

Chapter 182-517 WAC

MEDICARE-RELATED MEDICAL ELIGIBILITY

WAC

182-517-0100 Federal medicare savings programs.
 182-517-0300 State-funded medicare buy-in programs.

**DISPOSITION OF SECTIONS FORMERLY
 CODIFIED IN THIS CHAPTER**

182-517-0310 Eligibility for federal medicare savings and state-funded medicare buy-in programs. [WSR 12-13-056, recodified as § 182-517-0310, filed 6/15/12, effective 7/1/12. Statutory Authority: Public Law 110-275, Section 113 (Medicare Improvements for Patients and Providers Act), RCW 74.04.050, 74.04.057, 74.08.090, and 74.09.500. WSR 09-20-027, § 388-517-0310, filed 9/29/09, effective 10/30/09. Statutory Authority: RCW 74.04.050, 74.04.057, 74.08.090, 74.09.530 and 42 U.S.C. Section 1396a. WSR 07-15-032, § 388-517-0310, filed 7/12/07, effective 8/12/07. Statutory Authority: RCW 74.04.050, 74.04.057, 74.08.090, 74.09.530, and 42 U.S.C. 1396a(a) (Section 1902 (n)(2) of the Social Security Act of 1924). WSR 05-14-125, § 388-517-0310, filed 7/1/05, effective 8/1/05.] Repealed by WSR 16-13-157, filed 6/22/16, effective 7/23/16. Statutory Authority: RCW 41.05.021 and 41.05.160.

182-517-0320 Medicare savings and state-funded medicare buy-in programs cover some client costs. [WSR 12-13-056, recodified as § 182-517-0320, filed 6/15/12, effective 7/1/12. Statutory Authority: RCW 41.05.021 and 42 U.S.C. § 1396a (n)(2). WSR 12-04-027, § 388-517-0320, filed 1/26/12, effective 2/26/12. Statutory Authority: RCW 74.04.050, 74.04.057, 74.08.090, 74.09.530 and 42 U.S.C. Section 1396a. WSR 07-15-032, § 388-517-0320, filed 7/12/07, effective 8/12/07. Statutory Authority: RCW 74.04.050, 74.04.057, 74.08.090, 74.09.530, and 42 U.S.C. 1396a(a) (Section 1902 (n)(2) of the Social Security Act of 1924). WSR 05-14-125, § 388-517-0320, filed 7/1/05, effective 8/1/05.] Repealed by WSR 16-13-157, filed 6/22/16, effective 7/23/16. Statutory Authority: RCW 41.05.021 and 41.05.160.

WAC 182-517-0100 Federal medicare savings programs. (1) Available programs. The agency offers eligible clients the following medicare savings programs (MSPs):

- (a) The qualified medicare beneficiary (QMB) program;
 - (b) The specified low-income medicare beneficiary (SLMB) program;
 - (c) The qualified individual (QI-1) program; and
 - (d) The qualified disabled and working individuals (QDWI) program.
- (2) Eligibility.
- (a) To be eligible for an MSP a person must:
 - (i) Be entitled to medicare Part A;
 - (ii) Be a U.S. citizen, U.S. national, qualified American Indian born abroad, or a qualified alien who satisfies or is exempt from the five-year bar under WAC 182-503-0535;
 - (iii) Not exceed the income limits in (d) of this subsection; and
 - (iv) Not exceed the resource limits in (e) of this subsection.
 - (b) To be eligible for QDWI, a person must be under age sixty-five.

(6/22/16)

(c) Except as provided under (d) and (e) of this subsection, MSPs follow the income, resource, and deeming rules for SSI-related persons in chapter 182-512 WAC.

(d) Income limits.

(i) If a person's countable income is less than or equal to the federal poverty level (FPL), the person may qualify for the QMB program.

(ii) If a person's countable income is over the FPL, but does not exceed one hundred twenty percent of the FPL, the person may qualify for the SLMB program.

(iii) If a person's countable income is over one hundred twenty percent of the FPL, but does not exceed one hundred thirty-five percent of the FPL, the person may qualify for the QI-1 program.

(iv) If a person's countable income is over one hundred thirty-five percent of the FPL, but does not exceed two hundred percent of the FPL, the person may qualify for the QDWI program.

(e) Resource limits.

(i) The resource limit for the QMB, SLMB, and QI-1 programs may be found at <http://www.hca.wa.gov/medicaid/eligibility/pages/standards.aspx>.

(ii) The resource limit for the QDWI program is \$4,000 for a single person and \$6,000 for a married couple.

(f) When calculating income under this section:

(i) The agency subtracts client participation from a long-term care client's countable income under WAC 182-513-1380, 182-515-1509, or 182-515-1514.

(ii) The agency counts the annual Social Security cost-of-living increase beginning April 1st each year.

(g) Relationship of MSPs to other medicaid programs:

(i) A client eligible for another medicaid program may also receive QMB or SLMB coverage.

(ii) A client eligible for another medicaid program is not eligible for QI-1 or QDWI.

