

Mike McCormick

**Authorized Signature**

**Number:** APD-AR-12-036

**Issue Date:** 8/6/2012

**Topic:** Medical Benefits

**Due Date:**

**Subject:** Pursuit of Assets: Unemployment Compensation

**Applies to (check all that apply):**

- |  |   |
|--|---|
| <input type="checkbox"/> All DHS employees                             | <input type="checkbox"/> County DD Program Managers     |
| <input checked="" type="checkbox"/> Area Agencies on Aging             | <input type="checkbox"/> County Mental Health Directors |
| <input checked="" type="checkbox"/> Aging and People with Disabilities | <input type="checkbox"/> Health Services                |
| <input type="checkbox"/> Children, Adults and Families                 | <input type="checkbox"/> Other (please specify):        |

**Action Required:** DHS medical clients and applicants have a legal requirement to pursue and claim any asset to which they have a legal right, including unemployment compensation (UC), [461-120-0330](tel:461-120-0330). Clients and applicants are not required to pursue SSI or TANF or borrow money. Clients or applicants who fail or refuse to comply with the requirement to pursue benefits or potential resources are not eligible for medical benefits until either they comply with the requirement or their situation changes and they are granted good cause. For rules specific to the Employed Persons with Disabilities (EPD) program, please see the OSIP manual, WG.11.

*Reminder: There is still no requirement for clients to pursue UC for SNAP or TANF benefits. Low income parents ad caretaker relatives in APD caseloads should be referred to an SSP office for potential TANF benefits.*

**Good Cause:** Good cause for not pursuing an asset is granted to an individual when the reason they are not pursuing the asset is beyond their control, [OAR 461-025-0305](http://www.oregon.gov/OSIP/Pages/OAR-461-025-0305.aspx). Age and or disability do not automatically grant the client good cause for not pursuing UC or another asset; each case must be examined separately and a decision made based on the individual's unique situation and abilities.

For example, a person may only be able to the complete work which allows them to sit in a chair. In this case, the person would be required to pursue unemployment compensation if they are potentially eligible because they could seek work which is sendentary. A person over the age of 60 who has recently worked and would like to seek work again would not automatically be exempted from pursuit of UC due to age. In both cases, the worker should look at all factors before deciding if the person meets good cause.

If a worker grants good cause to an individual to remove their responsibility to pursue UC or another resource, the narration should state good cause was given and the resource to which good cause applies. Although the reason good cause was given is not required to be specified in the narration, the worker should be able to explain their decision, if needed. Good cause given, but not narrated will result in a QC error.

**Checking for a claim:** To see if a client or applicant has a potential UC claim, look for option 22) *Pot Claim* in the lower right of the WAGE screen. After selecting option 22, the *EPC2 – Potential Claim Determination* screen will open with the individual’s claim information.

ENTER) Next	14) Empr Adr	22) Pot. Claim
3) Customer		
8) Forward	16) Name Inq	
5) Clm Sum	9) Clm List	PA1/PA2) Print

Look in the section below the individual’s personal information for either a series of numbers to the right of the word *Total* or the phrase *Non-Valid Claim*. If the screen displays numbers, the client has a potential UC claim and the case must be pended until the client pursues it, unless granted good cause.

Total	4,289.88 370	2,900.08 351	3,702.58 253	2,362.50 195
Base Qtrs	(2/11)	(3/11)	(4/11)	(1/12)
Total Wages	13,255.04	Total Hours	999	
1.5xHWQtr	6,434.82	WBA	165	MBA 4290

If the screen displays *Non-Valid Claim*, there is no claim to pursue.

Total	.00 000	.00 000	.00 000	.00 000
Base Qtrs	(2/11)	(3/11)	(4/11)	(1/12)
Total Wages	.00	Total Hours	0	
1.5xHWQtr		WBA	0	MBA 0 Non-Valid Claim

*Note: Please do not communicate the potential claim amount to the client because there is no guarantee the client will receive the amount shown.*

**Ongoing OHP medical recipients:** If the client has a potential claim showing on EPC2 when their OHP case is redetermined, add the BED coding to the case and pend the client to pursue UC. If the client fails to respond, the CM system will automatically send a 77B BED close notice and end the OHP medical for non protected eligibility clients based on failure to complete the OHP redetermination process.

*Note: the BED process and the 77B notice can only be used if the case is OHP medical. A BED code cannot be added to either a QMB medical case or an OSIPM medical case.*

If there is more than one person on the medical case, recertify benefits for everyone except the person who is required to pursue UC. If the individual fails to respond, only the person who was not certified (the person pended) will have their medical case ended.

**Reason for Action:** The current year Federal Medicaid audits have identified a problem around pursuit of assets, specific to pursuit of UC. APD and AAA offices lack clear instruction regarding the required documentation of pursuit of UC when a client or applicant is granted good cause. This transmittal provides instructions which will align APD and AAA procedures with SSP procedures to ensure consistent processes across DHS.

**Field/Stakeholder review:**     Yes     No

**If yes, reviewed by:** APD policy, APD Operations Committee, APD Field Services, statewide quality control

*If you have any questions about this action request, contact:*

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