

MEDICAID FOR GUARDIANS

John Lafond, Land of Lincoln Legal Aid

June 20, 2019

Nuts & Bolts of the Medicaid Application Process and Appeals

<https://www.dhs.state.il.us/page.aspx?item=4107>

42 USC §1396, *et seq.*

42 CFR part 430 *et seq.*

305 ILCS 5/1-1, *et seq.*

89 Ill. Admin. Code, part 120, *et seq.*

Medicaid for Minors

- A. If the caretaker is receiving TANF Child Only benefits, there will be Medicaid eligibility for the child.**
- B. If the child is living with a “caretaker relative”, then if financially eligible, the caretaker and the child will qualify for All Kids coverage.**
- C. What if the parent is claiming Medicaid and the child does not live with them? How does the guardian prove that the child lives with the guardian?**

Medicaid for Disabled Adults

- A. AABD coverage: Aged, Blind or Disabled
Limited income and assets
Spend-Down (See Brochure)
Long Term Care
(Medicaid waiver vs. nursing home)**
- B. ACA coverage: 19-59, not eligible for AABD,
limited income.**
- C. If not eligible for Medicaid, may be eligible to
purchase insurance on the ACA exchange**

How to Apply

- A. <https://abe.illinois.gov/abe/access/>**
- B. Paper application: Mail in or drop off**
- C. Backdating (up to 3 months)**
- D. Apply to spenddown: current bills (up to 6
months)**
- E. Timing of the application may be important**

Application Process

- A. Submitting the application (complete or
incomplete)**
- B. Verification (DO NOT send your only copy)
Best to scan and save electronic copies
May not upload more than 35 pages at a time
May wait and send to a caseworker when one is
assigned**
- C. OIG**

Special Rules for Long Term Care

- A. Look-Back Period**
- B. Sanctions**
- C. Allowable Transfers**
- D. Considerations about Value**
- E. Hardship Waivers**
- F. Special Rules for Spouses (See Brochure)**
- G. Burial Funds (See Brochure)**

SPECIAL NOTE: After eligibility is determined, the purchase of a funeral or burial contract may not be applied to reduce the group care credit or to meet spenddown. The purchase of the contract is considered an allowable transfer for LTC as long as the customer receives fair market value (FMV) but does not reduce the portion of the customer's resources that were originally determined available to pay for the customer's care.

Appeal Process

- A. Must be authorized**
- B. File a request for appeal (in person, fax, email)**
- C. Jurisdictional Deadline (60 Days)**
- D. Pre-Appeal Conference**
- E. Hearing (By Phone)**

F. Hearing may be postponed or continued

Redetermination

A. Shorter List of Verifications

B. Annually

C. Centrally Generated