Objectives

• Provide an overview of the MA-EPD program

• Explain eligibility requirements

• Examples

• Review Client Options and Scenario

• Answer Questions
Introduction to MA-EPD
Medical Assistance for Employed Persons with Disabilities (MA-EPD) is a work incentive health care program that provides Medical Assistance coverage to employed people with certified disabilities.
• A person must earn more than $65 in a calendar month to be eligible.

• A person must use the blind or disabled basis of eligibility under Medical Assistance (MA) for People Who Are Age 65 or Older and People Who Are Blind or Have a Disability (MA-ABD).

• A person must be certified disabled.

• To be eligible for MA-EPD, applicants age 65 or older must have an onset of disability prior to age 65.

• There is no age limit.
Certification of Disability Examples

Oscar

- 68 years old.
- Was born blind and never needed or applied for SSI or Social Security Disability Insurance.
- Switching from working full-time to working part-time, and as a result he will lose his employer-based insurance.
- Applying for MA-EPD to help cover health care costs that Medicare does not pay.
- Not certified disabled, so he is referred to SMRT for a disability determination. SMRT determines that the onset of his blindness began prior to age 65.

Oscar could be found eligible for MA-EPD if he meets all other eligibility criteria, because the onset of his blindness began before age 65.

Jane

- 70 years old.
- Working.
- Recently diagnosed with lupus and dementia at age 69.
- Lupus and dementia are disabling impairments with an onset at age 69.
- No other medical conditions before that time.
- Not eligible for MA-EPD because the onset of her disability did not begin prior to age 65.

Jane may be eligible for other health care programs (MA/EX, Alternative Care, etc.).
• The following people are not eligible for MA-EPD:
  
  • SSI recipients
  
  • People with 1619a or 1619b status

• People who are eligible for MA-EPD may also be eligible for other Minnesota Health Care Programs (MHCP). Each person’s unique situation determines which MHCP is most affordable and provides the services the person needs.

• Home and Community-Based Services (HCBS) waivers are available to people enrolled in MA-EPD. People must meet the general long-term care eligibility requirements. MA-EPD eligibility and premium policies apply to the person.
• Complete the DHS-3876 Application for Certain Populations.

• May request up to three months of retroactive coverage.

• Submit the paper application to the person’s county.

• The county processes the application and determines the person’s eligibility.
Mandatory Verifications

• MA-EPD eligibility is determined using a variety of eligibility requirements, some of which need to be verified.
  • Certain assets.
  • Certification of Disability through Social Security Administration (SSA) or State Medical Review Team (SMRT).
  • Income from employment (must be verified at both application and renewal).
  • Immigration status.
  • Social Security Number.
  • Social Security and Medicare taxes paid.
  • U.S. Citizenship.
  • American Indian and Alaska Native enrollees need to provide proof of status to be exempt from paying MA-EPD premiums.
MA versus MA-EPD

**MA-ABD**

- No earnings requirement
- May not be a person who is blind or certified disabled
- $3,000 asset test (single person)
- Income limits
- Spousal income and assets may deem to the MA-EPD applicant/enrollee
- No premium

**MA-EPD**

- Must earn at least $65 per month
- Must be a person who is blind or certified disabled
- $20,000 asset limit (people age 21 and older) with special asset exclusions
- No income limit
- Spousal income and assets do not deem to the MA-EPD applicant/enrollee
- Must pay a premium (except Alaska Natives or American Indians)
Premiums and Cost Sharing
People enrolled in MA-EPD must pay monthly premiums. A premium is based upon:

- A person’s **gross countable income**, which includes countable earned and unearned income of the person and anyone whose income deems to the person, without any disregards or deductions applied.

- The **minimum premium amount** is $35 per month, with a sliding scale for people with gross income at or below 300% of the Federal Poverty Guidelines (FPG). If income is greater than 300% FPG, the premium is 7.5% of gross income.

- An additional fee that is equal to 0.5% of unearned income. The fee is paid no matter how low gross income is.

- The total MA-EPD premium is the combined amount (premium + fee).

An American Indian or Alaska Native who has provided verification of status is exempt from paying a premium for MA-EPD.

An online MA-EPD premium estimator is available.

- [https://mn.db101.org/mn/programs/health_coverage/ma-epd/program2a.htm](https://mn.db101.org/mn/programs/health_coverage/ma-epd/program2a.htm)

A person’s county or tribal servicing agency is responsible for collecting the initial MA-EPD premium. The Minnesota Department of Human Services (DHS) bills for ongoing MA-EPD premiums monthly.
• MA-EPD coverage does not begin until the initial premium is paid.