(3) Covered costs.

(a) The QMB program pays:

(i) Medicare Part A and Part B premiums using the start date in WAC 182-504-0025; and

(ii) Medicare coinsurance, copayments, and deductibles for Part A, Part B, and medicare advantage Part C, subject to the limitations in WAC 182-502-0110.

(b) If the client is eligible for both SLMB and another medicaid program:

(i) The SLMB program pays the Part B premiums using the start date in WAC 182-504-0025; and

(ii) The medicaid program pays medicare coinsurance, copayments, and deductibles for Part A, Part B, and medicare advantage Part C subject to the limitations in WAC 182-502-0110.

(c) If the client is only eligible for SLMB, the SLMB program covers medicare Part B premiums using the start date in WAC 182-504-0025.

(d) The QI-1 program pays medicare Part B premiums using the start date in WAC 182-504-0025 until the agency's federal funding allotment is spent. The agency resumes QI-1 benefit payments the beginning of the next calendar year.

(e) The QDWI program covers medicare Part A premiums using the start date in WAC 182-504-0025.

(4) Medicaid eligibility may affect MSP eligibility:

(a) QMB and SLMB clients may receive medicaid and still be eligible to receive QMB or SLMB benefits.

(b) QI-1 and QDWI clients who begin receiving medicaid are no longer eligible for QI-1 or QDWI benefits, but may be eligible for the state-funded medicare buy-in program under WAC 182-517-0300.

(5) The FPL standards are found at: <http://www.hca.wa.gov/medicaid/eligibility/pages/standards.aspx>.

(6) A person who disagrees with agency action under this section may request an administrative hearing under chapter 182-526 WAC.

[Statutory Authority: RCW 41.05.021 and 41.05.160. WSR 16-13-157, § 182-517-0100, filed 6/22/16, effective 7/23/16. WSR 11-23-091, recodified as § 182-517-0100, filed 11/17/11, effective 11/21/11. Statutory Authority: RCW 74.04.050, 74.04.057, 74.08.090, 74.09.500 and 42 U.S.C. 9902(2). WSR 06-16-026, § 388-478-0085, filed 7/24/06, effective 8/24/06; WSR 05-17-157, § 388-478-0085, filed 8/22/05, effective 9/22/05. Statutory Authority: RCW 74.04.050, 74.04.057, 74.08.090, 74.09.500, 42 U.S.C. 9902(2). WSR 04-17-076, § 388-478-0085, filed 8/13/04, effective 9/13/04. Statutory Authority: RCW 74.08.090, 74.04.050, 74.04.057, 74.09.530, and Section 673(2) (42 U.S.C. 9902(2)). WSR 01-18-056, § 388-478-0085, filed 8/30/01, effective 9/30/01; WSR 00-17-085, § 388-478-0085, filed 8/14/00, effective 9/14/00; WSR 99-19-005, § 388-478-0085, filed 9/3/99, effective 10/4/99. Statutory Authority: RCW 74.04.050, 74.04.055, 74.04.057 and 74.08.090. WSR 98-16-044, § 388-478-0085, filed 7/31/98, effective 9/1/98. Formerly WAC 388-517-1715, 388-517-1730, 388-517-1750 and 388-517-1770.]

WAC 182-517-0300 State-funded medicare buy-in programs. (1) A person is eligible for the state-funded medicare buy-in program (SBIP) if the person:

(a) Is entitled to or receiving medicare;

(b) Is not eligible for a federal medicare savings program under WAC 182-517-0100; and

(c) Is eligible for coverage under:

(i) The categorically needy (CN) program; or

(ii) The medically needy (MN) program;

(2) The SBIP begins the second month after the month a person meets eligibility requirements.

(3) The SBIP pays only medicare Part B premiums.

(4) The agency pays medicare deductibles and coinsurance under WAC 182-502-0110.

(5) A person who disagrees with agency action under this section may request an administrative hearing under chapter 182-526 WAC.

[Statutory Authority: RCW 41.05.021 and 41.05.160. WSR 16-13-157, § 182-517-0300, filed 6/22/16, effective 7/23/16. WSR 12-13-056, recodified as § 182-517-0300, filed 6/15/12, effective 7/1/12. Statutory Authority: RCW 74.04.050, 74.04.057, 74.08.090, 74.09.530, and 42 U.S.C. 1396a(a) (Section 1902 (n)(2) of the Social Security Act of 1924). WSR 05-14-125, § 388-517-0300, filed 7/1/05, effective 8/1/05. Statutory Authority: RCW 74.08.090, 74.09.530. WSR 02-11-074, § 388-517-0300, filed 5/13/02, effective 6/13/02. Statutory Authority: RCW 74.04.050, 74.04.055, 74.04.057 and 74.08.090. WSR 98-16-044, § 388-517-0300, filed 7/31/98, effective 9/1/98. Formerly WAC 388-517-1710, 388-517-1730, 388-517-1750 and 388-517-1770.]