

# Chapter 182-510 WAC

## SUPPLEMENTAL SECURITY INCOME

### WAC

182-510-0001	Washington apple health—Supplemental security income (SSI) and associated categorically needy (CN).
182-510-0005	What medical coverage does a supplemental security income client, essential person, and an ineligible spouse get?
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**WAC 182-510-0001 Washington apple health—Supplemental security income (SSI) and associated categorically needy (CN).** (1) Supplemental security income (SSI) is a federal cash benefit administered by the Social Security Administration (SSA) under Title XVI of the Social Security Act. 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. These definitions can be found in the SSA program operations manual system (POMS), see <https://secure.ssa.gov/apps10/poms.nsf/aboutpoms>. Other definitions related to SSI eligibility are described in WAC 182-500-0100.

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

(3) An ineligible spouse is not eligible for SSI-related CN WAH. An ineligible spouse must have his or her eligibility for WAH determined separately in accordance with SSI-related medically needy (MN) rules in WAC 182-519-0100.

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

(a) Remains entitled to an SSI cash payment;

(b) Is no longer entitled to an SSI cash payment, but SSA is in the process of determining eligibility under Section 1619(b) of the Social Security Act; or

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

(5) An SSI recipient may be terminated from CN WAH 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) When SSA stops an individual's SSI cash payment for one of the reasons listed in (a), (b), or (c) of this subsection, CN WAH eligibility continues.

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

(b) The individual is a "deemed" eligible SSI recipient on the basis of eligibility for a special income disregard described in 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 cash payment 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 WAH until the agency completes the redetermination process described in WAC 182-504-0125.

(8) If an individual's SSI cash payment 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 WAH until the agency completes the redetermination process described in WAC 182-504-0125.

[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 What medical coverage does a supplemental security income client, essential person, and an ineligible spouse get?** (1) If you are an SSI client you automatically get categorically needy (CN) medical coverage (WAC 388-505-0110) unless you:

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

(b) Refuse to assign the right to recover insurance funds to the department (WAC 388-505-0540).

(2) If you are an essential person as described in WAC 388-474-0001 you get CN medical coverage as long as you continue to live with the SSI client.

(3) If you are an ineligible spouse you are not considered an SSI recipient. You must have your medical assistance determined separately.

[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 What happens to my categorically needy (CN) medical coverage when my supplemental security income (SSI) cash payment is terminated?** (1) Your CN medical coverage (WAC 388-505-0110) continues after an SSI cash payment ends when:

(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 medical coverage is continued until 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 medical coverage continues for a period of up to one hundred twenty days while the department reviews your eligibility for other cash or medical programs.

(3) If you are a terminated SSI or SSI-related client, the department 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 388-505-0210.

[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.]