E-105 ASSISTANCE UNIT DETERMINATION (435.603(f))

For **each** applying member of the household, evaluate the individual's tax filing status to determine which members are included in the individual's assistance unit. Eligibility is determined at the individual level so there may be more than one assistance unit within a household. Apply non-filer rules when determining the assistance unit for individuals who do not file a tax return.

The size of an assistance unit is determined by the number of persons included as members of each individual's assistance unit. In the case of determining the assistance unit size of a pregnant woman, the pregnant woman is counted as herself plus the number of children she is expected to deliver. In the case of determining the family size of other individuals who have a pregnant woman in their assistance unit the number of children she is expecting are not included.

Example: Married couple filing jointly, wife, if pregnant, and they have 1 child who is claimed as a tax dependent.

Father's assistance unit = Father, mother, child (3)

Mother's assistance unit = Father, mother, child, unborn (4)

Child's assistance unit = Father, mother, child (3)

The assistance unit **may** include tax dependents or tax filers not residing in the same home and not applying for assistance. Members outside the household who are included in the assistance unit are listed on the MBRO screen. See task guide Workflow-14 for MBRO data entry. Non-applying members cannot be required to provide a SSN or citizenship status.

Note: For all medical assistance applications received that show an individual as pregnant with Estimated Date of Confinement (EDC) or Due Date indicated:

- Contact the applicant via telephone to gather the correct EDC; or
- If unable to contact the applicant, staff should enter a date eight months from the application date and continue to process the case; and
- At the next opportunity, either while processing a subsequent application, the applicant reports a change in circumstance, or the hospital reports the birth, staff should review and verify the pregnancy information and unborn member information for accuracy.

E-105.1 Tax Filing Status

There are five filing statuses:

- Single
- Married Filing Jointly
- Married Filing Separately
- Head of Household
- Qualifying Widow(er) With Dependent Child

Note: Unmarried couples or Domestic Partners cannot claim a tax status of Married Filing Jointly or Married Filing Separately.

Use the attested statement on the application to determine each household member's filing status. If the household reports a change in filing status on the new application that is different from the last application or redetermination, update the household member's filing status effective the next available month, allowing for adverse if the change reduces benefits.

If the client reports a change in their filing status after the self-attested statement on the application, the change should be due to a verifiable life event (with exceptions).

Verifiable life events include:

- Divorce
- Marriage
- Death
- Birth of a child
- Adoption

E-105.2 Tax-Filer Not Claimed As a Tax Dependent

For individuals who:

a. expects to file a tax return for the current year in which an eligibility determination is being made; **and**

b. do not expect to be claimed as a tax dependent by another tax-filer;

the assistance unit consists of the tax-filer, the joint filer, and all persons whom the individual expects to claim as a tax dependent (**including** tax dependents not living in the home).

E-105.3 Individuals Claimed As Tax Dependents

For an individual who:

a. expects to be claimed as a tax dependent by another tax-filer for the current year in which an eligibility determination is being made;

the assistance unit is the assistance unit of the tax-filer claiming the individual UNLESS the individual claimed as a tax dependent meet any of the following exceptions:

1. The individual expects to be claimed as a tax dependent by someone other than a parent (natural, adopted, or step);

2. The individual is a child under age 19, living with both parents, (natural, adopted or step) but the parents do not expect to file a joint tax return;

3. The individual is a child under age 19 who expects to be claimed by a non-custodial parent.

If the individual meets one of these exceptions, determine their assistance unit using the non-filer rules.

Note: Married spouses cannot claim each other as a tax dependent.

E-105.4 Married Couples

In the case of a married couple living together, each spouse is included in the assistance unit of the other spouse regardless of whether they expect to file a joint tax return.

E-105.4.1 Divorced Couples

If a couple is divorced under a final decree by the last day of the year, they are considered unmarried for the whole year.

