

**NEVADA STATE DIVISION OF WELFARE
AND
SUPPORTIVE SERVICES**

**MEDICAL ASSISTANCE
PROGRAM MANUAL**

APPENDIX B

**POSSIBLE BENEFITS AVAILABLE TO
DIVISION OF WELFARE AND
SUPPORTIVE SERVICES CLIENTS**

I. SOCIAL SECURITY-RETIREMENT, SURVIVORS AND DISABILITY INSURANCE (RSDI) BENEFITS

RSDI benefits are paid to beneficiaries based on the Social Security earnings of the retired or deceased worker.

A. RETIREMENT BENEFITS

Retirement is earned on a quarter or "credit" basis. Currently, \$500 annually must be earned for each credit toward Social Security, with a maximum of 4 credits earned annually. If a claimant is fully credited when retirement age (62 or older) is reached, both the claimant and certain family members may be eligible for benefits.

If the claimant is receiving Social Security retirement benefits, benefits are also available to:

1. Unmarried children under age 18, or under age 19 if enrolled full-time in elementary or high school. (Includes stepchildren if parent and stepparent are married one (1) year or more. Benefits may also be available if putative father dies prior to paternity verification or if children(ren) are illegitimate and paternity is established.)
2. Unmarried children age 18 or over who became severely disabled prior to age 22 and who continue to be disabled.
3. Spouse* who is age 62 or over.
4. Spouse who is under age 62 and is a caretaker for a disabled child or child under age 16 who is receiving Social Security benefits.

*Benefits can be paid to divorced spouses who are age 62 or over if the marriage lasted 10 years or more. The divorced spouse may remarry after age 60 (50 if disabled) and continue to receive spousal benefits.

Grandchildren and great grandchildren may be eligible for Social Security benefits under certain conditions.

Social Security retirement benefits may continue even if the claimant returns to work. After age 70, there is no reduction of Social Security benefits if the claimant also works.

If you feel there are unusual circumstances involved with a Social Security claimant, contact the local Social Security Office directly.

B. SURVIVOR'S BENEFITS

Survivor's benefits are "earned" on a quarter or "credit" basis, (credits are earned as described in A. above). Only if the deceased worker had sufficient credits in Social Security are benefits payable. The exact amount of credits required to receive benefits depend on the worker's age at death. Generally, the older the worker at death, the more credits required for survivors payments.

Benefits are available to a survivor who:

1. is a widow(er) at any age who is caring for the deceased workers child (under age 16 or disabled).
2. is a widow(er) who is age 60 (50 if disabled) who is not caring for a child. Remarriage after age 60 (50 if disabled) will not prevent payment if the worker died prior to remarriage.
3. is a divorced widow(er) caring for an entitled child (under age 16 or disabled). Length of marriage does not apply.
4. is an unmarried child age 18, or age 19 if still attending elementary or high school full-time. If the child is disabled before age 22, he/she can receive benefits as long as he/she remains disabled. (Includes stepchildren if parent and stepparent are married one (1) year or more. Benefits may also be available if the putative father dies prior to paternity verification or if children(ren) are illegitimate and paternity is established.)

C. DISABILITY BENEFITS

Disability is earned on a quarter or "credit" basis as are retirement and survivor's benefits. The required amount of credit required to receive benefits depends on the age of the applicant at time of disability.

If the applicant is younger than age 50 at the time of disability, credits needed vary between 6-20.

Benefits are available to disabled applicants and their families for:

1. Unmarried children under age 18, or age 19 if attending elementary or high school full-time. If the child is disabled before age 22, he/she can receive benefits as long as the child remains disabled. (Step-children may also be eligible if the parent and stepparent have been married one (1) year or more. Benefits may also be available if the putative father dies prior to paternity verification or if child(ren) are illegitimate and paternity is established.)

2. Spouse who is:
 - a. Caring for disabled person's child (or step-child if parent and stepparent were married one (1) year or more) under 16 or disabled and received checks.
 - b. Age 62 or older.
 - c. Disabled widow(er) at age 50.
 - d. Disabled divorced spouse if married 10 years or longer. Benefits are payable at age 50.

Disability of an applicant is determined by Social Security based on the following criteria:

- a. Medical evidence showing that the applicant's condition is severe enough to prevent the applicant from working.
- b. The medical condition is expected to last (or has lasted) for at least one year or is expected to result in death.

Blindness is considered a disability. Blindness is defined by Social Security as vision that cannot be corrected to better than 20/200 in the better eye or if the vision field is less than 20 degrees with corrective lenses.

II. SUPPLEMENTAL SECURITY INCOME (SSI) BENEFITS

SSI is a different facet of Social Security payment. It is, in effect, a federal welfare program for those people who are aged (65 or older) or disabled and have resources and INCOME below allowable maximums.

