

# Health Law PA News

NEWSLETTER OF THE PENNSYLVANIA HEALTH LAW PROJECT

HARRISBURG ❖ PHILADELPHIA ❖ PITTSBURGH

STATEWIDE HELP LINE: 1-800-274-3258

ON THE INTERNET: WWW.PHLP.ORG

VOLUME 6, NUMBER 6

MAY 2003

## Budget Update: States' Concerns Still Loom Large.

On March 4<sup>th</sup> Governor Rendell introduced a budget that made major cuts to state programs for people who are low income, have disabilities, mental retardation, mental illness, or drug and alcohol addiction. The PA General Assembly passed this budget bill in record time and Governor Rendell signed it, after he line item vetoed the education budget.

On March 25<sup>th</sup> the Governor submitted his plan to improve the public education system and promote economic development. On May 5<sup>th</sup>, over thirty bills were introduced in the Pennsylvania House of Representatives. The proposed bills (H.B. 1288-1325) introduce changes to public education, taxation, fees and economic development, but do not restore funding for any of the programs cut in the first Rendell budget. You can find these bills on the Internet in the General Assembly's Electronic Bill Room: <http://www.legis.state.pa.us/WU01/LI/BI/billroom.htm>

The Governor has stated in press interviews that he doesn't like the cuts he proposed in his initial budget, but that he had no choice given the size of the state's \$2.4 billion deficit. He says that he had to make cuts and it was a choice between cuts to behavioral health and human services, or to reduce Medical Assistance program or

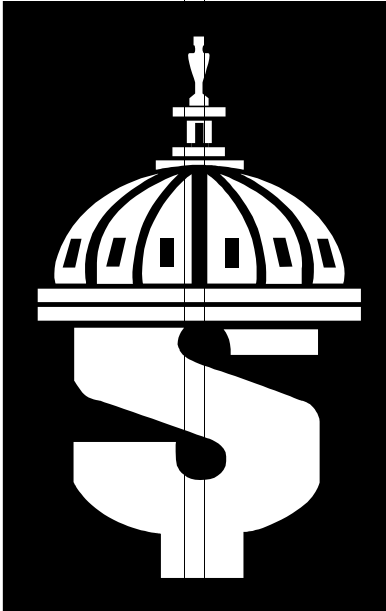
scale back his education reforms.

Many of the people who will be harmed by the cuts in services along with their advocates and service providers have argued that the cuts will be a cruel burden on some of the Commonwealth's most vulnerable residents; people who are in the worst position economically, physically and emotionally to bear the cost of reduced services. The cuts have also been criticized as short sighted because they ultimately will cost the commonwealth more money in the near future. Many of the services provided with the state money was used to ensure that elders and people with disabilities can get services in their own homes instead of having to enter nursing homes and other institutions. Without these services, people will enter institutions at greater rates and at a higher cost to the Commonwealth. Similarly, it costs a lot less to treat people for their drug or alcohol addiction than it does to ignore the problem. Untreated addiction leads to higher crime rates, higher use of emergency and acute medical services, higher criminal and juvenile justice system costs, higher rates of family violence and involvement with the dependency system.

The Legislature must now consider and

The Legislature must now consider and

*(BUDGET UPDATE Continued on page 2)*



### -In this edition-

<b>Budget Update: Learn the latest on how the Bush Proposal may Impact PA's most vulnerable citizens.</b>	<b>1</b>
<b>Medical Assistance for Workers with Disabilities: Find out if MAWD is the answer for you or your clients!</b>	<b>2</b>
<b>Announcing: The Pennsylvania Health Law Project and PP&amp;A Collaborate on new Transitions Program!</b>	<b>4</b>
<b>Nominate someone you know for the Transitions Program!</b>	<b>5</b>
<b>Staff Update: PHLP Welcomes two new Advocates!</b>	<b>7</b>

vote on the bills that have been proposed. Legislators and the Governor could choose to raise taxes or fees to generate more money to pay for the Governor's education and economic development plans and restore money to the health and human services safety-net. Legislators could add language to proposed legislation or draft new legislation to accomplish this. The appropriations committees in the house or senate could also draft and submit a "supplemental budget bill" that restores funding to the health and human services programs that have been cut.

Pennsylvania is not alone in its economic difficulty. Many states have had to make even worse cuts to their Medical Assistance and social services programs. The states have sought financial relief from the federal government to help them avoid cuts to essential services, but these efforts are impeded by the Bush administration's \$726 billion tax cut proposal. On May 15th the U.S. Senate passed a tax bill that includes a \$350 billion tax cut and \$20 billion in fiscal relief to the states (half of that would go to increase federal matching rates for Medicaid by 2.95 % until Oct. 1, 2004.) The Senate bill also includes \$25 billion to increase Medicare payments for services in rural areas, while reducing Medicare payments for medical devices and chemotherapy drugs, and adding deductibles and co-payments for lab services. The U.S. House on May 9th passed a \$550 billion tax package that does not include the Medicaid or Medicare amendments. Both bills provide tax cuts, mainly to businesses and upper income tax payers, that are intended to generate job and economic growth through the investment of tax savings. The two bills will go to a House-Senate conference committee during the week of May 19th where the committees will attempt to negotiate a single bill.

