

GIS 07 MA/005

TO: Local District Commissioners, Medicaid Directors

FROM: Linda LeClair, Bureau of Medicaid Eligibility Operations & Family Health Plus

SUBJECT: Revised Federal Poverty Levels for January 1, 2007

EFFECTIVE DATE: January 1, 2007

CONTACT PERSON: Local District Liaison: Upstate:(518) 474-8887
New York City: (212) 417-4500

This is to inform social services districts of revised federal poverty levels effective immediately. The estimated federal poverty levels were effective January 1, 2007 pending the actual poverty levels published in the Federal Register in February. The Department implements the estimated levels to ensure more stable periods of eligibility. However, the actual annual federal poverty line (FPL) at 100% is \$100 higher (\$8.00 monthly) than the estimated poverty line. Therefore, the actual FPLs are effective for all new applications and renewals immediately.

The new FPLs are effective with budget from dates of January 1, 2007 or later. The revised figures were available upstate on MBL effective February 5, 2007 and in New York City on MBL effective February 8, 2007. For all new and pending applications, income must be compared to the revised FPLs. A chart with the new FPLs is attached to this GIS.

All spousal impoverishment cases involving a family member entitled to the family member allowance, which were active on or after January 1, 2007, and which were budgeted using the estimated family member allowance, must be rebudgeted using the new family member allowance. In addition, the increased family member allowance must be used effective January 1, 2007 in determining any requested contribution of income from a community spouse or from a spouse living apart from a SSI-related applicant/recipient.

For undercare cases, an upstate district specific report will be developed identifying cases that are either spenddown or have been denied, due to eligibility based on the estimated poverty levels. These cases will need to be rebudgeted using the new poverty levels.

Some cases with income slightly above the estimated poverty line may gain full Medicaid eligibility. Those individuals whose eligibility may be affected are:

Children under 19	Medicaid Buy-In for Working People with Disabilities
Pregnant Women/Infants	Qualified COBRA Continuation Beneficiaries
Family Health Plus applicants	Family Planning Benefit Program
AIDS Health Insurance Program (AHIP)	Medicare Savings Programs: (QMB), (SLIMB), (QI-1), (QDWI)

A list of such cases and necessary action will be included in a letter to each district shortly.

Social services districts should revise the "Notice to Potential Qualifying COBRA Continuation Beneficiaries" for one and two person households to reflect the January 1, 2007 change in the federal poverty level to \$851 for an individual and \$1,141 for a couple. This Notice can be found in 91 ADM-53. For other notices, the usual procedures apply.

Effective immediately, in calculating a family member allowance for spousal impoverishment cases, social services districts must use \$1,712 (150% of the actual federal poverty level for a family of two, divided by twelve). If the family member has no otherwise available income, the family member allowance is \$571. For cases that have the lower amount budgeted, adjustments should be made.

An ADM is forthcoming on the 2007 Medicaid income and resource guidelines and federal poverty levels. Please direct any questions to your local district liaison.