• Enrollees have coverage only in months for which they pay the premium.

• Applicants who request retroactive coverage must pay the premium for any retroactive months before coverage is approved for those months. Applicants can choose which retroactive months they want covered and the months do not need to be consecutive.
• MA-EPD premiums are calculated for a six-month period. The premium amount is the same for all six months, because the premium is based on an average anticipated income.

• The average anticipated gross monthly countable income is used to calculate the MA-EPD premium amount for a six-month period.

• Premiums can be changed during the six-month period only in the following situations:
  • A reported change results in a decreased premium.
  • Income guidelines change because of a change in law.
  • Due to the annual increase in Federal Poverty Guidelines standards.
  • To include increased RSDI benefit amounts when the RSDI COLA disregard ends, effective July 1 of each year.

• Premiums are recalculated at each six-month renewal.
• Family size is used to determine premiums. Family size is determined for each person separately and may be different for each person.

• The following people who are living with the enrollee may be included in their family size:
  • The enrollee
  • Spouse (unless enrolled in MA-EPD)
  • Biological or adopted children
  • Spouse’s biological or adopted children
  • Unborn children of the person or their spouse

• For children, family size also includes biological or adoptive parents and stepparents and siblings.
Good Cause for Non-Payment of Premiums

Good Cause:

Circumstances beyond a person's control or that they could not reasonably foresee resulting in the enrollee being unable or failing to pay the premium.

- People who cannot pay their premium may request good cause.
- DHS determines good cause.
- If approved, premiums are waived for the period necessary for the enrollee to resolve the situation preventing the enrollee from paying premiums.
- Does not include choosing to pay other household expenses instead of the premium.
- A person cannot request good cause for non-payment of an initial premium. Good cause can only be requested for the non-payment of subsequent premiums.
• People must request good cause using the MA-EPD Good Case Request form (DHS-6939). The form can be submitted electronically, or printed and mailed to DHS. Enrollees needing assistance in completing the form can call Disability Hub MN at 866-333-2466.

• DHS provides the person with written notice of their decision within 30 days.

• People may appeal a finding that good cause does not exist.
Premium Billing
Monthly Premium Invoices:

- Enrollees will get an invoice every month telling them the amount of their MA-EPD premium and the due date.

- The invoice will not show any credits if they paid more than what they owed in past months or a balance due if they did not pay their entire premium for past months.

- The county mails and receives the initial premium bill.

- The DHS Billing Unit mails and receives ongoing premium bills.
• MA-EPD premiums are system generated on the 4th day of every month.

• MA-EPD premiums are due on the fourth day of each month to pay for coverage for the following month. For example, the premium that is due on January 4 is to pay for February coverage.

<table>
<thead>
<tr>
<th>Date the premium payment is due</th>
<th>For coverage in this month</th>
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<tbody>
<tr>
<td>January 4</td>
<td>February</td>
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<td>February 4</td>
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<td>November 4</td>
<td>December</td>
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<tr>
<td>December 4</td>
<td>January</td>
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</tbody>
</table>
• If the enrollee’s premium payment is not received by the last working day of the month that their premium is due, coverage will close at the end of the month.
  
  • For example, if a premium that is due May 4 is not received by the last working day of May, the case will close and the enrollee will not have June coverage.

• If the enrollee pays the premium for the coverage month by the last working day of the coverage month, and in that same month they pay the premium for the next coverage month, their coverage will be reinstated.
  
  • For example, if the premium is due April 4 for May coverage and they don’t pay their premium until sometime in May, they must also pay the premium due May 4 for June coverage. If they pay both premiums in May, their coverage for May will be reinstated and their coverage will continue through June.
Employment Income

- A person must be employed and have earned income greater than $65 from wages or self-employment earnings.
  - For wages, earned income is monthly average gross income.
  - For self-employment income, earned income is the net earnings from self-employment, which is the gross income minus all expenses the Internal Revenue Service (IRS) allows as a self-employment expense.
• Social Security and Medicare taxes must be withheld from wages. State and federal income taxes need only be paid or withheld if the person earns enough to be required to pay those taxes.

• A person with self-employment earnings must pay Social Security and Medicare taxes at least annually. If a person does not earn enough to be required to file taxes, the following may be used as verification:
  • business records like financial statements
  • gross receipts
  • Records
  • quarterly reports, or
  • signed statements for business income.

