

Revisiting MAWD & Introducing Workers with Job Success



Pennsylvania Health Law Project
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About PHLP

- Statewide non-profit legal organization dedicated to ensuring access to public health coverage and services
- What we do:
 - Helpline for clients and advocates
 - Free legal services
 - Community education/trainings
 - Monthly email newsletter
 - Policy Advocacy



Agenda

1. MAWD Eligibility
 1. Categorical & Financial Requirements
 2. Premiums & Good Cause
2. Workers with Job Success
 1. Eligibility
 2. Premiums
 3. Nuances related to the Public Health Emergency

Poll Question #1

What is your level of experience with MAWD?

- I am enrolled in MAWD myself or have been in the past.
- I have helped others enroll in MAWD.
- I'm familiar with MAWD.
- MAWD, what's that?

Unwinding Reminders

- Renewals:
 - Normal Medicaid eligibility & renewal rules resumed April 1st
 - Over the next year, everyone getting Medicaid will have coverage renewed
 - People **must** complete their renewal paperwork to keep coverage
- Reconsideration:
 - People can still submit renewal paperwork after their renewal due date.
 - If someone loses coverage for not completing a renewal, they have **up to 90 days** to submit the renewal paperwork to have coverage reinstated.
- Appeal **within 15 days** to keep benefits in place!

Part I.

Medical Assistance for Workers with Disabilities (MAWD)

Medical Assistance Eligibility Basics

- Basic Requirements:
 - ✓ Be a US Citizen or have eligible immigration status
 - ✓ Be a resident of Pennsylvania
 - ✓ Fit into a covered group/category and
 - ✓ Meet Income and resource guidelines

Medical Assistance for Workers with Disabilities

- **Underutilized category!**
 - Ages 16-64
 - High income & resource limits
 - Minimal work requirement
 - Requires 5% premium
 - “With Disabilities”
 - SSDI or Medical review team
 - Disability does not mean unable to work!

Current Enrollment (March 2023)

Overall MA Enrollment	MAWD Enrollment
3.7 million	28,607

Categorical Requirements

“Workers”

- work is defined loosely:
- no specific hours or wage required
 - 1 hour per week enough
- can be informal
- requires some amount of paid work monthly

“With Disabilities”

- murkier
- theory: SSDI or Medical Review Team (MRT) finding: “perm. & totally disabled” w/o regard to actual work
- no req. to apply for SSI/SSDI
- Disability ≠ unable to work
- **Practice tip:** if serious long-term condition, apply!

Income Limits

MAWD (250% FPL)(2023)

Household Size	Monthly	Annual
HH of 1	\$3,038	\$36,456
HH of 2	\$4,109	\$49,308

Plus income disregards!

→ over half of any earned income is not counted

Resource Limit: \$10,000 (any HH size)

Financial Requirements

- Income: 250% FPL
 - AFTER income disregards!
 - Spouse's income is included for eligibility, but NOT for calculating premium
- Resources: \$10,000
 - Includes spouse's resources (but not spouse's retirement)
 - **Excludes** primary residence, ABLE accounts, one vehicle, & others
 - See Medical Assistance Eligibility Handbook (MAEH) 340.82

Income Disregards

- **Countable income** is based on Social Security rules (“SSI-related”)
- Unearned Income
 - Disregard \$20
 - Plus additional disregards for expenses required to obtain income; e.g., bank fees, transportation to bank.
- Earned Income
 - Disregard **\$65 + half** of the remaining income
 - Disregard any Impairment Related Work Expenses (IRWEs)
- Effectively doubles income limit for clients with only work income

See MAEH Ch. 316.5; 360.31-32

MAWD Groups

- SSI/SSDI recipients
 - Need proof of work
 - Use simple Letter
 - Minimal work will not affect SSI/SSDI
- Non-SSDI recipients: “Workers with Chronic Health Conditions”
 - Need to show “disability”
 - Send CAO doctor’s note stating diagnosis and duration
 - Ask for “presumptive eligibility;”
 - Determined by Medical Review Team (MRT)
 - Many chronic health conditions qualify



Poll Question #2

Pete (age 38) and Kim (age 41) are married and live off Kim's Social Security Disability of \$1820 per month and Pete's earned income of \$4065 per month. Does either qualify for MAWD?

[Reference: MAWD Income limit; HH of 2 = \$4,109/mnth]

- Both qualify.
- Pete qualifies.
- Kim qualifies.
- Neither qualify.

Hypothetical

Pete (age 38) and Kim (age 41) are married and live off Kim's Social Security Disability of \$1820 per month and Pete's earned income of \$4065 per month. Does either qualify for MAWD?

	MAWD	Why?
Pete	?	Countable income for MAWD = \$3800 (\$1800+\$2000). Does Pete have chronic conditions?
Kim	?	Can Kim work 1 hour per week?

MAWD Premiums

- 5% monthly premium
 - Assessed against applicant's countable income (not spouse's)
- Hypothetical couple
 - Kim: SSDI of \$1820 per month
 - $\$1820 \text{ minus } 20 = \$1800 * .05 = \$90 \text{ monthly premium}$
 - Pete: earnings of \$4065 per month
 - $\$4065 \text{ minus } 65 / \text{half} = \$2000 * .05 = \$100 \text{ monthly premium}$

MAWD Premiums

- Premiums were still collected during the pandemic
- Not paying premiums during PHE did not result in termination*
- Unpaid premiums accrued during PHE will be forgiven
 - April/May statements should show “good cause” granted
- MAWD premiums are due again beginning April 2023

Good Cause/Suspension of Premiums

- Premiums & work requirement can be suspended for up two months for “good cause,” which includes, e.g.:
 - Job loss due to illness
 - Job loss due to layoff/no fault of the recipient
 - Quit with good cause
- Premiums can be granted good cause for past months under special circumstances, e.g.:
 - Unable to work, ill health
 - CAO did not close MAWD timely.

