



New Mexico Human Services Department
P.O. Box 2348
Santa Fe, NM 87504

INTERDEPARTMENTAL MEMORANDUM
MAD-GI: 04-01
DATE: March 9, 2004

TO: ISD AND MAD STAFF

FROM: CAROLYN INGRAM, DIRECTOR, MEDICAL ASSISTANCE DIVISION
KATHRYN FALLS, DIRECTOR, INCOME SUPPORT DIVISION

THROUGH: ROBERT D. BEARDSLEY, BUREAU CHIEF, CLIENT SERVICES BUREAU

BY: REBECCA H. SCHWARZ, ADM/OPS MANAGER, CLIENT SERVICES BUREAU

SUBJECT: WORKING DISABLED INDIVIDUAL (WDI PROGRAM-CLARIFICATION ON
MEDIGAP GROUP

Pursuant to Section 8.243.400.10 NMAC of the Medicaid Program Policy Manual, entitled the Working Disabled Individual (WDI) Program, Medigap clients are those individuals who have lost Supplemental Security Income (SSI) and Medicaid due to the initial receipt of Social Security Disability Insurance (SSDI) benefits and who have a recent attachment to the work force. A review of these cases indicates that currently there are individuals on WDI Medigap who do not meet these eligibility criteria. Individuals receiving early retirement benefits under Social Security are **not eligible** for the WDI program. Individuals receiving early widow(er)s benefits or Disabled Adult Child (DAC) benefits, may be eligible if the working criteria is met. If you are unsure about the applicant's SSI status, you should refer to the HP99/SDX Register, the HTPQ, and if necessary, contact the local Social Security office in your area.

Section 8.243.400.15 NMAC states that an individual cannot be on any other Medicaid category at the same time other than QMB and or SLIMB. For those individuals receiving Medicare Part A and B, there is a work requirement in order for that individual to remain eligible. (SEE Section 8.243.400.10 NMAC.)

Attached is a guide to assist you with key points of the WDI program. Also attached, is a list of Medigap clients who are not eligible for the program due to the fact that they never received SSI benefits. The worker should review these cases and determine if they meet all of the criteria (including a disability determination) to remain eligible for WDI. For those cases that must be denied, inform the client that **if they return to work**, they may become eligible for the WDI program by meeting the work criteria. Refer these clients to their local Division of Vocational Rehabilitation for employment assistance. Once they find employment they may have their eligibility for WDI reassessed.

If you have questions regarding this GI or the WDI program, please contact Mark Lailles at (505) 476-6868, or Orlando Vasquez at (505) 476-6814.

MEDICAID FOR WORKING DISABLED INDIVIDUALS (043)

WHO
Disabled individuals 18 years of age and older (no upper-age limit)
Who are Employed
Or who have lost SSI due to initial receipt of SSDI and are in the waiting period for Medicare

HOW
Must meet SSA's disability criteria without regard to Substantial Gainful Activity, and;
Must have a "recent attachment to the workforce." **
** Enough gross earnings in a quarter to meet SSA's definition of a qualifying quarter (\$900/qtr – 2004) or lost SSI due to initial receipt of SSDI benefits and waiting for Medicare benefits to begin.

Important Facts To Remember:

Every January – Changes or Increases in Amounts

- Social Security's Qualifying Quarter Amount
- Federal Benefit Rates

Every April – Changes or Increases in Amounts

- Federal Poverty Level (FPL)