SSI has several rules that must be met for eligibility. These rules are:

1. The applicant must be a U.S. citizen, a lawful permanent resident (foreign born), or a foreign born person the INS (Immigration and Naturalization Service) plans to allow to stay in the United States.
2. The applicant must reside within the United States or Northern Mariana Islands.
3. If the applicant is eligible for other benefits, he/she must apply for those benefits.
4. The applicant must be accepted and comply with vocational rehabilitation services if the services are offered.

5. Resources/property are evaluated to determine if they are countable or excluded. Countable resources cannot currently exceed \$2,000 for an individual or \$3,000 for a couple.
6. Applicants/recipients must not have countable income in a month of more than the Federal Benefit Rate (FBR) for an individual or for a couple. Certain types of income are excluded in determining eligibility and benefit amount.

Countable income of an eligible spouse, parent of an eligible child, an essential person or sponsor of an alien is considered (deemed) to be the applicant/recipient's income.

III. VETERAN'S ADMINISTRATION (VA) BENEFITS

The VA has several different types of assistance available to veterans and their families. The first type of benefit is a monetary payment for a service-connected disability or non-service connected disability.

A. SERVICE CONNECTED DISABILITY - VA COMPENSATION

Veterans who became disabled while enlisted may receive VA Compensation payments. These payments are not based on need. Payment is determined by length of service and percent of determined disability.

Under certain circumstances, these payments can be increased if the recipient can prove hardship to the VA. If the recipient is 30% or more disabled, both the spouse and children (under age 18 or full-time students to age 22) can be included in the payment amount.

B. NON-SERVICE CONNECTED DISABILITY - VA PENSION

Veterans who became disabled after separation from active duty or become disabled after 90 days or more of wartime service may receive a VA pension. Payment is based on need. Both the spouse and children (under age 18 or a full-time student under age 22) can be included in the payment amount.

Surviving spouses and unmarried children under age 18 (or until 23 if attending a VA-approved school) of deceased veterans with wartime service may be eligible for pension based on need. This is called non-service connected death pension.

C. AID AND ATTENDANCE - ADDITIONAL PAYMENT

Veterans who are disabled or spouses of veterans who are disabled to the extent of being unable to care for their basic daily needs (i.e., shopping, housekeeping, personal hygiene, etc.) may be eligible for a disability payment. Eligibility is based both on need and a disability determination made by the discharging medical facility. This payment type is not currently counted in determining MAABD financial eligibility.

D. EDUCATIONAL ASSISTANCE

Clients, who are veterans or are surviving spouses and children, may also be eligible for student/educational assistance.

This assistance can be in the form of either:

1. Noncontributory GI Bill - (education)
 - a. Educational loans through the VA.
 - b. Grants and reduced tuition through VA.
 - c. Work-study and on-the-job training funds.

2. Contributory GI Bill - (education)

- a. VEAP - Veterans Education Assistance Program

This is a program under which educational benefits are paid to veterans who entered active service between January 1, 1977 and June 30, 1985.

The maximum benefit from this program is \$8,100 payable over a 36-month timeframe.

- b. "NEW" GI Bill - Active Duty Educational Assistance Program.

Benefits are payable, on a sliding scale determined by the active duty pay, for 36 months with an additional 36 months available for veteran's with 5+ years of service. This is a program under which educational benefits are paid to veterans who entered active service on or after July 1, 1985.

E. VOCATIONAL TRAINING - DISABLED VETERANS

While a veteran is attending vocational training, he/she may receive a "subsistence allowance" in addition to the regular monthly VA disability payment. The allowance may continue for two (2) months after training has been completed.

If the client obtains a job within four (4) years after training, disability payments from VA will continue for 12 months.

F. VA MEDICAL ASSISTANCE

There are two types of medical assistance available for spouses and dependent children of active, retired and disabled veterans. These medical programs are CHAMPUS and CHAMP VA. Both insurance programs are cost sharing (i.e., deductible + percentage of cost of care). For specific information regarding eligibility and medical expense determination, contact the local VA office.

G. VA LIFE INSURANCE

There are 5 types of life insurance available to veterans. Each category corresponds to a different time frame of duty (i.e., WWI, WWII, etc.). These policies are all term policies. They are as follows:

1. *USGL1 - WWI veterans through 10/7/40
2. *NSL1 - 10/8/40 - 4/24/51 (Includes WWII veterans)
3. VSL1 - 4/25/51 - 12/31/56 (Includes Korean War Veterans)
4. SDV1 - after 4/25/51 - 10% + disability
5. VR1 - 5/1/65 - 5/2/66 - WWII and Korean War Veterans only
6. SGL1 - All other veterans, or
7. VGL1 - All other veterans.

* will pay yearly dividends on yearly anniversary.

