

HOUSE RESEARCH

Bill Summary

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Authors: Hosch and others

Subject: Modifies the MA-EPD Program

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Overview

Employed persons with disabilities (MA-EPD) is an optional category under the Medical Assistance (MA) program. Federal law provides an exception from the prohibition on substantial gainful activity for MA eligibility. This category allows persons with disabilities to work productively and still retain health benefits. In order to be eligible under this option a person must:

- be certified as disabled by SSA or SMRT;
- be between age 16 and 65;
- receive more than \$65/month in earned income and pay Medicare and Social Security taxes; and
- pay required monthly premiums and unearned income obligation.

There is no income limit under MA-EPD. The asset limit is \$20,000 (certain assets are excluded, such as retirement accounts, medical expense accounts, and other exclusions that apply to persons with disabilities).

This bill modifies the income and asset limitations for persons who lose eligibility for MA-EPD when they become age 65 and requires the commissioner to seek federal approval to continue MA-EPD eligibility for those who have been eligible for the 24 months immediately preceding their 65th birthday.

Section

- 1 Income and assets generally.** Amends § 256B.056, subd. 1a. Adds a cross-reference.
- 2 Asset limitations for individuals and families.** Amends § 256B.056, subd. 3. Adds

paragraph (f), which allows MA-EPD participants to keep their assets when they lose MA-EPD eligibility due to becoming 65 years old. Continues the MA-EPD rule that non-MA eligible spousal income and assets are disregarded when determining eligibility for MA-EPD.

- 3 **Commissioner required to seek federal approval.** Requires the commissioner to seek federal approval to allow persons who have been eligible for MA-EPD for the 24 months prior to becoming age 65 to continue using the MA-EPD eligibility rules as long as they qualify. If approved, makes this provision retroactive for those who participated in MA-EPD for the 24 months prior to their 65th birthday, but lost eligibility at age 65.