MEPD and Texas Works Bulletin 20-09

Date: April 22, 2020

To: Eligibility Services Supervisors and Staff
    Program Managers
    Regional Directors
    Regional Attorneys
    Hearings Officers

From: Access and Eligibility Services Program Policy
      State Office 2115

Subject: COVID-19 Policy Updates #6

The information in this bulletin provides temporary guidance regarding policies and procedures for processing case actions during the novel coronavirus (COVID-19) outbreak. Staff will be notified when the COVID-19 policy and clarifications should no longer be used for processing case actions and determining eligibility. If you have any questions regarding the policy information in this bulletin, follow regional procedures.

Active bulletins are posted on the following websites:

- [Medicaid for the Elderly and People with Disabilities Handbook (MEPDH)](https://hhs.texas.gov/laws-regulations/handbooks/mepd/policy-bulletins);
COVID-19 Policy Updates #6

Background
On March 13, 2020, Governor Greg Abbott declared a state of disaster for all counties in Texas due to the novel coronavirus (COVID-19) outbreak. On the same date, President Donald J. Trump declared a national emergency. Guidance from state and federal leaders emphasize the need for social distancing and limiting contact with others during this time. In light of this guidance, HHSC is providing the following policy clarifications and temporary changes to eligibility policies to accommodate processing of case actions during this emergency period.

On March 27, 2020, H.R. 748, the Coronavirus Aid, Relief, and Economic Security (CARES) Act was enacted into law. The CARES Act expands unemployment compensation.

There are three types of unemployment compensation provided under the CARES Act:

- Federal Pandemic Unemployment Compensation (FPUC);
- Pandemic Unemployment Assistance (PUA); and
- Pandemic Emergency Unemployment Compensation (PEUC).

1. Federal Pandemic Unemployment Compensation (FPUC)

COVID-19 Policy
FPUC payments of $600 per week are paid in addition to the amount of regular unemployment benefits, extended unemployment benefits, PUA, or PEUC benefits received by claimants. FPUC is available for weeks of unemployment beginning on or after March 29, 2020 and ending July 31, 2020.

MEPD, Texas Works Medicaid, CHIP
The $600 weekly FPUC payments are not considered unearned income.

SNAP and TANF
The $600 weekly FPUC payments are considered unearned income (TWA-1324.19, Unemployment Compensation).

Staff Procedures
All Programs
FPUC payments will not be identified separately on the TWC Wages and Benefits section in Data Broker, but the payments will require a separate TIERS entry. Staff will be able to identify the receipt of FPUC if the person’s weekly payment amount
exceeds the person’s Weekly Benefit Amount (WBA) under the Claimant Status section.

To determine the gross regular unemployment payment amount, subtract $600 for each week that the FPUC was received from the total gross unemployment payment amount.

Two separate Unearned Income entries in the TIERS LUW are needed. One for other unemployment payments and one specific to FPUC payments, create two unearned income entries:

- For FPUC payments, from the Unearned Income – Details page:
  - Select the Unearned Income Type Source as Stimulus Unemployment Compensation;
  - Select the Unearned Income Source as State; and
  - Enter the $600 for each week that FPUC was received as a biweekly payment on the Payments page.
- For the remaining amount of gross unemployment benefits:
  - Add another Unearned Income LUW or update the existing unemployment payment entry;
  - Select the Unearned Income Type Source as Unemployment Compensation;
  - Select the Unearned Income Source as State; and
  - Enter the remaining amount of gross unemployment as biweekly payments in the Payments page.

**Note:** If the client already has an unemployment payment entry, only update the amount as needed.

**TANF**

The Stimulus Unemployment Compensation unearned income type is currently coded to exempt this income for TANF. Therefore, if at disposition TIERS is certifying a TANF EDG that includes FPUC income, staff must create a manual budget to count the FPUC as unearned income before disposing the TANF EDG. If the manual budget reflects the household is eligible, then override the TANF grant amount with the amount determined in the manual budget, record this in case comments and certify the EDG. If the manual budget reflects the household is not eligible, then staff must deny the TANF EDG as follows:

- On the EDG Override Details page:
  - Select the EDG Status as Deny;
Enter the Override Reason as “EDG Override due to Unemployment Insurance related to the COVID-19 pandemic”; and
Select the Disposition Reason as **Other Miscellaneous**.

- **On the Case Action Documentation Summary** page, enter “EDG Override due to Unemployment Insurance related to the COVID-19 pandemic.”

**Note:** The TANF EDG override requires a Second Level Review (SLR), follow SLR procedures.

If TIERS is denying the TANF EDG that includes FPUC income at disposition due to exceeding TANF income limits, then no additional steps are needed. Staff may dispose the TANF EDG as denied.