Life insurance through the VA does have a surrender value.

H. VA SURVIVORS BENEFITS

Survivor's benefits are authorized for surviving spouses, unmarried children under age 18 (under age 23 if attending VA approved schools), severely disabled children and certain parents. The veteran must have:

1. Died from a disease or injury incurred or aggravated in the line of duty or while training for active duty; or
2. Died from an injury incurred or aggravated in the line of active duty or inactive duty training; or
3. Been rated totally disabled for 10 or more years; or
4. Been rated totally disabled for at least 5 years and the rating was continuous from date of discharge.

Eligibility for benefits is not based on need.

To qualify, a surviving spouse generally must have been married one year or more OR for any time if a child was born of or before the marriage. If the surviving spouse remarries, the remarriage usually makes the spouse ineligible for benefits unless the remarriage was void, annulled or terminated due to death or divorce. Contact the VA for specific case or eligibility information.

IV. RAILROAD RETIREMENT AND DISABILITY BENEFITS

A. RETIREMENT

In general, the employee earns his retirement through the number of "creditable" months worked in railroad service. There are three stages of eligibility for retirement benefits:

1. With 360 months or over of creditable service at age 60 (20% penalty if drawn prior to age 62).
2. With 120 - 359 months of creditable service at age 62 (1/180 reduction for each month the employee is under age 65 at the beginning of annuity payment).
3. With 120 months of creditable service at age 65 (no age reduction).

There is a potential for "vested dual benefits," i.e., benefits paid both through Social Security and the railroad board. The employee must have been eligible for both benefits prior to 1975.

Spousal annuity benefit requirements are different than Social Security benefit requirements. The spouse must be:

1. Married to the employee for one year, or
2. Is the natural parent of an employee's child, or
3. Previously eligible for an annuity prior to marrying the employee, or
4. Is living in the same household and de facto spouse is a person who would otherwise be a spouse if not for some legal impediment unknown at the time of the marriage ceremony.

Spousal annuity payments are usually payable when the spouse reaches age 60 to 62 depending on individual circumstances. The one exception to the age restriction on spousal annuity payments is if the employee is age 65 and the spouse is caring for the employee's child who is under 18 (age 16 if the spouse is male) or a child who became disabled before age 22. A divorced spouse must meet all of the following criteria to become eligible for payment:

1. The employee must be at least age 62 and drawing retirement benefits, and
2. The divorced spouse must be at least age 62, and
3. The marriage ended in a final decree of divorce, and
4. The marriage between the employee and the divorced spouse must have lasted a minimum of 10 years before the decree date, and
5. The divorced spouse is not currently married, and
6. The Social Security benefits the divorced spouse may be eligible for are less than the railroad annuity, and
7. The divorced spouse is not working for an employer covered by the Railroad Retirement Act.

B. DISABILITY PAYMENTS

An employee can be eligible to receive disability payments if he/she is determined to be permanently disabled for all work. There are two types of disability payments and corresponding eligibility criteria:

1. Non-work related - The employee must:
 - a. have a minimum of 120 creditable months of railroad service, or
 - b. be permanently disabled (expected to last at least 12 months or result in death).
2. Occupational related - The employee must:
 - a. have worked more for the railroad than any other occupation in the last 5 years, or
 - b. have worked at least one half of the months in the last 15 years (for any industry).

V. SELF-INSURED WORKER'S COMPENSATION

A. DISABILITY BENEFITS

In general most employed Nevada residents are covered by worker's compensation. Employers are required to pay "premiums" to cover employees injured or disabled while at work or performing work-related or assigned duties. Even if employers do not pay the mandated premiums, employees may still receive SICS benefits by filing suit or applying directly to the Department of Industrial Relations.

1. Eligibility - Eligibility for benefits is determined on a "no-fault" basis. This means that no matter how the injury or accident occurred, if the injury was within the scope of employment, benefits may be paid. (If the accident was self-inflicted or was caused due to the employee being under the influence of a controlled substance, benefits would not be available.) Injury and disability claims are reviewed and processed through medical evidence presented at the local EICON office.
2. Benefits - Once eligibility for benefits has been established, medical expenses related to the accident are covered. Payment will also be made while the employee is unable to return to work.

Payments for "temporary total disability" are made until the injured employee is recovered and able to return to work (24 month maximum) OR reaches age 70, whichever occurs first. If disability is so great as to prevent the employee from ever returning to work, payments can continue until the employee's death.

Payments may also be made as a "lump sum settlement." If a settlement is made, future injury-related medical and monetary benefits are usually forfeited. A copy of the settlement document should be requested to verify third party liability.

