

Michael McCormick

**Authorized Signature**

**Number:** APD-PT-16-040

**Issue date:** 10/20/2016

**Topic:** Medical Benefits

**Transmitting (check the box that best applies):**

- New policy   
  Policy change   
  Policy clarification   
  Executive letter  
 Administrative Rule   
  Manual update   
  Other: \_\_\_\_\_

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

- |  |   |
|--|---|
| <input type="checkbox"/> All DHS employees                               | <input type="checkbox"/> County Mental Health Directors                                 |
| <input checked="" type="checkbox"/> Area Agencies on Aging               | <input type="checkbox"/> Health Services  |
| <input checked="" type="checkbox"/> Aging and People with Disabilities   | <input checked="" type="checkbox"/> Office of Developmental Disabilities Services(ODDS) |
| <input type="checkbox"/> Self Sufficiency Programs                       | <input checked="" type="checkbox"/> ODDS Children’s Intensive In Home Services          |
| <input checked="" type="checkbox"/> County DD Program Managers           | <input type="checkbox"/> Stabilization and Crisis Unit (SACU)                           |
| <input checked="" type="checkbox"/> ODDS Children’s Residential Services | <input checked="" type="checkbox"/> Other (please specify): ADRC, Branch 5503           |
| <input type="checkbox"/> Child Welfare Programs                          |   |

Policy/rule title:	Procedure Change - Initial Application, Redetermination Processing, MAGI Due Process		
Policy/rule number(s):	N/A	Release no:	
Effective date:	Immediately	Expiration:	
References:	APD MAGI Manual, Decision Notice Preparation Tips, OSIP B, OSIP F, QMB B, QMB F, APD B.8		
Web address:	<a href="http://www.dhs.state.or.us/spd/tools/ACA%20Information/MAGI%20index.htm">http://www.dhs.state.or.us/spd/tools/ACA%20Information/MAGI%20index.htm</a> <a href="http://www.dhs.state.or.us/spd/tools/additional/workergd/g.9.htm">http://www.dhs.state.or.us/spd/tools/additional/workergd/g.9.htm</a> , <a href="http://www.dhs.state.or.us/spd/tools/program/osip/b.htm">http://www.dhs.state.or.us/spd/tools/program/osip/b.htm</a> , <a href="http://www.dhs.state.or.us/spd/tools/program/osip/f.htm">http://www.dhs.state.or.us/spd/tools/program/osip/f.htm</a> , <a href="http://www.dhs.state.or.us/spd/tools/program/qmb/b.htm">http://www.dhs.state.or.us/spd/tools/program/qmb/b.htm</a> , <a href="http://www.dhs.state.or.us/spd/tools/program/qmb/f.htm">http://www.dhs.state.or.us/spd/tools/program/qmb/f.htm</a> ., <a href="http://www.dhs.state.or.us/spd/tools/additional/workergd/b.8.htm">http://www.dhs.state.or.us/spd/tools/additional/workergd/b.8.htm</a>		

**Discussion/interpretation:** There have been some changes to the APD/AAA procedures for processing initial applications, completing annual redeterminations, processing changes, and MAGI due process. **Only the changes are summarized below.** To see the current processes in their entirety, view the OSIPM, QMB, and APD worker guides (see links above) as well as the new [APD MAGI Manual](#), which has replaced the Affordable Care Act (ACA) Information and FAQ web page and the Procedure Document.

**Implementation/transition instructions:**

Apply the following procedures when processing new applications, redeterminations, and changes for APD medical programs and completing MAGI due process beginning November 1, 2016:

**INITIAL APPLICATION**

- 539A following APD referral from 5503: Allow 10 business days from the date the cover letter and 539A are mailed for return of the 539A.
- Pending items: Allow 10 business days from the date the pending notice is mailed for return of requested information. The worker should only allow more than 10 business days if circumstances require more time (e.g. individual must send away for a birth certificate); however, the deadline should allow sufficient time to complete the eligibility determination before the 45<sup>th</sup> day (unless there is good cause to extend beyond the 45<sup>th</sup> day) – use the [539H](#) at initial application.
- The branch must send a basic decision notice approving or denying the application no later than the 45<sup>th</sup> day unless the deadline is extended by the worker.

