 C.F.R. § 155.

WAC 182-506-0010 Medical assistance units for MAGI-based programs. This section applies to applicants or recipients whose financial eligibility for Washington apple health coverage is based on modified adjusted gross income methodology under WAC 182-503-0510 and 182-509-0300.

(1) General medical assistance unit (MAU) rules.

(a) The rules in this section describe how the medicaid agency must determine who is in an applicant's or recipient's MAU.

(b) Each person will have an individualized MAU and may have different eligibility results than other people on the same application.

(c) The countable income used to determine a person's eligibility is the sum of the countable income of everyone in the person's MAU.

(2) Rules regardless of tax filing status.

(a) If a married couple resides together, the agency must include both people in each other's MAU regardless of tax filing status.

(b) If a member of the MAU is pregnant, the number of people in the MAU increases by one for each unborn child.

(c) A deceased person does not count in the MAU of other applicants or recipients except in the month the person died.

(3) People residing in an institution under chapter 182-514 WAC. An applicant or recipient is the only person in the MAU if the applicant or recipient:

(a) Has resided in a medical institution, institution for mental diseases (IMD), or inpatient psychiatric facility for thirty consecutive days; or

(b) Based on an assessment by the department of social and health services, is likely to reside in a medical institution, IMD, or inpatient psychiatric facility for thirty consecutive days.

[Statutory Authority: RCW 41.05.021 and 41.05.160. WSR 16-07-006, § 182-506-0010, filed 3/3/16, effective 4/3/16. Statutory Authority: RCW 41.05.021, Patient Protection and Affordable Care Act (P.L. 111-148), 42 C.F.R. §§ 431, 435, 457, and 45 C.F.R. § 155. WSR 14-01-021, § 182-506-0010, filed 12/9/13, effective 1/9/14. WSR 11-24-018, recodified as § 182-506-0010, filed 11/29/11, effective 12/1/11. Statutory Authority: RCW 74.04.050, 74.04.057, 74.08.090, 74.09.530, and 74.09.055 as amended by

2006 c 24. WSR 07-11-044, § 388-408-0055, filed 5/9/07, effective 6/9/07. Statutory Authority: RCW 74.04.050, 74.04.057, 74.08.090, and 74.09.530. WSR 06-04-021, § 388-408-0055, filed 1/23/06, effective 2/23/06. Statutory Authority: RCW 74.08.090, 74.08A.100, 74.09.080, and 74.09.415. WSR 02-17-030, § 388-408-0055, filed 8/12/02, effective 9/12/02. Statutory Authority: RCW 74.04.050, 74.04.055, 74.04.057 and 74.08.090. WSR 98-16-044, § 388-408-0055, filed 7/31/98, effective 9/1/98. Formerly WAC 388-506-0610, 388-506-0630 and 388-507-0730.]

WAC 182-506-0012 Determining a person's medical assistance unit. This section applies to people whose financial eligibility for Washington apple health coverage is based on modified adjusted gross income methodology.

(1) Determining a tax filer's medical assistance unit (MAU).

(a) A tax filer is a person who:

(i) Expects to file a federal income tax return; and

(ii) Does not expect to be claimed as a tax dependent on a federal income tax return.

(b) If the applicant or recipient is a tax filer, the following people constitute the applicant's or recipient's MAU:

(i) The tax filer;

(ii) The tax filer's spouse, if residing with the tax filer; and

(iii) Everyone the tax filer expects to claim as a tax dependent.

(2) Determining a tax dependent's MAU.

(a) A tax dependent is a person who expects to be claimed as a tax dependent on a tax filer's federal income tax return.

(b) If the applicant or recipient is a tax dependent:

(i) The following people constitute the tax dependent's MAU unless the tax dependent meets one of the exceptions in (b)(ii) of this subsection:

(A) The tax dependent;

(B) The tax dependent's spouse, if living with the tax dependent;

(C) The tax filer who claims the tax dependent;

(D) The spouse of the tax filer who claims the tax dependent, if living with the tax filer; and

(E) All tax dependents claimed by the tax filer.

(ii) A tax dependent who meets one of the exceptions below is treated as a nonfiler under subsection (3) of this section:

(A) A tax dependent who is neither the spouse nor the child of the tax filer;

(B) A child under age nineteen who resides with both parents and those parents do not file a joint tax return; or

(C) The tax dependent expects to be claimed by a non-custodial parent.

(3) Determining a nonfiler's MAU.

(a) A nonfiler is a person who does not expect to file a federal income tax return and either:

(i) Does not expect to be claimed as a dependent; or

(ii) Meets one of the exceptions listed in subsection (2)(b)(ii) of this section.

(b) If the applicant or recipient is a nonfiler, the nonfiler and the following people constitute the applicant's or recipient's MAU, but only if residing with the nonfiler:

(i) The nonfiler's spouse;

(ii) The nonfiler's children under age nineteen; and

(iii) If the nonfiler is under age nineteen, the nonfiler's parents and the nonfiler's siblings under age nineteen.

[Statutory Authority: RCW 41.05.021 and 41.05.160. WSR 16-07-006, § 182-506-0012, filed 3/3/16, effective 4/3/16.]

C.F.R. § 155. WSR 14-01-021, § 182-506-0015, filed 12/9/13, effective 1/9/14.]

WAC 182-506-0015 Medical assistance units for non-MAGI-based Washington apple health programs. This section explains how medical assistance units (MAUs) are constructed for programs not based on modified adjusted gross income (MAGI) methodologies. (MAGI-based programs are described in WAC 182-503-0510.)

(1) An MAU is a person or group of people who must be included together when determining eligibility. MAUs are established based on each person's relationship to other family members and the person's financial responsibility for the other family members. MAUs for non-MAGI-based programs include an applicant and persons financially responsible for the applicant as described in subsection (2) of this section (as limited by subsection (3) of this section).

(2) Financial responsibility applies only to spouses and to parents, as follows:

(a) Married persons, living together are financially responsible for each other;

(b) Natural, adoptive, or step-parents are financially responsible for their unmarried, minor children living in the same household;

(c) Minor children are not financially responsible for their parents or for their siblings;

(d) Married persons' financial responsibility for each other when not living together because one or both are residing in a medical institution is described in chapter 182-513 WAC.

(3) The number of persons in the MAU is increased by one for each verified unborn child for each pregnant woman already included in the MAU under this section.

(4) A separate SSI-related MAU is required for:

(a) SSI recipients;

(b) SSI-related persons;

(c) Institutionalized persons;

(d) The purpose of applying medical income standards for an:

(i) SSI-related applicant whose spouse is not relatable to SSI or is not applying for SSI-related medical; and

(ii) Ineligible spouse of an SSI recipient.

(5) When determining eligibility for an SSI-related medical program, the agency determines how household income is allocated and deemed to the SSI-related person according to the rules described in WAC 182-512-0820 and 182-512-0900 through 182-512-0960.

[Statutory Authority: RCW 41.05.021, 41.05.160, Patient Protection and Affordable Care Act (Public Law 111-148), 42 C.F.R. §§ 431, 435, and 457; and 45 C.F.R. § 155. WSR 14-20-094, § 182-506-0015, filed 9/29/14, effective 10/30/14. Statutory Authority: RCW 41.05.021, Patient Protection and Affordable Care Act (P.L. 111-148), 42 C.F.R. §§ 431, 435, 457, and 45