**Example**
The **TWC Wages and Benefits** section under the **Claimant Status** section shows the person’s **WBA** as $207.

### BENEFIT PAYMENTS:

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**Step 1**
Add the total gross weekly unemployment payment amount for both Benefit Week Ending (**BWE**) paid on the same **Date**. Repeat this step for the other **BWE** paid on the same date. Week One: $0 + $81 + $726 = $807. Week Two: $0 + $81 + $726 = $807.

**Step 2**
Add the Week One and Week Two totals together ($807 + $807 = $1,614).

**Step 3**
As the totals of Week One and Week Two each exceed the **WBA** of $207, the household received the $600 FPUC payment in both weeks. On the **Unearned Income – Details** page, enter the biweekly FPUC amount ($1,200) as **Stimulus Unemployment Compensation**. Select the Income Source as **State**.
Step 4
Subtract the FPUC payments from the gross unemployment payment amount ($1,614 - $1,200 = $414). To enter the remaining amount of the gross unemployment payment, add another Unearned Income LUW. On the Unearned Income – Details page, enter this biweekly amount ($414) as Unemployment Compensation. Select the Income Source as State.

Step 5
If the case contains a TANF EDG that TIERS is certifying at disposition, create a manual budget to include FPUC as countable income and override the disposition to ensure the correct eligibility determination.

Automation
Automation changes are not required.

Correspondence
Correspondence changes are not required.

Handbook
Handbook updates are not required.

Training
Training is not required.

Effective Date
This policy is effective with the release of this bulletin. Staff will be notified when the COVID-19 policy and clarifications no longer apply.

2. Pandemic Unemployment Assistance (PUA)

COVID-19 Policy
PUA payments are for certain people who are not eligible for regular unemployment benefits, extended unemployment benefits, or PEUC. This type of unemployment may be provided to a person who is otherwise unable to work because of certain circumstances related to COVID-19. PUA is available for weeks of unemployment beginning on or after January 27, 2020 and ending December 31, 2020.

All Programs
PUA benefits count as unearned income (MEPDH E-4600, Unemployment Benefits and TWH A-1324.19, Unemployment Compensation).
Staff Procedures
On the **TWC Wages and Benefits** section in Data Broker, the **Pgm** field in the **Benefit Payments** section reflects the code **DUA**. Continue to calculate the bi-weekly unemployment payment amount by using the last two **BWE** weeks with same **Date** paid and adding the following amounts together:

- **Ddct** amount;
- **Dist** amount; and
- **Amt** amount.

**Note:** If FPUC was received with the PUA, subtract $600 for each week that the FPUC was received from the total unemployment payment amounts. Enter the FPUC as a biweekly payment by selecting **Stimulus Unemployment Compensation** as the **Unearned Income Type** on the **Unearned Income – Details** page in the **Unearned Income LUW** in TIERS.

Enter the bi-weekly PUA amount by selecting **Unemployment Compensation** as the **Unearned Income Type** on the **Unearned Income – Details** page in the **Unearned Income** LUW in TIERS.

**Automation**
Automation changes are not required.

**Correspondence**
Correspondence changes are not required.

**Handbook**
Handbook updates are not required.

**Training**
Training is not required.

**Effective Date**
This policy is effective with the release of this bulletin. Staff will be notified when the COVID-19 policy and clarifications no longer apply.

3. **Pandemic Emergency Unemployment Compensation (PEUC)**

**COVID-19 Policy**
PEUC payments are for people who have already received the maximum weeks of regular unemployment benefits. A person may receive PEUC payments for an additional 13 weeks. PEUC is available until December 31, 2020.
All Programs
PEUC payments count as unearned income (MEPDH E-4600, Unemployment Benefits and TWH A-1324.19, Unemployment Compensation).

Staff Procedures
On the TWC Wages and Benefits section in Data Broker, the Sub Pgm field in the Claimant Status section is expected to reflect the code PEUC01. Continue to calculate the bi-weekly unemployment benefits by using the last two BWE weeks with same Date paid and adding the following amounts together:

- Ddct amount;
- Dist amount; and
- Amt amount.

Note: If FPUC was received with the PEUC, subtract $600 for each week that the FPUC was received from the total unemployment payment amount. Enter the FPUC by selecting Stimulus Unemployment Compensation as the Unearned Income Type on the Unearned Income – Details page in the Unearned Income LUW in TIERS.

Enter the bi-weekly PEUC by selecting Unemployment Compensation on the Unearned Income – Details page in the Unearned Income LUW in TIERS.

Automation
Automation changes are not required.

Correspondence
Correspondence changes are not required.

Handbook
Handbook updates are not required.

Training
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