See MAEH 316.67-69

MAWD & HCBS Waiver Programs

- Longstanding DHS policy allows people to enroll in MAWD and Home & Community Based Services simultaneously
- To do so, a person needs to:
 1. Financially (and categorically) qualify for MAWD; and
 2. Functionally qualify for HCBS.
- Critically important for people with disabilities whose work earnings would make them over-income for waiver

See MAEH 316.1



Part II.

Workers with Job Success

MAWD Workers with Job Success

- Created by Act 69 of 2021
 - Following campaign by United Way's I Want to Work & other advocates
- Implementation delayed due to the PHE continuous coverage protections until now, April 2023
- Provides pathway for individuals with disabilities to increase their income and assets above the normal MAWD limits **without losing** health coverage or HCBS waiver services.

MAWD Workers with Job Success

To qualify:

- Be enrolled in MAWD during the last 12 months, without a break*;
- Have countable monthly income between 250% FPL and 600% FPL
 - This “excess” income triggers the WJS eligibility
 - CAOs should review automatically
- Have countable resources under \$10,000 (at initial eligibility)

Income Limits

MAWD Workers with Job Success (600% FPL)(2023)

Household Size	Monthly	Annual
HH of 1	\$7,290	\$87,480
HH of 2	\$9,860	\$118,320

- Plus income disregards (see slide 13)
- Must be over the 250% FPL MAWD income limit
- Resource Limit: \$10,000 (at enrollment only)

Eligibility ‘but for’ the PHE

To qualify:

- *Be enrolled in MAWD during the last 12 months, without a break*;*
- As of part the Medicaid unwinding, DHS will systematically credit certain MA recipients who were diverted from MAWD during the PHE and placed in different MA categories.
 - They will be credited with 12 months of MAWD for purposes of WJS eligibility
- DHS estimated could be 5,000-6,000 individuals

See OPS 23-03-03

WJS Premiums

- Premium is **7.5%** of the individual's countable income where:
 1. Household countable income is between 250%-450% FPL, or
 2. Household Countable income is above 450% FPL but household AGI is below \$136,902
- Premium is “**full cost**” (\$948/month in 2022) where:
 1. Household countable income is above 450% FPL and household AGI is above \$136,902.
- A MAWD cost-of-living adjustment Adjusted Gross Income (AGI) amount is used to determine to determine which recipients over 450% FPL pay the full premium amount.
- Recipients over 450% FPL will have to submit tax returns for AGI review

Treatment of Resources

- A MAWD recipient must have countable resources below \$10,000 to qualify for the MAWD WJS category;
 - Someone whose resources exceeded \$10,000 during the pandemic can qualify for WJS so long as resources were under \$10K **at the time** income first exceeded 250% FPL.
- Once enrolled in WJS, however, there is no resource limit;
- If a WJS recipient reduces their work hours/loses income and goes back into normal MAWD, the recipient will continue to have no resource limit in that category.

Hypothetical 2

Jordan has a disability and works full-time. He gets a promotion whereby his earnings will increase from \$60,000 to \$75,000/year. Jordan has been on MAWD for 2 years. His countable resources are under \$10,000.

- New Monthly gross earnings = \$6,250
- Countable income for MAWD = \$3,093 (254% FPL)
 - $(\$6250 - \$65 = \$6185 / 2)$
- Now over income for MAWD, but should continue to get Medicaid through enrollment into Workers with Job Success
- Premium will increase from \$123/mnth to \$232/mnth
 - $(\$232 = 7.5\% \text{ of } \$3093)$

Guidance on Workers with Job Success

- DHS Factsheet
 - Workers with Job Success FAQ ([here](#))
- DHS/OIM Operations Memos
 - Introduction of a New MAWD Eligibility Group - Workers with Job Success (WJS) ([Ops Memo 22-07-01](#))
 - Expiration of the Continuous Coverage Requirement ... ([Ops Memo 23-03-03](#))
- Policy Clarification
 - Medical Assistance for Workers with Disabilities (MAWD) Workers with Job Success (WJS) Cost-of-Living-Adjustment (COLA) Adjusted Gross Income Maximum Amount Changes for 2023. ([PMW 21198-316](#))

Resources

- Medical Assistance Eligibility Handbook
 - http://services.dpw.state.pa.us/oimpolicymanuals/ma/index.htm#t=Title_Page.htm
- SSA:
 - [Working While Disabled; How we can help](#)
 - [Red Book](#) - Summary Guide to Employment Supports for Persons With Disabilities ...
- PHLP Resources:
 - [PHLP Medical Assistance Eligibility Manual](#)
 - [MAWD: A Guide to Eligibility](#)

Upcoming Training Opportunity

Dual Eligibility and Medicare Savings Programs

Wednesday, May 17, 2023 | 11:00 AM

[Register via zoom](#)

This webinar will cover information regarding eligibility for Medicaid benefits, including the Medicare Savings Programs, for people who have Medicare now or are getting it soon. We will cover the new Medicare Special Enrollment Period to enroll in Medicare Parts A & B after loss of Medicaid and special enrollment periods for Medicare health and drug coverage tied to losing Medicaid.

During the webinar, attendees will learn about getting Extra Help with Medicare Prescription Drug costs, with a focus on how losing Medicaid impacts continued eligibility for Extra Help. We will also review other options for people on Medicare who lose Medicaid and resources available to find help.

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