



State of New Jersey
DEPARTMENT OF HUMAN SERVICES
DIVISION OF MEDICAL ASSISTANCE AND HEALTH SERVICES

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Medicaid Communication No. 88-28

Date: October 3, 1988

To: County Welfare Agency Directors

Subject: Continuation of Regular SSI Payments to Certain Individuals During Short-Term Institutionalization

In accordance with recent amendments to the Social Security Act, certain SSI eligible individuals are entitled to receive full Supplemental Security Income (SSI) benefits for short-term institutionalization in a Title XIX approved facility. This benefit is intended to support the maintenance of the community residence during brief institutional stays. Prior to the enactment of the statutes, the payment standard applicable for such individuals would have been the SSI institutional payment level (currently \$30.00 plus a \$10.00 state supplementation). As a result, individuals with no countable income would have received a reduced benefit, while others with income in excess of the standard would have been ineligible for payment, requiring evaluation under the Medicaid "Cap" standard.

Two separate groups of institutionalized individuals are affected by the change:

1. SSI recipients temporarily institutionalized for medical care.

Effective July 1, 1988, this group may receive uninterrupted SSI benefits for the first three full months of institutionalization if:

- a. the duration of stay in the institution, as evidenced by a physician's certification (received by SSA no later than 10 days after the end of the month of admission), is anticipated to be no longer than 90 consecutive days; and,
- b. evidence of the individual's need to maintain his or her community residence is received by SSA within 10 days after the end of the month of admission to the institution.

2. SSI recipients identified as "working disabled".

Effective immediately, this group may receive benefits for the first two full calendar months of institutionalization provided the following conditions are met:

- a. the individual was working and was eligible to receive SSI benefits under section 1619(a) or (b) of the Social Security Act during the month prior to the first full month of institutionalization; and,
- b. he or she is a resident of a Title XIX approved facility, i.e., a public or private Medicaid certified facility or a public medical or psychiatric institution.

It is anticipated that a very limited number of institutionalized individuals will qualify under these provisions.

Although financial eligibility will be determined by SSA, procedures for the identification of income which must be applied to the cost of care are the same as those which are utilized in all Medicaid institutional cases. Since these individuals meet the same SSI to MAO conversion criteria as all other SSI cases with income, and it is impossible to uniquely identify them from the remainder of that population, it will not be necessary to modify any case processing requirements. Accordingly, the CWA will continue to be responsible for intake and budgeting actions in all institutional Medicaid referrals, except those which have no countable income.

The long-term care facilities have been advised of this new legislation under separate cover.

Should you have any questions regarding this communication, please contact the Medicaid field service staff assigned to your county.

Sincerely,


Thomas M. Russo, Director
Division of Medical Assistance
and Health Services

TMR:Ss

cc: Odella T. Welch
Deputy Commissioner

Marion E. Reitz, Director
Division of Public Welfare

William Waldman, Director
Division of Youth and Family Services