Division of Aging Administrative Letter No. 03-17
Adult Social Services Section

Date: **November 7, 2003**

Subject: **Special Assistance Newly Disenfranchised Group**

Distribution: **County Directors**
Special Assistance Supervisors

I. Background and Basic Concepts for Disenfranchised Recipients

DSS Administrative Letter 03-2003 dated August 22, 2003 provided information on recent changes in the Special Assistance program approved by the 2003 General Assembly. The purpose of this letter is clarify the requirements for the newly disenfranchised group (ambulation capacity code "D") created by the rate change which was effective October 1, 2003.

In order to be a member of a disenfranchised group (whether the original "A" and "S" groups or the new "D" group), a recipient must meet the definition of the disenfranchised group at a specific point in time. For the "D" group, that point in time is September 30, 2003. No recipient can be added to a disenfranchised group who was not an original member at that point in time.

Disenfranchised recipients retain eligibility in their disenfranchised group even though they may at times fall into the Basic SA group due to a change in income or an increase in the Basic SA rate. They retain their disenfranchised status until their case terminates for any non-income related reason, other than administrative error, or until their income exceeds the income limit for that disenfranchised group.

II. Identifying New "D" Disenfranchised Recipients

Effective October 1, 2003, the maximum SA rate decreased from $1,091 to $1,066. Due to the decrease in the maximum rate, the income limit to qualify for Special Assistance also decreased from $1,127 to $1,112. This change created a group of current recipients whose eligibility would have terminated had the legislation not required eligibility to be protected. This new group of disenfranchised recipients is designated in EIS by Ambulation Capacity Code "D".

A. Establishing Initial Disenfranchised Status

Recipients must meet the following criteria to be considered disenfranchised:

1. The application was taken **prior to October 1, 2003**, and

2. The recipient resided in an adult care home and was **eligible for an SA payment on September 30, 2003**, and

3. The recipient's total countable monthly **income was $1,111.51 or greater on September 30, 2003**, and

4. The recipient's total countable monthly **income is less than $1,126.50**, and

5. The recipient continues to **meet all other SA eligibility requirements**.

B. Changes In Disenfranchised Status

1. Only those recipients who meet the initial criteria to establish disenfranchised status are eligible as ambulation capacity code "D". Individuals receiving Basic SA (ambulation capacity code "B") who have an increase in income that is effective October 1, 2003 or later must have eligibility re-evaluated using the income limit for Basic SA. Changes in income that are effective after October 1 (including the January 2004 COLA) do not entitle the recipient to disenfranchised status.

2. If a recipient who was disenfranchised with ambulation capacity "D" changes to Basic SA due to a decrease in income and later has an increase in income, do not terminate the case unless the recipient's income increases above $1,136.50. The recipient may be changed back to disenfranchised "D" if there has been no break in eligibility since establishing disenfranchised status. Contact Jackie Franklin, SA Program Manager, to request a change in ambulation capacity from "B" back to "D". This is the only time in which a case may be changed from ambulation capacity "B" to "D".

C. Ending Disenfranchised Status

Disenfranchised status ends when the SA case is terminated or transferred to Medicaid for any reason other than administrative error. If the recipient's SA is terminated and the recipient later reapplies, he/she must meet the regular Basic SA requirements.

III. "Window" for Changes in Ambulation Capacity

There is currently a "window" in effect until November 21, 2003 that allows caseworkers to change disenfranchised cases from "B" to "D". Use this window to in the following situations:

- A recipient met the criteria in II.B., above and the case would have changed from "B" to "D" in the automated update if the case had been correct in EIS at the time of the mass rate change. Those cases were identified in the error reports in XPTR. Caseworkers must manually update those cases and change the ambulation capacity code.

- There was a change in income that was effective prior to October 1, 2003 that would have changed a recipient from "B" to "D", but the change was not keyed into EIS in time for the automated change.

- An application was approved after the mass change, but prior to October 1, 2003, the ambulation capacity code was "B" and should be "D" effective October 1.

- An application was taken before October 1 but not disposed until after October 1, the recipient would have been eligible for a payment on September 30 and met all the criteria for disenfranchised status.

Do not use this window to changed disenfranchised status from "B" to "D" unless all the requirements in II.B. above are met. The recipient's countable income must have been between $1,111.50 and $1,126.50 on September 30, 2003 for the recipient to have disenfranchised status.

The window also allows changes in ambulation capacity from "D" to "B". This may occur if there is a decrease in income, or if the case was changed to "D" in error. If the recipient does have disenfranchised status but is changed to "B", document the case record to indicate disenfranchised status. This will ensure the recipient is not terminated if income returns to the "D" levels.

If you have any questions regarding this information, please contact your Adult Programs Representative or Jackie Franklin, Special Assistance Program Manager at 919-733-3677.

Sincerely,

Karen E. Gottovi

Karen E. Gottovi, Director
Division of Aging

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