## For many Pennsylvanians with Disabilities M.A.W.D. Is the Answer.



### What is MAWD?

Medical Assistance for Workers with Disabilities (also called "MAWD") is a health insurance program for individuals who are disabled and who are working. Persons who are accepted into this program get full Medical Assistance benefits, including full prescription coverage, by paying a monthly premium of 5% of their countable income. MAWD can be your only insurance (if you have no coverage now), or it can be a secondary insurance (if you are already on Medicare or have some coverage through your job but it does not cover

all your health care needs).

### Who is Eligible for MAWD?

#### Persons who:

- are ages 16 through 64 *and*
- have an illness or condition that meets Social Security's definition of "disability" which you can show by either
  1. being a recipient of Social Security disability benefits (SSDI), *or*
  2. submitting medical records to Medical Assistance so that they can find you disabled*and*
- are working and earning wages *and*
- have countable income less than 250% of the federal poverty guidelines (see next page) *and*
- have countable assets valued at less than \$10,000

Workers with a Medically-Improved Disability (who are no longer receiving SSDI) are also eligible but they must first be on MAWD as a Worker with a Disability under the above criteria.

### Does Social Security Allow Me To Work if I Am Getting SSDI?

Yes! You can work and still get SSDI as long as you continue to be disabled. Social Security provides a “trial work period” of 9 months (not necessarily consecutive) during which you can receive full SSDI benefits regardless of how much you earn. Each month that you earn more than \$570 counts as one trial work month. At the end of the trial work period, you can receive SSDI for another 36 months as long as you earn less than \$800 monthly. In 2003, \$800 is the amount SSA considers to be “substantial gainful activity”.

### Do I Need to Work a Certain Number of Hours to Get MAWD?

No. There is **no minimum requirement** for how many hours that you must work or how much you must earn. **You could work just a few hours a month and still qualify!** Remember, though, you must be paid for your work and you must be able to provide written verification of your wages to DPW.

### What Does Countable Income Mean?

DPW will ask you to report all of your income when you apply – including gross wages, disability benefits, income from investments, as well as your spouse’s income (whether or not he or she is applying for MAWD). Some of your income will not be counted.

#### For example, from your earnings DPW will:

- **not count** the first \$65 *and*
- **not count** half of the remainder *and*
- **deduct** your impairment-related work expenses and any transportation costs you have going to and from work.

#### 250% f.p.g. (2003):

Household of 1 = \$1871.00 a month  
Household of 2 = \$2525.00 a month  
Household of 3 = \$3179.00 a month

After DPW subtracts all disregards and deductions from your total income, the amount left is your countable income. To get MAWD your countable income must be less than 250% of the federal poverty guidelines (f.p.g.) for a household of your size.



### How Does the Premium Work?

Your premium is what you must pay every month to receive MAWD. If your countable income meets the income limit for your household size, then DPW will determine your premium based only on **your countable income** (here your spouse’s income will not count). You will be required to pay a monthly premium of 5% of your countable income.

**Example:** if **your** countable income is \$1000 a month, your monthly premium will be just \$50!  
(You can pay your premium directly to DPW or through a payroll deduction, if your employer is willing)

### What Assets Count?

Assets are things like property or bank accounts. DPW will look at your and spouse’s total assets. Some things will not be counted – your home and one motor vehicle, for example. Your remaining assets, including bank accounts, other vehicles, stocks, IRAs, etc. must equal no more than \$10,000 to qualify.

### How Do I Apply?

Applications for MAWD are made through the County Assistance Office (CAO) nearest to you. You can call them directly and ask them to mail you a MAWD application. Once you have filled it out, you can mail your application (along with the documents they request) or take your materials directly to your local CAO. If you are already on Medical Assistance under a different program (i.e. a spend-down) and want to be considered for MAWD, you should talk to your caseworker about how to change over to this program.





# Announcing An Exciting Project on Transitioning

**Pennsylvania Protection and Advocacy and the Pennsylvania Health Law Project are undertaking an exciting project to evaluate Pennsylvania's Transition services.**

The services available to young adults with disabilities change significantly as a child leaves school. Through an exciting grant from the Developmental Disabilities Council, we are working to evaluate the transition services and programs available to children and families with developmental disabilities across the Commonwealth.

Over the next year, we will be:

- Surveying children, families, advocates and agencies that serve them.
- Surveying at least 25 state and local agencies that provide transition services.
- Compiling findings on what transition services exist (both in theory and in reality), on what gaps in service exist (both in what services should be available and aren't and what services are available but only to some groups), on what barriers exist to accessing services, and more.
- Compiling recommendations on what needs to be improved in Pennsylvania's transitions programs.

What do we need from you? We would benefit greatly from your help and input.