E-105.4.2 Domestic Couples (NRS 122A)

Domestic partners will be treated as spouses in Nevada for determining Medicaid eligibility with the following MAGI budgeting exceptions:

Domestic partners:

a. Are not considered married for purposes of MAM E-105.4; and

b. Must claim a tax status of single or Head of Household (if qualified with a dependent other than the domestic partner); and

c. Cannot claim the other partner as a dependent unless they meet the rule for qualifying dependents after splitting the combined community income; and

d. Will be evaluated using half the combined community income earned by both partners for use in their individual MAGI assistance unit budgets. Combined income includes any earnings made during the partnership and income from jointly owned businesses, properties or the interest earned from accounts opened and paid for during the partnership. Combined income does not include RSDI/SSI. Unemployment income may be considered combined if eligibility for UIB was obtained solely during the partnership; and

e. Will have any separate income included in their individual MAGI assistance unit budget. Separate income includes RSDI/SSI, some UIB and other income not considered as community income; and

f. May be considered a stepparent to their partner’s minor children; and

g. May claim any children that were adopted by both partners as a dependent of either partner but cannot be claimed by both; and

h. Must provide verification of a domestic partnership as a pre-eligibility requirement (see MAM D-140.1). Failure to provide verification may cause ineligibility for the entire household. Registration with the Secretary of State in Nevada is no longer required.

E-105.5 Non-Filer Rules

For an individual who:

a. does not expect to file a federal tax return; **and**

b. does not expect to be claimed as a tax dependent for the taxable year in which an eligibility determination is being made; **or**

c. who meets an exception to the tax dependent rules,

the household consists of the individual **and, if living with the individual**;

a. The individual's spouse; **and**

b. The individual's natural, adopted and step children under the age19; **and**

c. In the case of children under the age 19:

1. the child’s natural, adopted and step parents; **and**

2. natural, adoptive and step siblings under the age 19.

E-110 Assistance Unit Budgeting

Budget the current monthly taxable income of every individual included in the assistance unit with the following exception:

a. The assistance unit budget for a parent or primary/joint tax filer would not include the income of a child or tax dependent **unless** the child/tax dependent is required to file a tax return for the taxable year in which eligibility is being determined. A child/tax dependent does not need to actually file a tax return for the income to be required in the budget (see MAM E-110.1).

b. When determining the assistance unit budget for a child who is not living with a parent (e.g., a child living with a grandparent), the child’s MAGI-based income is always counted in determining the child’s eligibility, even if the child’s income is below the tax filing threshold.

c. When determining the assistance unit budget of a tax dependent who is claimed by someone other than a parent, the tax dependent’s MAGI-based income is always counted in determining his/her own eligibility, even if the income does not meet the tax filing threshold.

Note: In circumstances where a tax dependent's assistance unit, per non-filer rules, includes the tax dependent's parent, the tax dependent's MAGI-based income would be excluded from the assistance unit budget.

Example:

1. Sarah age 50 claims Stephanie her 17-year-old daughter and Beth her 2 year old grandchild. Sarah earns $3,000 a month in wages and Stephanie earns $500 a month in wages.

    Sarah's assistance unit = Sarah, Stephanie, Beth
    Assistance unit income = $3,000 Sarah. Stephanie's income is not included because she is a tax dependent included in her parent's assistance unit and is not required to file.

    Stephanie's assistance unit = Sarah, Stephanie and Beth
    Assistance unit income = $3,000 Sarah. Stephanie's income is not included because she is a tax dependent included in her parent's assistance unit and is not required to file.

    Beth's assistance unit = Stephanie and Beth

    Assistance unit income = $500 Stephanie. Stephanie's income is included because she is not a child or tax dependent in Beth's assistance unit.

2. Joan age 45 claims her nephew Steven age 17 and her niece Maria age 14. Joan earns $1,200 a month in wages and Steven earns $250 a month in wages.

    Joan's assistance unit = Joan, Steven and Maria
    Assistance unit income = $1,200 Joan. Steven's income is not included as he is a tax dependent, not required to file.

    Steven's assistance unit = Steven and Maria
    Assistance unit income = $250 Steven. Steven's income is included because his parent or tax filer is not in the assistance unit.

    Maria's assistance unit = Steven and Maria
    Assistance unit income = $250 Steven. Steven's income is included because his parent or tax filer is not in the assistance unit.

E-110.1 Annual Income Guidelines for Children and Tax Dependents

The following annual income guidelines are provided to determine if a child or tax dependent is required to file a tax return. Only the individual MAGI-based income of a child or tax dependent is used to make this determination. Do not deem or prorate income from other household members. Any taxable portion of Social Security benefits for the child or tax dependent are applied toward the tax filing threshold determination. If no portion of Social Security is taxable, none of the Social Security benefits are applied to the tax filing threshold.

The relationship between Social Security benefits and the tax filing threshold is only relevant in determining whether a child or tax dependent's MAGI-based income (including Social Security benefits) are included in the assistance unit budgeting of the parent or primary/joint tax filer.

