

## **Special Medicaid Provisions**

### **1619(b)**

Section 1619 of the Social Security Act allows for continued Medicaid coverage for former Supplemental Security Income (SSI) beneficiaries providing that:

- SSI benefits ceased because of earned income, or a combination of earned and unearned income
- Clients have used their Medicaid benefits within 12 months or expect to
- Client continues to have a disability and meets all other eligibility criteria for SSI
- Income does not exceed \$45,976 in 2024, or an individualized threshold can be established
- Client's income is not sufficient to meet their medical expenses without Medicaid

### **Cost of Living Adjustments (COLA's)**

COLA's are often a much-needed boost to many Social Security and Supplemental Security Income (SSI) beneficiaries who struggle to make ends meet. However, for a select few, it can cause people to lose some of the benefits that a person currently receives due to an increase in income. When a COLA comes out, it can cause a loss of insurance benefits, specifically Medicaid. Although there are special rules that protect Medicaid eligibility, they aren't widely publicized and often overlooked. It's important for individuals who work with individuals with disabilities to be aware of this rule.

### **The Pickle Amendment**

The Pickle Amendment can often protect Medicaid eligibility for people receiving SSI Medicaid who lose SSI cash status due to a Social Security COLA. To be eligible for this protection, the person must:

- Be concurrently eligible for Social Security and SSI in the same month or eligible for SSI in the month before SSDI eligibility after April 1977.

- Be eligible for Social Security Benefits
- Be ineligible for SSI cash benefits
- Be otherwise eligible for SSI benefits if not for the cost of living increase

If a client appears to meet the criteria outlined above, it's recommended that they are referred to a CWIC or WISA that is familiar with the pickle formula to ensure correct calculation.

## **Childhood Disability Beneficiaries (CDB)**

If a beneficiary of Supplemental Security Income (SSI) later becomes entitled to benefits based on the record of a deceased, disabled, or retired parent, SSI benefits are suspended as a result of entitlement to or increase in these benefits. In that case, the beneficiary's Medicaid will continue as long as the client's disability continues. They would otherwise still meet all the eligibility criteria for SSI benefits apart from the receipt of the CDB.

## **Widow(er)s**

If a beneficiary of SSI later becomes entitled to benefits based on the work record of their deceased spouse, and SSI payments are ceased as a result, they would still be eligible for Medicaid as long as they would continue to meet all the eligibility criteria for SSI apart from their entitlement to widow(er)s benefits. Medicaid coverage ends under this provision once the beneficiary becomes eligible for Medicare.

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