VI. COUNTY GENERAL ASSISTANCE

A. PAYMENT OF BENEFITS

In general, county general assistance is a cash payment program designed to be temporary. The recipient is required to repay assistance when financially able. There are four categories of eligibility for general assistance benefits:

1. Single Unemployables - the individual must be determined unemployable by a doctor's statement and meet financial eligibility criteria. The period of disability does not have to be permanent in nature to qualify for assistance. This category of client is usually pending Social Security or another type of disability program determination. Payment is usually issued monthly.
2. Single Parents - The family must meet financial eligibility criteria to receive assistance. This category of client is usually pending an TANF decision. Payment is usually issued monthly.
3. Incapacitated Head of Household - The head of household must be determined incapacitated, thus causing financial hardship to the family. Financial eligibility criteria must be met and disability does have to be verified by doctor's statement and does not need to be permanent in nature. Payment is usually issued monthly.
4. Intact Family - The family must meet financial eligibility criteria to receive this type of assistance. Payment is normally issued on a weekly basis and a job-search type of activity is routinely required.

To qualify, applicants must meet income and asset guidelines. Both income and asset limits are set on a graduated scale depending on the number of household members. Actual income and asset breakdowns vary between counties and specific eligibility questions should be directed to the corresponding county office.

VII. INDIAN GENERAL ASSISTANCE (IGA)

A. PAYMENT OF BENEFITS

In general, Indian General Assistance is a federal cash payment program administered by the tribal councils. Eligibility is based on two eligibility criteria:

1. Tribal Affiliation - the tribe must be officially recognized by the federal government and the applicant must be an identifiable member of that tribe.
2. Need - the Indian applicant(s) must prove need to be considered eligible for an IGA grant. The amount of grant varies both between tribes and number of household members in the assistance unit.

Indian General Assistance is considered a temporary grant program while the recipient is pending approval for another type of assistance program or become financially ineligible for assistance. IGA grants are normally paid on a monthly or semi-monthly basis. Specific eligibility questions should be directed to the corresponding tribal assistance office.

VIII. REFUGEE RESETTLEMENT GRANTS (LANDING GRANT)

A. PAYMENT OF BENEFITS

In general, refugees are sponsored either by private parties or through volunteer "helping" agencies. The sponsors assume responsibility for placing the refugee(s) in a suitable community and ensure that the refugee(s) will become self-sufficient. The federal government currently administers a federal resettlement grant to volunteer sponsoring agencies to assist them in their relocation efforts. The agency can administer the funds as it decides best meets the needs of the refugee(s). Most agencies do not give the grant directly to the client in the form of cash, but rather as clothing or shelter.

To determine if a refugee applicant has received countable assistance, the volunteer agency must be contacted directly. For information on how to contact the appropriate agency, contact:

Catholic Charities of Southern Nevada (702) 383-8387
INTERACTION (Umbrella Agency) (212) 777-8210

Either of these agencies should be able to direct inquiries, or give specific grant distribution information.

IX. UNEMPLOYMENT INSURANCE BENEFITS

A. PAYMENT OF BENEFITS

In general, most employed Nevada residents are covered by unemployment insurance benefits. Individuals who are considered out-of-work through no fault of their own may be eligible to receive unemployment insurance benefits.

Individuals should be referred to apply for unemployment benefits only when there is a reasonable certainty that they will be eligible for the benefit. If the individual's potential eligibility for unemployment is unclear, do not request them to apply. It can be reasonably assumed that most individuals who qualify for unemployment will pursue the benefit.

Minimum qualifications for eligibility include, but are not limited to:

1. Have reported earnings in at least two of the quarters within the Base Period. The Base Period is the period of employment prior to the loss of a job. Generally, the first four of the last five completed calendar quarters prior to the effective date of the claim for unemployment is the Base Period.

The chart below shows the completed calendar quarters of a Base Period (shaded) depending on the quarter in which a claim is filed with the Nevada Department of Employment, Training, and Rehabilitation (DETR).

Regular Base Year							
Prior Year	Last Year				Current Year		
OCT NOV DEC	JAN FEB MAR	APR MAY JUN	JUL AUG SEP	DO NOT USE	JAN FEB MAR	If applicant files their claim in:	
	JAN FEB MAR	APR MAY JUN	JUL AUG SEP	OCT NOV DEC	DO NOT USE	APR MAY JUN	
		APR MAY JUN	JUL AUG SEP	OCT NOV DEC	JAN FEB MAR	DO NOT USE	JUL AUG SEP
			JUL AUG SEP	OCT NOV DEC	JAN FEB MAR	APR MAY JUN	DO NOT USE OCT NOV DEC

2. Must be wholly unemployed or employed less than full-time and have earnings less than their weekly entitlement;
3. Must be found to be out of work through no fault of their own;
4. Must be available to seek and accept work customary to their normal occupation;
5. Must be physically and mentally able to work at the time they initiate a claim for benefits;
6. Must not refuse suitable work when offered.