Children and tax dependents who are required to file taxes will have their total MAGI-based income budgeted toward the total household income. This includes both the taxable and non-taxable portions of their Social Security benefits.

Note: MAGI-based income of a child or tax dependent is always countable on their own assistance unit budget regardless of any requirements to file taxes or taxability.

Children and Tax Dependents must file a return if **ANY** of the following apply:

a. Single person, under 65, not blind; and
Married persons under 65, not blind:

1. Has Earned Income only > $12,950
2. Has Unearned Income only > $1,150
3. Has combined income (earned and unearned) > $1,150; **OR** has earned income (up to $12,550) plus $400 unearned income.

Note: Married individuals with gross income of at least $5, whose spouse files a separate return with itemized deductions, are required to file a tax return.

b. Single person, 65 or older or blind:

1. Has Earned Income only > $14,700
2. Has Unearned Income only > $2,900
3. Has combined income (earned and unearned) > $2,900; **OR** has earned income (up to $12,550) plus $2,150 unearned income.

c. Single person, 65 or older AND blind:

1. Has Earned Income only > $16,450
2. Has Unearned Income only > $4,650
3. Has combined income (earned and unearned) > $4,650; **OR** has earned income (up to $12,550) plus $3,900 unearned income.

d. Married person, 65 or older or blind:

1. Has Earned Income only > $14,350
2. Has Unearned Income only > $2,550
3. Has combined income (earned and unearned) > $2,550; **OR** has earned income (up to $12,550) plus $1,800 unearned income.

Note: Married individuals with gross income of at least $5, whose spouse files a separate return with itemized deductions, are required to file a tax return.

e. **Married person, 65 or older AND blind:**

1. Has Earned Income only > $15,750
2. Has Unearned Income only > $3,950
3. Has combined income (earned and unearned) > $3,800; **OR** has earned income (up to $12,550) plus $3,200 unearned income.

Note: Married individuals with gross income of at least $5, whose spouse files a separate return with itemized deductions, are required to file a tax return.

E-115 BUDGET PERIOD

Financial eligibility for applicants and ongoing beneficiaries **must** be based on current monthly income.

Current monthly income includes a best estimate of **net** earned income and any unearned income received regularly.

Note: When the application reflects a specific source of income has started or terminated in the application month, budget only the actual income received or expected to be received from that source in the application month.

E-120 EARNED INCOME

Earned income is **cash** received through salary, self-employment or tips, including wage advances, commissions, military pay, jury duty, on-the-job, honorarium payments and work assessment programs through Vocational Rehabilitation. Wage advances are budgeted when received and are deducted when the employer deducts them from gross pay. **Note:** meals included in the gross taxable income, are considered part of the earnings.

Determine the after tax net amount of all wages, salaries, and commissions by reducing the gross figure by any pre-tax deductions. Advanced EITC received with wages from an employer **must** be deducted from gross earnings.

Income earned in foreign currency, such as Canadian dollars or Mexican pesos, must be converted to U.S. dollars in order to determine what the actual earned income is. Use the exchange rate on the last day of the budget month, unless there is a dramatic change in the foreign exchange rate impacting the amount of the earnings.

E-120.1 Self-Employment

Annualize self-employment income intended for the household's annual support, whether the income is received monthly or less often. This figure is used to determine the monthly self-employment income.

Client statement of gross self-employment income can be accepted when the gross amount (before expenses) is under the income limit for the household size. When the gross self-employment exceeds the income limit, but the net income (after expenses) is under the income limit for the household size request verification of self-employment.

E-120.2 Verification of Self-Employment

If the household has had self-employment income for the past year:

1. Use the adjusted gross income figures from the previous year's tax return.

    - Add to the adjusted gross income any:
      RSDI benefits received;
      Foreign income received;
      Any tax-exempt interest received.

2. If the current income appears to be substantially different from the previous year, use more current information, such as updated business ledgers or day books.

   Determine net self-employment income by subtracting allowable costs of producing the income such as identifiable costs of labor, sales tax, stock, raw materials, seed and fertilizer, advertisement, insurance premiums, utilities, repairs that maintain income-producing property, supplies, fuel, linen service, property tax and interest paid to purchase income-producing property.