**REDETERMINATION**

- Pending items: Allow 10 business days from the date the pending notice is mailed for return of requested information. The worker should only allow more than 10 business days if circumstances require more time (e.g. individual must send away for a birth certificate); however, the deadline should allow sufficient time to complete the eligibility determination before the 45<sup>th</sup> day following the date of request (unless there is good cause to extend beyond the 45<sup>th</sup> day) – use either the [210A](#) or [539H](#) at redetermination to request additional information.
- If the requested information is not returned by the deadline and no extension was requested or granted, send a timely notice to close the case for failure to provide verification, no MAGI due process is needed.
- The branch must complete the redetermination no later than the 45<sup>th</sup> day unless the deadline is extended by the worker or MAGI due process is required.

**CLIENT REPORTS OR DEPARTMENT DISCOVERS A CHANGE**

- Pending items: If additional information or verification is needed, send out a [210A](#) or [539H](#) allowing 10 business days from the date the notice is mailed for return of requested information. The worker should only allow more than 10 business days

if circumstances require more time (e.g. individual must send away for a birth certificate or financial documentation); however, the deadline should allow sufficient time to complete the eligibility determination before the 45<sup>th</sup> day following the date the change was reported or discovered (unless there is good cause to extend beyond the 45<sup>th</sup> day)

- If the requested information is not returned by the deadline and no extension was requested or granted, close the case for failure to provide verification, no MAGI due process is needed.
- The worker can make the decision to update the review date based on alignment with other programs and customer service considerations.
- If the change was not reported timely, but the information is eventually verified and results in a reduction or closure (e.g. an increase in income), there is no need to review for other programs or complete MAGI due process prior to reducing or closing. *Note: In the event of a closure, workers should provide the individual with a 7210 with instructions to mail it to the address listed on the application. Do not pend for return of the 7210 prior to closing benefits.*

## MAGI DUE PROCESS

- **Closures** - Except when individuals fail to provide requested information or report changes timely, it is still necessary to pend individuals for completion of a 7210 and refer to 5503 for a MAGI determination prior to closing benefits; however, the deadline to receive this supplemental application information has changed. Allow 10 business days from the date the pending notice is mailed for return of the 7210 - use a [210A](#) or [539H](#). The worker can allow more time if circumstances require a longer deadline (e.g. the individual will be out of town).
- **Reductions** - A referral to Branch 5503 is not necessary prior to reducing benefits for clients that do not have potential MAGI eligibility. The requirement to review for MAGI programs prior to reducing OSIPM or QMB benefits remains (see [OAR 461-170-0130](#)); however, in these situations APD/AAA staff will screen individuals for the three MAGI programs (Pregnant Woman, Parent/Caretaker Relative, and Child) available to Medicare recipients and those 65 or older. Reviewing for potential MAGI eligibility can be completed quickly by APD/AAA staff by gathering some specific information. Details on how to screen these individuals has been added to the new [APD MAGI Manual](#) in [section C.2](#) If after screening, the branch determines that potential MAGI eligibility exists, only then will APD/AAA staff send out a pending notice with the accompanying 7210.
- **Remember:** If the closure or reduction is the result of a change in circumstances that was not reported timely (i.e. within 10 days), there is no requirement to review for MAGI prior to taking action (see [OAR 461-170-0130](#)).

**Training/communication plan:** Review and discuss transmittal with staff in unit meetings. Contact central office for technical assistance.

**Local/branch action required:** Begin applying new procedures for all Medicaid

applicants and recipients beginning immediately.

**Central office action required:** Create APD MAGI Manual; update Decision Notice Preparation Tips; update application, redetermination, and change processing sections in the OSIP, QMB, and APD worker guides. Update training materials and provide technical assistance as needed.

**Field/stakeholder review:**  Yes  No

**If yes, reviewed by:** APD Operations and Policy

**Filing instructions:**

*If you have any questions about this policy, contact:*

<b>Contact(s):</b>	Michael Avery (503) 373-0380 Trevor Baker (503) 884-0710 Bill Brautigam (503) 373-0759 Chris Ellis (503) 373-2305 Jeff Stell (503) 373-1425 Heather Williams (541) 548-2206 x 340		
<b>Phone:</b>	see above	<b>Fax:</b>	
<b>Email:</b>	michael.g.avery@state.or.us trevor.d.baker@state.or.us bill.h.brautigam@state.or.us christopher.m.ellis@state.or.us jeff.stell@state.or.us heather.d.williams@state.or.us		

**This section is unlocked in case you want to add files. Please delete this text.**