

TO: Local District Commissioners, Medicaid Directors

FROM: Lisa Sbrana, Director
Division of Eligibility and Marketplace Integration

SUBJECT: Update on the Impact of Certain Federal COVID-19 Pandemic Related Payments on Medicaid Eligibility Determinations for SSI-Related Applicants/Recipients

ATTACHMENT: Pandemic Related Assistance Income and Resource Exclusions

EFFECTIVE DATE: Immediately

CONTACT PERSON: Local District Support Unit
Upstate (518) 474-8887 NYC (212) 417-4500

The purpose of this General Information System message is to provide local departments of social services (LDSS) with an update on the impact of certain federal COVID-19 pandemic related payments on the Medicaid eligibility determinations for SSI-Related Applicants/Recipients.

As districts were informed previously in GIS 20 MA/05, GIS 21 MA/01 and GIS 21 MA/07, the federal Coronavirus Aid, Relief, and Economic Security (CARES) Act of 2020, Consolidated Appropriations Act (CAA) of 2021, and American Rescue Plan Act (ARPA) of 2021 authorized several federal pandemic assistance payments to certain individuals. In those directives, districts were advised of the Medicaid income and resource counting rules with regard to these payments and eligibility determinations for SSI-related individuals.

NOTE: The income counting rules that apply to these payments under MAGI-based eligibility determinations, as stated in those directives, remain unchanged.

However, on September 30, 2021, the Social Security Administration (SSA) issued updated guidance in emergency message EM-20014 REV 4 on the Supplemental Security Income (SSI) program's income and resource treatment of certain types of federal pandemic assistance payments. Therefore, because the methodology used by the State to determine Medicaid eligibility for SSI-related individuals, cannot be any more restrictive than the methodology used under the federal SSI Program, LDSSs must now apply the same income and resource disregards to certain pandemic related assistance payments. The pandemic related assistance payments that are subject to income and resource disregards are described in the "Pandemic Related Assistance Income and Resource Exclusions" document that is attached to this GIS. The document lists the pandemic related assistance income types that meet criteria for disaster assistance exclusions from income and resources. Additional information on pandemic related assistance payments is available at:

EM-20014 REV 4 - <https://secure.ssa.gov/apps10/reference.nsf/links/09302021025535PMREV4>

If a Medicaid consumer indicates receipt of pandemic related assistance, LDSSs should verify whether the assistance payment(s) reported is listed on the attached "Pandemic Related Assistance Income and Resource Exclusions" document to determine whether the assistance payment(s) are to be excluded as income and/or as a resource. The type and amount of pandemic assistance to be excluded must be noted in the case record.

Effective Date

This change applies to new applications or requests for an increase in coverage filed on or after June 1, 2022. Since the SSA's September 30, 2021, guidance updated a previous version issued on July 23, 2021, eligibility determinations that were made on or after July 23, 2021, and before June 1, 2022, for which an individual was determined to be excess income and/or excess resources, must be reviewed to ensure any COVID-19 pandemic related payments did not result in the excess income and/or resource determination.

More information will be forthcoming at the end of the federal COVID-19 public health emergency declaration. Please direct any questions to your local district support liaison.