   Note: Cost of labor may include wages paid to the business owner. This expense is countable as both an expense to the business and earned income to the business owner. Fuel expenses are not allowed without a detailed mileage record/log or other documentation showing beginning and ending mileage, destination, which supports the expense. The current state mileage rate is used to determine fuel expense. Documentation acceptable to the IRS is acceptable to the Division.

If the household has not had the self-employment income for the past year average the income over the period of time the business has been in operation, and project that income.

3. Form 2011, Self-Employment worksheet completed by the client with receipts and records may be used.

Note: Uber/Lyft and other rideshare drivers are required to keep detailed records of any mileage or expenses related to their business (refer to manual section E-300).

E-125 UNEARNED INCOME

Unearned income is income received without performing work-related activities. It includes benefits from other programs.

Regular unearned income deposited directly into a financial institution is considered received in the month for which it is intended to be received.

When an individual receives and returns a check (e.g., UIB, RSDI, VA, etc.) to the issuing agency, determine whether to budget the payment using the following guidelines:

a. If there is evidence the check was incorrectly paid and it is verified the check was returned, do not budget the amount as income.

b. If the check was correctly paid and was voluntarily returned, budget the amount as income in the month received.

Do not count RSDI, SSI, VA, or other such benefits which a member of the household is entitled to receive if the benefits are paid to someone outside the household who:

a. receives the funds, **and**

b. does not make the money available to the beneficiary.

If the payee provides a portion of the funds to the beneficiary, count the amount made available in cash or by vendor payment as unearned income to the beneficiary's assistance unit. Any portion of the funds the payee keeps for their own use is budgeted as unearned income to the payee's assistance unit.

If the income is not made available, the individual must follow the requirements for pursuing legally obligated income (refer to manual section C-500).

E-128 ZERO INCOME

If the household reports zero income for a required member:

1. Verify the zero income of that member using the best available information (not all inclusive):
   a. Check the available electronic interfaces used by DWSS; or
   b. Check if other active programs (SNAP, TANF, etc.) already have the income verified;

2. At this time zero income will not show in a data source that is currently retained in the case record.

All situations of zero income will need to be documented using the documentation template.

Note: The annual redetermination of Medicaid eligibility requires a new verification of income. Do not re-use a verification of income provided with a previous medical assistance application to process the current redetermination.

E-130 BEST ESTIMATE OF INCOME

A reasonable method must be used when determining current monthly income for any income not expected to be received on a monthly basis. This may include a 30- or 60-day prior period as used for other DWSS programs such as TANF or SNAP (see E&P A-640), or it may be based on available electronic data sources and information gathered during processing. Workers must document the methodology used to calculate the best estimate of the current monthly income.

If the client provides any additional verification of income or a change in income is discovered by the agency between the date of application and the date of processing the income change will be evaluated in the best estimate calculation.

If the client reports new employment or a new benefit, without a pay history, a projection of income based on hourly rate, hours worked and pay frequency will be used to determine ongoing monthly income.

It is acceptable to exclude a check from the best estimate when the check does not provide a clear representation of a household's current circumstances (e.g. one check provided is abnormal due to excess sick leave).

E-130.1 Converting Income to Monthly Amounts

If income is not received monthly, convert it to monthly amounts using one of the following methods (not all inclusive):

a. Multiply weekly income by 4.3.

b. Add amounts received semi-monthly (twice a month).

c. Multiply bi-weekly (amounts received every other week) by 2.15.

d. Divide annual income by 12.

e. Divide semi-annual income by 6.

f. Divide quarterly income by 3.

g. Divide bi-monthly income by 2.

E-130.2 Unpredictable Income

Irregular and unpredictable income is exempt. Consider income irregular and unpredictable if both of the following conditions apply:

a. the anticipated income will be less than or equal to $30 in a calendar quarter, and

b. the income is received too infrequently or too irregularly to be reasonably anticipated.

E-130.3 Irregular Income

When converting and projecting earnings, do not include bonuses, holiday pay, commissions and/or overtime, unless it is received on a regular basis or the holiday pay is received in lieu of regular pay (i.e., vacation pay).
If bonuses, overtime, commission, etc., is received once a month, convert the regular earnings and then add the monthly overtime, bonus, commission, etc., to the total converted amount of earnings. Ensure the budgeting method is documented in the case

record.

Households which, by contract or self-employment, receive their annual income in a period of time shorter than one year shall also have that income averaged over a 12-month period provided the income from the contract is not received on an hourly or piecework basis. These households may include some school employees, sharecroppers, farmers, and other self-employed households. This does not include migrant or seasonal farm workers.