• Individuals with two sources of employment income, one source that has taxes withheld and one source that does not, are eligible for MA-EPD. The gross monthly earnings from which taxes are withheld must exceed $65.
A person cannot keep MA-EPD eligibility or become eligible for MA-EPD simply by filing self-employment taxes. Self-employed people generally must:

- work for themselves rather than for an employer,
- be responsible for their own work schedule,
- not be covered under an employer's liability insurance or Workers' Compensation, and
- pay Social Security and Medicare taxes.
The following are not considered employment income for MA-EPD:

- Gratuitous money allowances
- Honoraria or stipends that only reimburse expenses or do not have Medicare and Social Security taxes withheld or paid annually
- Payments for participation in a clinical trial
- Payments for the sale of blood or blood plasma
• An MA-EPD applicant must be employed at application and during any retroactive months.

• MA-EPD enrollees are still considered employed if they change jobs and receive no paychecks for one month because of different pay periods in each job.
• **Four-Month Medical Leave**
  
  • An MA-EPD enrollee may maintain eligibility, without earnings, for up to four months due to a verified medical condition.

  • A physician’s statement is necessary to verify the need for medical leave before continuing coverage under MA-EPD.

  • The four-month medical leave begins the month after the enrollee is unable to work.
• **Four-Month Job Loss**

  • An MA-EPD enrollee may maintain eligibility, without earnings, for up to four months due to job loss that was not caused by or attributed to the enrollee. For example, layoffs due to lack of work or business closing.

  • Verification of the reason the enrollee became unemployed is required before continuing coverage under MA-EPD.

  • The four-month job loss leave begins after the enrollee stops working or receives the last paycheck, whichever is later.

  • MA-EPD enrollees who become unemployed for reasons attributable to them, such as poor work performance, discharge for misconduct, or resignation for reasons other than medical leave, are not eligible for the four-month extension.

  • Employees who become unemployed while on medical leave from their jobs may remain enrolled for four additional months following the month in which they are terminated or laid off.
Medical Leave/Job Loss Extension, continued

• Medical leave and job loss provisions do not apply to the month of application or in any retroactive month.

• There is no annual limit on the number of times the MA-EPD medical leave or job loss extensions can be used. The enrollee must return to work between leaves and meet all requirements. Enrollees who remain eligible for MA-EPD due to the four-month job loss extension may not extend eligibility with a medical leave without returning to work between leaves.

• Enrollees must continue to pay MA-EPD premiums during the four-month medical leave or job loss extension.

• People that work seasonal jobs or who work only a certain part of the year may qualify for the 4 month job loss extension.
  
  • Example: A teacher whose job ends at the end of the school year in June, may qualify for the job loss extension for up to 4 months, because the job ending was not caused by or attributed to the enrollee.
MA-EPD Living Arrangement
MA-EPD enrollees may live in a variety of living arrangements.

- **Community living arrangements** have no impact on MA eligibility.
- An **Institution for Mental Diseases** (IMD) is a hospital, nursing facility, or other institution or residential program that has 17 or more beds and is primarily engaged in providing diagnosis, treatment or care of people with mental diseases. MA-EPD enrollees may continue MA-EPD while living in an IMD, as long as they meet the MA-EPD work requirements.

- **A long-term care facility** (LTCF) is a place such as a skilled nursing facility, Intermediate Care Facility for the Developmentally Disabled (ICF/DD), or medical hospital in which the person receives skilled nursing services. People who live in a LTCF while working, even during the four-month medical leave period, may continue MA-EPD as long as they continue to pay the premium.
MA-EPD Financial Eligibility
• There is no income limit to be eligible for MA-EPD.

• Income of a spouse does not deem to the MA-EPD applicant or enrollee.
• The **asset limit** is $20,000 for people age 21 and older.

• Children younger than age 21 have no asset limit.

• MA-EPD **excludes** the following assets:
  - Retirement accounts including:
    - Individual retirement accounts (IRA), including IRAs held in the form of an annuity
    - 401(k) plans
    - 403(b) plans
    - Keogh plans
    - Pension plans
  - Medical expense accounts set up through an employer, including Health Savings Accounts (HSA)
  - Spousal assets, including the spouse’s share of jointly held assets
Changing Basis of Eligibility
• Changing Basis of Eligibility after Job Loss

• When an MA-EPD enrollee stops working, their eligibility is redetermined under another MA basis of eligibility. The MA-EPD asset limit and policies continue to apply to the person for up to 12 months, when eligibility is redetermined under MA-ABD. If the person loses MA for one calendar month or more, the MA-EPD asset limit and policies no longer apply.
• Changing Basis of Eligibility after Age 65

• The MA-EPD income and asset rules continue to apply when redetermining basic MA eligibility for an enrollee, age 65 or older, who loses eligibility for MA-EPD for any reason and who was enrolled in MA-EPD during each of the 24 consecutive months before their 65th birthday. This includes a disregard of a spouse’s assets.