We hope that you can provide us with:

- Nominations for consumers, advocates, and agency staff for our survey process.
- Information about transition services and problems/barriers to effective transition.

*\*\* Note that because we are under strict obligations to insure that our pool of persons surveyed is balanced in perspective, location, age, and disability, we will not necessarily interview all nominees.*

If you have any questions or know of anybody who might like to take part in the project, please call or e-mail Larree Beilharz at PP&A at (800)692-7443 or lbeilharz@ppainc.org or Alissa Halperin at PHLP at (800) 274-3258 or ahalperin@phlp.org.

Larree Beilharz  
Pennsylvania Protection and Advocacy  
1414 N. Cameron Street  
Harrisburg, PA 17101

Alissa Eden Halperin, Esq.  
Pennsylvania Health Law Project  
924 Cherry Street, Suite 300  
Philadelphia, PA 19107



Tear off and mail in! →

FOLD



FOLD



Place Postage  
Here

**Pennsylvania Health Law Project**  
924 Cherry Street, Suite 300  
Philadelphia, PA 19107

## Consumer and Advocate Education

### Invite us to talk to your consumers or staff!

Here are just a few topics that PHLP is available to discuss:

- Accessing services under HealthChoices and Fee-for-Service Medical Assistance (including prescription medications, mental health and drug and alcohol treatment; durable medical equipment, and home health services)
- Patient's rights under managed care.
- The Medicaid HMO appeal process
- How to qualify for health coverage under Medicaid, CHIP, adultBasic and other programs for Pennsylvanians who are low-income, elderly or have a disability.
- New Medicaid Programs like **Medical Assistance for Workers with Disabilities (MAWD)** and the **Breast and Cervical Cancer Prevention Treatment Program**.
- How to get help with prescription drug costs.
- How to get Medicare Premiums paid.



**Call (800) 274-3258 to schedule.**

### Some Upcoming Trainings include:

- Health Insurance Options for the Un- and Under-insured: Annual PA Rural Health Conference, State College, June 18, 2003.
- Medical Assistance for Workers with Disabilities (MAWD): Allegheny County Community Support Program, May 26, 2003.
- Representing People in Managed Care: Pennsylvania Legal Services Statewide Conference, May 30, 2003.



**Do you value this newsletter?  
Do you find our other free resources helpful?**

**Now there are two ways you can show your support for PHLP!**

You can **mail** your tax-deductible donation - check or money order - to:  
**The Pennsylvania Health Law Project**  
**924 Cherry Street, Suite 300**  
**Philadelphia, PA 19107**

You can also make donations to PHLP through The **United Way Donor's Choice Program**. If your employer participates in this program, please ask for an application form and enter the PHLP number, **10277**. The amount you choose to designate will be deducted from your paycheck. *Some employers provide matching gifts.*

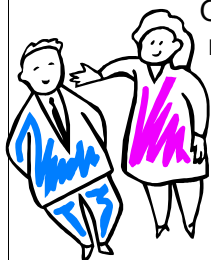
If you are outside of the Southeast Pennsylvania Region, please check with your local United Way on how to donate to PHLP through Donor's Choice. To locate your local chapter of **The United Way**, and to find out more about this program, please visit the new donations page on our website at:

**<http://www.phlp.org/Donations.html>**

*If you would like a letter acknowledging your donation for tax purposes, we will be happy to furnish one upon your request. The official registration and financial information of PHLP may be obtained from the Pennsylvania Department of State by calling toll free, within Pennsylvania, 1-800-732-0999. Registration does not imply endorsement.*



**PHLP Staff Update**  
**PHLP Welcomes New Advocates!**



On May 15th, The PHLP bid farewell to Paralegal **Ann Ritter**. We are very proud to announce that **Ann** will be attending Temple Law School in the Fall, where she has been offered a space in their prestigious Public Interest Scholars Program! We all wish **Ann** the best as she continues her outstanding dedication to social justice and the law. At the same time, PHLP welcomes two new advocates, **Jenn Nix** and **Gloria Yu**.

**Gloria** studied law at Temple where she developed an interest in immigrants', workers', and students' rights. Prior to joining us, **Gloria** worked with Cancer and HIV patients through Temple's legal clinics. **Jenn** studied law at Northeastern and received her Masters of Public Health from Tufts, where she developed an interest in poverty law and women's issues. Prior to joining the ranks at PHLP, **Jenn** interned at the Women's Law Project where she worked on issues of domestic violence and policing. Gloria and Jenn will be helping to staff the PHLP helpline and working with senior staff on a number of policy issues.

**Subscribe to**  
**Health Law PA News**  
**by Email!**

Get your copy of *Health Law PA News* before everyone else! Chock-full of the same important consumer health news as the print edition, the email version of PHLP's newsletter is available by sending an email to:

**[JKershenbaum@phlp.org](mailto:JKershenbaum@phlp.org)**

Please include your name, email address, and your current subscription address so we can switch you over to an electronic subscription.

**Pennsylvania Health Law Project**  
924 Cherry Street, Suite 300  
Philadelphia, PA 19107