E-130.4 Converting New Income

Use the following procedures if the household has a new source of income and there is not enough history from which a monthly amount of income can be accurately projected:

a. Determine the estimated number of hours to be worked per week,

b. Estimate weekly gross income by multiplying the weekly estimated hours by the hourly wage.

c. Determine the monthly projected gross income by multiplying the estimated weekly gross income by 4.3.

Note: If verification substantiates the use of a specific factoring method which is more accurate than multiplying weekly gross income by 4.3, use what will accurately reflect the income to be received.

E-135 APPLICATION OF MODIFIED ADJUSTED GROSS INCOME

Modified adjusted gross income consists of four types of income that are counted in determining eligibility: (see MAM E300 for list of taxable/non-taxable income types).

- Taxable income
- Social Security (RSDI) benefits not included in taxable income
- Tax-exempt interest
- Foreign earned income

E-135.1 Allowable Deductions

MAGI budgeting rules require the use of current monthly income in the Medicaid determination and annual income used in the advance premium tax credit (APTC) determination.

Current monthly income budgeting only allows pre-tax deductions taken on a monthly basis or taken in the budget month to be included in the current monthly income budget. Deductions taken on an annual basis are not included in a current monthly income budget determination. The APTC eligibility determination is made using annual income and annual deduction amounts. The difference in budgeting methodology may cause an individual to be determined Medicaid eligible based on annual income and Medicaid ineligible based on current monthly income.

When this occurs, and the application attests annual income, the case manager should request verification of the expected annual income amount listed on the application. If the verified annual income divided by 12 makes the individual Medicaid eligible and there have been no changes in circumstances use the annual figure divided by 12 to determine eligibility.

Examples of verification of annual vs. monthly income discrepancy would include; a tax return, seasonal work contract, statement from employer regarding temporary assignment, substitute teaching contract.

Certain tax deductions allowed by the IRS are not included in MAGI budgeting. If an individual lists deduction under “OTHER” on the application, verify the deduction type before allowing the deduction in the budget.

Allowable pre-tax deductions taken from earned income are used in the current monthly income budget. Pre-tax deductions must be clearly designated on the employee’s paystub or W-2 forms showing both the total gross earnings and the adjusted taxable gross earnings.

The deductions listed below are only allowable when they belong to someone in the tax filing unit or in the household (for non-filers).

Pre-tax deductions may include but are not limited to:

Deduction Type	Explanation of Allowable Deduction	Maximum Amount
Commuter Expenses	Employer provided qualified transportation fringe benefit such as: • Transportation in a commuter highway vehicle (such as a van that seats at least 6) between your home and workplace. • A transit pass (any pass, token, farecard, voucher, or similar item entitling a person to ride mass transit (whether public or private) • Qualified parking provided to an employee at or near the employer’s place of business. Includes parking provided on or near a location from which the employee commutes to work by mass transit, in a commuter highway vehicle, or by carpool. Expenses reimbursed under a bona fide reimbursement arrangement.	Up to $270/month Up to $270/month Up to $270/month

Dependent Care Expense	Employer provided dependent care benefits under a qualified plan may be excluded from wages. Self-employed individuals who receive benefits from a qualified dependent care benefit plan, are treated as both employer and employee. Not excluded from wages but a deduction on IRS Form 2441.	Variable (up to IRS allowed maximum) Income limits apply
Health Flexible Spending Account (FSA)	Employer provided Health FSA that qualifies as an accident or health plan. Salary reduction, and reimbursements of medical care expenses, in most cases, aren't included in income. **Note:** Health FSAs are subject to a limit on salary reduction contributions for plan years beginning after 2012.	As of 2021 the limit on employee contributions to health FSAs is $2,750/year.
Health Insurance Premiums	Premium payments for employer provided accident or health plan made by salary reduction aren't included in income.	Variable
Retirement Contributions	Contributions to a qualified retirement plan made by salary reduction or paid by an employer. Employers can verify if the plan qualifies.	Variable

Allowable annual deductions include but are not limited to:

- Schedule 1 of IRS Form 1040

Additional deductions may include but not limited to:

