

MEDICAL SERVICES POLICY MANUAL, SECTION O

O-400 Medically Needy Eligibility Determination

O-422 Deprivation Due to Unemployment of the Principal Wage Earner

MS Manual ~~01/01/1401/01/23~~

Deprivation due to unemployment must be based on the parent who has been the principal wage earner (PWE) for the past two (2) years.

The PWE is the parent who earned the greater amount of income during the twenty-four (24) month period which immediately precedes the month in which application for assistance is made. The earnings of each parent are considered in determining the principal wage earner regardless of when their relationship began. Only one (1) parent can be the PWE.

Unemployed means:

1. The principal wage earner is not employed or is employed less than one hundred (100) hours a month; or
2. If one hundred (100) hours or more were worked in a particular month because the work was intermittent and the excess was temporary, the PWE must have been under the one hundred (100) hour standard for the two (2) prior months and is expected to be under the standard for the following month.

The PWE must meet each of the following criteria at initial application, or during the month of application, in order for Medicaid-Health Care coverage to begin in the month of application (see note below):

1. Must have been unemployed for at least thirty (30) consecutive days or is employed less than one hundred (100) hours a month;
2. Must have had six (6) quarters of work within any thirteen (13) calendar quarter period ending within one (1) year prior to application or received unemployment compensation within one (1) year prior to application. For the six (6) quarters of work, education may be substituted for up to four (4) of the six (6) quarters;
3. Must not, without good cause, have refused a bona fide offer of employment or training for employment within the last thirty (30) days; and
4. Must not have refused to apply for or accept unemployment compensation if qualified.



NOTE: If an applicant does not meet the above criteria at application, or during the month of application, eligibility cannot begin until the first day of the month in which the criteria are met.

EXAMPLE: An individual loses his job on May 15th, and applies for UP-MN on May 16th. He worked one hundred ten (110) hours in May before losing his job. He will not have been

MEDICAL SERVICES POLICY MANUAL, SECTION O

O-400 Medically Needy Eligibility Determination

unemployed for 30 consecutive days by the end of May; therefore, his family will not be eligible for [Medicaid Health Care](#) during May. He will have been unemployed for thirty (30) days on June 14th, however. Assuming all other eligibility criteria are met, [Medicaid Health Care](#) benefits could begin June 1st.

O-430 Medically Needy Pregnant Women Categories

MS Manual [01/01/1401/01/23](#)

Pregnant Women (Re. [MS B-230](#)) may be considered for Medically Needy-EC or SD, if they do not meet the need requirements for PW No-Grant. If a pregnant woman's income, and/or resources, or both exceed the limits for PW No-Grant, the PW's income and resources will be compared to the Medically Needy MNIL and MNRL to determine eligibility in PW-EC or SD.

If a pregnant woman has income above the MNIL but below two hundred percent (200%) of Poverty Level, then SOBRA PW eligibility will be determined prior to determining eligibility for Spend Down.

NOTE: -The unborn child will always be counted in the need standard for the pregnant woman.

O-451 Medically Needy - Foster Care

MS Manual [01/01/1401/01/23](#)

Foster Children (Re. [MS B-400](#)) who do not meet the income, and/or or resource need requirements, or both, of State FC (U-18 criteria – Re. [MS O-143](#)) or of Title IV-E-FC may be considered for Medically Needy FC - EC or SD by comparing income and resources to the Medically Needy MNIL and MNRL. The Division of Children and Family Services (DCFS) will determine IV-E and [Medicaid Health Care](#) eligibility for Foster Children.

Each child will be evaluated as a one-person household unit against the appropriate criteria. Consideration of parental income and /resources will cease effective the month a child enters Foster Care by the Court awarding custody to the Agency. A child taken into foster care on the basis of

an emergency order only may be determined [Medicaid Health Care](#) eligible. If custody is later established by a judicial determination, the DCFS Worker will be required to include a copy of the order in the foster care [Medicaid Health Care](#) record.

If a Foster Child reenters his parent's home, the child's [Medicaid Health Care](#) eligibility redetermination will include parental income and resources, even if the reentry is a trial placement and the Agency retains custody.