  • Example:

    • Jimmy is turning age 65 next month and is planning to retire next month. He was enrolled in MA-EPD for the past 36 months. He has a checking account with $5,000 and an IRA valued at $30,000. Jimmy will continue to receive RSDI of $1,250 when his job ends. Jimmy will no longer be eligible for MA-EPD when he stops working, because he will not meet the work requirements or the job loss requirements.

    • When Jimmy retires, he can continue to use the MA-EPD income and asset guidelines as long as he remains eligible without a break in MA eligibility of one calendar month or more.
MA-EPD and Medicare
• People enrolled in MA-EPD must enroll in Medicare if eligible.

• If not enrolled in Medicare at the time they apply for MA-EPD, Medicare eligible people must apply for Medicare during the next available Medicare general enrollment period (January-March of each year) to continue MA-EPD eligibility.

• MA-EPD enrollees may have their Medicare Part B premiums reimbursed. Reimbursement is effective the date of MA-EPD eligibility for enrollees who meet both of the following:
  • Have income at or below 200% FPG (7/1/19: $25,224 annually for a family size of 1)
  • Are not eligible for the Qualified Medicare Beneficiary (QMB) or Service Limited Medicare Beneficiary (SLMB) programs, which are types of Medicare Savings Programs.
What’s the Best Program for My Client?
• If potentially eligible for more than one program, your client has the option to choose the Minnesota Health Care Program that best meets their needs.

• Consider MA-EPD as an option if your client is:
  • Certified disabled by the Social Security Administration or the State Medical Review Team (SMRT) with an onset prior to age 65,
  • Working and earning at least $65 per month, and
  • Has assets above $3,000 that they did not reduce.
Robert is:

- 57 years old.
- Certified disabled by the State Medical Review Team (SMRT) with an onset of disability at age 55.
- Single adult with no children.
- Working and earns $1,500 per month in wages (annual income is $18,000).
- Not American Indian or Alaska Native.
- Not eligible for Medicare.
## Consider Robert’s Possible Health Care Options

<table>
<thead>
<tr>
<th></th>
<th>MA-FCA</th>
<th>MinnesotaCare</th>
<th>MA-ABD</th>
<th>MA-EPD</th>
</tr>
</thead>
<tbody>
<tr>
<td>Income Limit</td>
<td>Income is too high (income limit is 133% FPG = $16,611/year)</td>
<td>Income eligible (income limit is 200% FPG = $24,280/year)</td>
<td>Would have a spenddown (income limit without a spenddown is 100% FPG = $12,492/year)</td>
<td>Income eligible (there is no income limit)</td>
</tr>
<tr>
<td>Age Limit</td>
<td>Up to age 65</td>
<td>Up to age 65 (generally)</td>
<td>No age limit</td>
<td>No age limit</td>
</tr>
<tr>
<td>Asset Limit</td>
<td>No asset limit</td>
<td>No asset limit</td>
<td>Asset limit = $3,000 (21 and older)</td>
<td>Asset limit = $20,000 (21 and older)</td>
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<tr>
<td>Medicare</td>
<td>Medicare is a barrier.</td>
<td>Medicare is a barrier.</td>
<td>Medicare is not a barrier.</td>
<td>Medicare is not a barrier.</td>
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<tr>
<td>Client Obligation</td>
<td>N/A</td>
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<td>Must meet spenddown</td>
<td>Must pay a premium ($36)</td>
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<td>HCBS Waiver Eligibility</td>
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<tr>
<td>Medicare Reimbursement</td>
<td>N/A</td>
<td>N/A</td>
<td>May be eligible for MSP or have Medicare premiums reimbursed</td>
<td>May be eligible for MSP or have Part B premium reimbursed</td>
</tr>
</tbody>
</table>
MA-EPD Scenario
Alex

• 5/1: Alex applies for MA-EPD using the Certain Populations application (DHS-3876). She receives wages of at least $65 per month and she meets all the other eligibility requirements for MA-EPD.

  • She requests MA-EPD coverage for 3 past months (retroactive coverage). She may be eligible for up to 3 months of coverage prior to her month of application (February, March, and April) if she meets all of the eligibility requirements in each month.

• 5/16: The county processes Alex’s application, and she is determined eligible for MA-EPD in May and for all retroactive months (February, March, and April). The county sends Alex an eligibility notice that states she is eligible for MA-EPD.
• Alex must pay an MA-EPD premium, which is calculated in part based on:
  • Her *actual* gross monthly income is used to calculate the MA-EPD premium for any retroactive months (February, March, and April).
  • Her *average* anticipated gross monthly countable income for a six-month period for May onwards and her family size.

