

Chapter 182-510 WAC

SUPPLEMENTAL SECURITY INCOME

WAC

182-510-0001	Supplemental security income and associated categorically needy coverage.
182-510-0005	Supplemental security income, essential person, and ineligible spouse.
182-510-0010	Eligibility after supplemental security income ends.

WAC 182-510-0001 Supplemental security income and associated categorically needy coverage. (1) Supplemental security income (SSI) is a federal cash benefit administered by the Social Security Administration (SSA) under the Social Security Act, 42 U.S.C. Sec. 1381-1383f. The SSI program replaces state programs for the aged, blind and disabled individuals beginning January 1974. An individual who received state assistance in December 1973 who became eligible for SSI in January 1974 is considered a grandfathered client by the medicaid agency, and a mandatory income level (MIL) client by SSI. The individual must continue to meet the definition of blind or disabled that was in effect under the state plan in December 1973. See chapter 182-500 WAC for additional definitions.

(2) An essential person is someone needed in the home to care for an SSI recipient. An essential person is eligible for categorically needy (CN) coverage as long as he or she has lived continuously with the eligible person since January 1974.

(3) An ineligible spouse is the spouse of an SSI recipient who is not eligible for SSI-related CN coverage. An ineligible spouse must have his or her eligibility for Washington apple health (WAH) determined separately under WAC 182-519-0100.

(4) When an individual receives SSI, the agency accepts the SSA's determination of medicaid entitlement. The individual is eligible for CN coverage without submitting an additional application as long as he or she:

(a) Remains entitled to SSI;

(b) Is no longer entitled to SSI, but the SSA is in the process of determining eligibility under the Social Security Act, 42 U.S.C. Sec. 1619(b); or

(c) Currently has 1619(b) status as described in WAC 182-512-0880(3).

(5) An SSI recipient may be terminated from CN coverage when he or she:

(a) Does not provide the agency with information necessary for the agency to determine if he or she has other medical insurance; or

(b) Does not assign the right to recover insurance funds to the agency as required in WAC 182-503-0540.

(6) CN coverage eligibility continues if the SSA stops an individual's SSI for one of the following reasons:

(a) The individual's countable income exceeds the SSI income standard due solely to the annual cost-of-living adjustment (COLA) under WAC 182-512-0880(1);

(b) The individual is a "deemed" eligible SSI recipient on the basis of eligibility for a special income disregard under WAC 182-512-0880; or

(c) The individual has an appeal of an SSA termination pending which has not yet resulted in a final determination.

(7) If an individual's SSI stops due to an SSA determination that the individual is no longer disabled, and any appeal of this determination has resulted in a final decision, the agency:

(a) Redetermines eligibility for all other WAH programs that are not based on receipt of SSI; and

(b) Continues CN coverage until the agency completes the redetermination process described in WAC 182-504-0125.

(8) If an individual's SSI stops for a reason not addressed elsewhere in this section, the agency considers the individual to meet disability requirements through the SSA's original disability review date. The agency:

(a) Redetermines eligibility for other WAH programs, which may or may not be based on disability; and

(b) Continues CN coverage until the agency completes the redetermination process in WAC 182-504-0125.

[Statutory Authority: RCW 41.05.021 and 41.05.160. WSR 15-13-053, § 182-510-0001, filed 6/10/15, effective 7/11/15. Statutory Authority: RCW 41.05.021, 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 13-14-019, § 182-510-0001, filed 6/24/13, effective 7/25/13.]

WAC 182-510-0005 Supplemental security income, essential person, and ineligible spouse. (1) If you are a supplemental security income (SSI) recipient, you automatically get categorically needy (CN) coverage (WAC 182-512-0100) unless you:

(a) Refuse to provide private medical insurance information; or

(b) Refuse to assign the right to recover insurance funds to the agency (WAC 182-503-0540).

(2) If you are an essential person as described in WAC 182-510-0001 you get CN coverage as long as you continue to live with the SSI recipient.

(3) If you are an ineligible spouse you are not considered an SSI recipient. You must have your Washington apple health eligibility determined separately.

[Statutory Authority: RCW 41.05.021 and 41.05.160. WSR 15-13-053, § 182-510-0005, filed 6/10/15, effective 7/11/15. WSR 12-13-056, recodified as § 182-510-0005, filed 6/15/12, effective 7/1/12. Statutory Authority: RCW 74.04.050, 74.04.055, 74.04.057, 74.08.090 and 74.04.630. WSR 02-11-033, § 388-474-0005, filed 5/7/02, effective 6/7/02. Statutory Authority: RCW 74.04.050, 74.04.055, 74.04.057 and 74.08.090. WSR 98-16-044, § 388-474-0005, filed 7/31/98, effective 9/1/98.]

WAC 182-510-0010 Eligibility after supplemental security income ends. (1) Your categorically needy (CN) coverage (WAC 182-512-0100) continues after supplemental security income (SSI) ends if:

(a) Countable income exceeds the SSI income standard due solely to the annual cost-of-living adjustment (COLA);
or

(b) A timely request for a hearing has been filed. CN coverage is continued until the Social Security Administration (SSA) makes a final decision on the hearing request and on any subsequent timely appeals.

(2) If your SSI ends, your CN coverage continues for a period of up to one hundred twenty days while the agency reviews your eligibility for other cash or medical programs.

(3) If you are a terminated SSI or SSI-related recipient, the agency will review your disability status when:

- (a) You present new medical evidence;
- (b) Your medical condition changes significantly; or
- (c) Your termination from SSI was not based on a review of current medical evidence.

(4) Children terminated from SSI due to loss of disabled status may be eligible for medical benefits under WAC 182-505-0210.

[Statutory Authority: RCW 41.05.021 and 41.05.160. WSR 15-13-053, § 182-510-0010, filed 6/10/15, effective 7/11/15. WSR 12-13-056, recodified as § 182-510-0010, filed 6/15/12, effective 7/1/12. Statutory Authority: RCW 74.04.050, 74.04.055, 74.04.057, 74.08.090. WSR 02-20-070, § 388-474-0015, filed 9/30/02, effective 10/31/02. Statutory Authority: RCW 74.04.050, 74.04.055, 74.04.057, 74.08.090 and 74.04.630. WSR 02-11-033, § 388-474-0015, filed 5/7/02, effective 6/7/02. Statutory Authority: RCW 74.04.050, 74.04.055, 74.04.057 and 74.08.090. WSR 98-16-044, § 388-474-0015, filed 7/31/98, effective 9/1/98. Formerly WAC 388-524-2405.]