Deduction Type	Explanation of Allowable Deduction	Maximum Amount
Charitable Contributions	Up to allowable annual maximum.	Up to $600/year.
Student Loan Interest	Deduction for interest paid on student loans. Loans must have been used for qualifying educational expenses while attending an educational institution. Principle payments are not deductible. The loan payments must be for the individual, their spouse, or their tax dependents (for tax filers) or their children in the household (for non-filers).	The lesser of $2500/year or the actual interest paid if MAGI is less than $70,000 ($140,000 couples) Not available if MAGI is greater than $85,000 ($170,000 couples)

Student Tuition	Deduction for Qualified Educational Expenses.	Not available for tax year 2021
Moving Expenses for members of the Armed Forces	Deductions for members of the Armed Forces on active duty and due to a permanent military order move.	Variable
Spousal Support/Alimony	Deduction for court ordered spousal support/ alimony with a court order date prior to 1/1/2019 (per Tax Cuts and Jobs Act 2017).	Variable

After-tax contributions are contributions from income (other than ROTH contributions), that an employee must include as income on their taxes. If a retirement plan allows after-tax contributions, those contributions are <u>not excluded</u> from income. After-tax contributions are not an allowable deduction in MAGI current monthly or APTC annual income budgeting.

After-tax contributions may include but are not limited to:

- Public Employees Retirement System (PERS) contributions made by the employee.

Allowable deductions will not reduce the countable amount of RSDI benefits received by any household members.

Example: Client reports self-employment income loss of $3,000.00 and RSDI income of $1,022.00. The current monthly income budget would be $1,022.00.

E-140 STEP-BY-STEP ASSISTANCE UNIT AND INCOME DETERMINATION

E-140.1 Construct a Medicaid/NCU Assistance Unit for Each Applicant

a. Does the individual expect to file taxes?
   1. **If no** – continue to step b
   2. **If yes** – does the individual expect to be claimed as a tax dependent by anyone else?
      a) **If no** – the assistance unit consists of the tax-filer, a spouse living with the tax-filer, and all persons whom the tax-filer expects to claim as a tax dependent.
      b) **If yes** – continue to step b.

b. Does the individual expect to be claimed as a tax dependent?

   i. **If no** – continue to step c

   ii. **If yes** – does the individual meet any of the following exceptions?
      a) The individual expects to be claimed as a tax dependent of someone other than a spouse or a biological, adopted, or step parent.

      b) The individual is a child under age 19 living with both parents, but the parents do not expect to file a joint tax return.

c) The individual is a child who expects to be claimed by a non-custodial parent.

1) **If no** – the assistance unit is the assistance unit of the tax-filer claiming her/him as a tax dependent.

- Is the individual married? If yes- the assistance unit also includes the individual's spouse

2) **If yes** – continue to step c

c. For individuals who neither expect to file a tax return nor expect to be claimed as a tax dependent as well as tax dependents who meet one of the exceptions in b.2., the household consists of the individual **and, if living with the individual**;

1. The individual's spouse
2. The individual's natural, adopted and step children under the age 19.
3. In the case of an individual under age 19, the natural, adopted and step parents and natural, adoptive and step siblings under age 19.

E-140.2 Determine the Medicaid/NCU Income for Each Assistance Unit

a. Is any member of the assistance unit a child or expected tax dependent of another member of the assistance unit?

1. **If yes** – is the child or tax dependent expected to be required to file a tax return?

   a) **If yes** - continue to step b and include the child's income in total assistance unit income.

   b) **If no** - continue to step b, but do not include the child's income in total assistance unit income.

2. **If no** - continue to step b

b. Determine income of each member of the individual's assistance unit, unless income of such member is flagged as not being counted in step a.

c. Assistance unit income equals the sum of the income of every member of the individual's assistance unit determined in step b.

E-145 MAGI EXEMPTIONS

MAGI methodologies do not apply to individuals applying for Medicaid and Medicare Beneficiary benefits under the aged, blind and disabled categories (MAABD).

When an applicant indicates on the application they are disabled or pursuing home and community-based services, process a MAABD application. **IF** the individual also meets eligibility under a MAGI group, they may receive Medicaid under the MAGI group until the MAABD determination is made.

When an individual is pending a SSI determination:

a. approve Medicaid under the appropriate MAGI group and document pending SSI determination, **DO NOT apply for MAABD in AMPS**.

If SSI is approved:

a. terminate MAGI eligibility in the next month **prior to cut-off** and approve Medicaid under the appropriate MAABD category for the month after the MAGI eligibility ended.

Note: DO NOT approve MAABD for months an individual has already received Medicaid under a MAGI group, this may adversely affect patient billing as well as federal funding levels.