• Alex’s premium is determined to be $200 per month for each retroactive month and for ongoing coverage (starting in May).
• The county creates an MA-EPD bill for all retroactive months (February, March, and April), the month of application (May), June, and July. Alex’s initial premium bill is $1,200.

• The county includes June and July in the initial premium, because:
  • the monthly billing for June was already sent on April 4, and
  • the monthly billing for July was sent on May 4.

• Bills for June and July were already mailed to existing enrollees by the DHS billing unit. The county included those months in the initial premium to allow Alex to get caught up with the billing cycle.

• Alex’s next regularly scheduled bill will be mailed on June 4 for August coverage by the DHS billing unit.

<table>
<thead>
<tr>
<th>Coverage Month</th>
<th>Amount</th>
<th>Month Type</th>
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<tbody>
<tr>
<td>February</td>
<td>$200</td>
<td>Retro</td>
</tr>
<tr>
<td>March</td>
<td>$200</td>
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<tr>
<td>April</td>
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<td>Retro</td>
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<tr>
<td>May</td>
<td>$200</td>
<td>Application</td>
</tr>
<tr>
<td>June</td>
<td>$200</td>
<td>Future (already billed)</td>
</tr>
<tr>
<td>July</td>
<td>$200</td>
<td>Future (already billed)</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td>$1,200</td>
<td></td>
</tr>
</tbody>
</table>
• 6/2: Alex pays her initial premium in full to the county.
  
  • Note that if Alex did not pay her premium in full, she would only have coverage for retroactive months for the months in which she paid a premium (she can pick and choose which retroactive months she wants).
  
  • Also note that Good Cause (premium waiver) is not available for the initial premium.
Eligibility Scenario, continued

- 6/4: Alex’s premium bill is mailed for August coverage.
- Alex continues to work and earn at least $65 per month and she pays her premium.
- 7/4: Her premium bill is mailed for September coverage.
- 8/4: Her premium bill is mailed for October coverage.
Eligibility Scenario, continued

• In August, Alex decreased her hours at work due to her medical conditions. Alex reports her decrease in earnings to her county, and her premium is recalculated.

• Her premium is now $150.

• A premium decrease is effective the next month, so her premium for September onwards is $150.
• 9/4: Alex’s premium bill is mailed for November coverage.

• 10/4: Her premium bill is mailed for December coverage.
• Alex renews her MA-EPD eligibility and completes her renewal in September for October coverage.

• Her new 6 month certification period begins on October 1.

• In October, Alex reports to her county that her health conditions improved and she picked up additional hours, and her new schedule is expected to be ongoing. Because Alex’s change in premium is due to an increase in income, and that is not one of the reasons why her premium would change, her premium will not change during the 6 month certification period (October through March).
• 11/4: Her premium bill is mailed for January coverage.

• In November, Alex requests Good Cause because she cannot pay her premium for December.
  • Alex’s car unexpectedly broke down and needed $1,000 in repairs. Alex can’t pay her premium for December due to her unexpected car repair bill (a circumstance beyond Alex’s control and that she could not reasonably foresee).

• Alex calls the Disability Hub MN for help completing the MA-EPD Good Cause Request form (DHS-6939). She submits her Good Cause request to DHS, and DHS approves the good cause. Alex’s premium is waived for December.
• 12/4: Alex’s premium bill is mailed for February coverage.

• 1/4: Her premium bill is mailed for March coverage.
Eligibility Scenario, continued

• In January, Alex reports that she will be undergoing surgery and is taking a medical leave from her job for 2 months (February and March).

• She provides a physician’s statement verifying her need for medical leave.

• Her premium is recalculated and is lower – now $35 – due to her medical leave, and the lower premium is effective in February.

• Alex continues to pay her premium during her medical leave, so her MA-EPD coverage continues.

• During this time, Alex is also renewed for MA-EPD eligibility for April by completing the renewal process in March.
• In April, Alex returns to work and reports this to her county worker. Her premium cannot be increased until her next renewal.

• In June, Alex reports that the company she works for is going out of business and she is losing her job. She is looking for other work. Her premium will be the minimum of $35, so it will not change.

• Alex qualifies for the 4 month job loss because she lost her job through no fault of her own. Alex is eligible for up to four months of ongoing EPD eligibility even if she is not working if she continues to pay her premiums.
Resources

- MHCP Eligibility Policy Manual (EPM)
- Disability Hub MN
  - 866-333-2466
  - www.DisabilityHubMN.org
- MA-EPD consumer brochure (DHS-2087L)
- DHS Web Page
Questions?
Thank You!

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