

WAC 182-512-0700 SSI-related medical—Income eligibility. (1)

In order to be eligible, a person is required to do everything necessary to obtain any income to which he or she is entitled including (but not limited to):

- (a) Annuities;
- (b) Pensions;
- (c) Unemployment compensation;
- (d) Retirement; and

(e) Disability benefits; even if their receipt makes the person ineligible for agency services, unless the person can provide evidence showing good reason for not obtaining the benefits.

(2) The agency does not count this income until the person begins to receive it. Income is budgeted prospectively for all Washington apple health (WAH) health care programs.

(3) Anticipated nonrecurring lump sum payments other than retroactive SSI/SSDI payments are considered income in the month received, subject to reporting requirements in WAC 182-504-0110. Any unspent portion is considered a resource the first of the following month.

(4) The agency follows income and resource methodologies of the supplemental security income (SSI) program defined in federal law when determining eligibility for WAH SSI-related medical or medicare savings programs unless the agency adopts rules that are less restrictive than those of the SSI program.

(5) Exceptions to the SSI income methodology:

(a) Lump sum payments from a retroactive old age, survivors, and disability insurance (OASDI) benefit, when reduced by the amount of SSI received during the period covered by the payment, are not counted as income;

(b) Unspent retroactive lump sum money from SSI or OASDI is excluded as a resource for nine months following receipt of the lump sum; and

(c) Both the principal and interest portions of payments from a sales contract, that meet the definition in WAC 182-512-0350(10), are unearned income.

(6) To be eligible for WAH categorically needy (CN) SSI-related health care coverage, a person's countable income cannot exceed the WAH CN program standard described in:

(a) WAC 182-512-0010 for noninstitutional WAH coverage unless living in an alternate living facility; or

(b) WAC 182-513-1205 for noninstitutional WAH CN coverage while living in an alternate living facility; or

(c) WAC 182-513-1315 for institutional and waiver services coverage.

(7) To be eligible for SSI-related health care coverage provided under the WAH medically needy (MN) program, a person must:

(a) Have countable income at or below the effective WAH MN program standard as described in WAC 182-519-0050;

(b) Satisfy spenddown requirements described in WAC 182-519-0110;

(c) Meet the requirements for noninstitutional WAH MN coverage while living in an alternate living facility (ALF). See WAC 182-513-1205; or

(d) Meet eligibility for institutional WAH MN coverage described in WAC 182-513-1315.

[Statutory Authority: RCW 41.05.021 and 41.05.160. WSR 19-13-010, § 182-512-0700, filed 6/6/19, effective 7/7/19. Statutory Authority: RCW

41.05.021 and Patient Protection and Affordable Care Act (Public Law 111-148), 42 C.F.R. §§ 431, 435, 457 and 45 C.F.R. § 155. WSR 14-07-059, § 182-512-0700, filed 3/14/14, effective 4/14/14. Statutory Authority: RCW 41.05.021. WSR 12-20-001, § 182-512-0700, filed 9/19/12, effective 10/20/12. WSR 11-24-018, recodified as § 182-512-0700, filed 11/29/11, effective 12/1/11. Statutory Authority: RCW 74.04.050, 74.04.057, 74.08.090, and 74.09.500, and Social Security Act as amended by P.L. 108-203. WSR 06-04-046, § 388-475-0700, filed 1/26/06, effective 2/26/06. Statutory Authority: RCW 74.04.050, 74.08.090. WSR 04-09-004, § 388-475-0700, filed 4/7/04, effective 6/1/04.]