

Date: September 18, 2015

MEPD Bulletin Number: #16-01

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

From: Stephanie Stephens, Director
Policy Strategy, Analysis, and Development
State Office 2115

Subject: 1. **Spousal Impoverishment for Waiver Participants**
2. **Reopen of Applications Denied for Failure to Provide**
3. **System Changes for Same-Sex Marriage**

Bulletins are sent to supervisors and other regional managers who must share the information with eligibility staff. Please ensure that copies are provided to staff without access to email. For questions regarding the information in this memo, follow regional procedures. You can find active bulletins at the following respective handbook websites:

- Medicaid for the Elderly and People with Disabilities (MEPD): http://www.dads.state.tx.us/handbooks/mepd_policy/index.htm
- Texas Works: http://www.dads.state.tx.us/handbooks/texasworks_bulletins/index.htm

1. Spousal Impoverishment for Waiver Participants

Background

Federal law requires states to temporarily extend spousal impoverishment protections to spouses of Home and Community-Based Services (HCBS) waiver participants through December 31, 2018. These changes will align the policy for calculating Spousal Protected Resource Assessments (SPRAs) and post eligibility co-payments for waiver applicants/recipients and institutionalized applicants/recipients.

Expanded SPRA

Current Policy

The expansion of a SPRA for a *waiver applicant* is only available if the spouse's income, after diverting all available income, is less than the Supplemental Security Income (SSI) Federal Benefit Rate (FBR), currently \$733.

New Policy

For all spousal waiver applicants, staff must use the minimum monthly maintenance needs allowance (MMMNA), currently \$2,980.50, for calculating an expanded SPRA.

Co-payment

Current Policy

For the post-eligibility co-payment calculations for spousal waiver recipients, the spousal allowance is the SSI FBR and the spousal dependent allowance is the Medically Needy Income Limit.

New Policy

For the post-eligibility co-payment calculations for spousal waiver recipients, the spousal allowance is the MMMNA and the spousal dependent allowance is calculated by subtracting the dependent's income from 150 percent of the monthly federal poverty level (FPL) for a family of two, and dividing by three.

Procedure

Staff must follow instructions in the *Expanding Spousal Impoverishment for Waivers Clues and Issues* document located here [Clue & Issue - Spousal Impoverishment](#) to manually calculate and enter the expanded SPRA and/or post-eligibility co-payment for all spousal waiver applicants and recipients:

- Residing in a community living arrangement who have income greater than the 300 percent special income limit; or
- Residing in Foster Care or an Assisted Living Facility who have income greater than the SSI FBR.

Automation

System changes are not planned at this time.

Handbook

Appendix XXXI, Appendix XXII, and Appendix XXVII have been updated and posted to the Office of Social Services (OSS) website. The MEPD Handbook will be updated with the December 2015 revision.

Training

MEPD New Hire Training and Continuing Skills Training will be updated to reflect the changes.

Effective Date

Use the MMMNA and the spousal dependent allowance amount in the waiver spousal co-payment budgets for October 1, 2015, and ongoing.

2. Reopen of Applications Denied for Failure to Provide

Background

Currently, policy to reopen applications previously denied for failure to provide missing information is different across programs. This update will align policy for MEPD and Texas Works programs and align with the strategic goals of the Business Process Redesign.

Current Policy

Applications

If an application is denied for any reason and the individual requests it be reopened, the previously completed application for assistance is valid for 90 days from the date of denial. When requesting to reopen a previously submitted application, a written, dated, and signed statement of request to reapply must be obtained from the individual or authorized representative to establish the date of application.

Renewals

If a renewal is denied for failure to provide information and the information is provided after the date of denial but within 90 days of the last day of the last benefit month, the EDG is reopened. A written request to reopen is not required and the date the information or verification is provided is the new file date.

New Policy

Applications

If an application is denied for failure to provide information and all the requested information is provided within 90 days of the date of denial, staff must reopen the application and reevaluate eligibility using the information provided and the previously submitted application. A written request to reopen is not required. The new date of application is the date all requested information is received.

Renewals

No change to policy for renewals.

Automation

No automaton changes are required to implement this change.

Handbook

The MEPD Handbook will be updated with the December 2015 revision.

Effective Date

This policy is effective for reopening of applications denied for failure to provide missing information on or after October 1, 2015.

Training

Training will be updated to reflect this change.

3. Systems Changes for Same Sex Marriages

Recognition of Same Sex Marriages

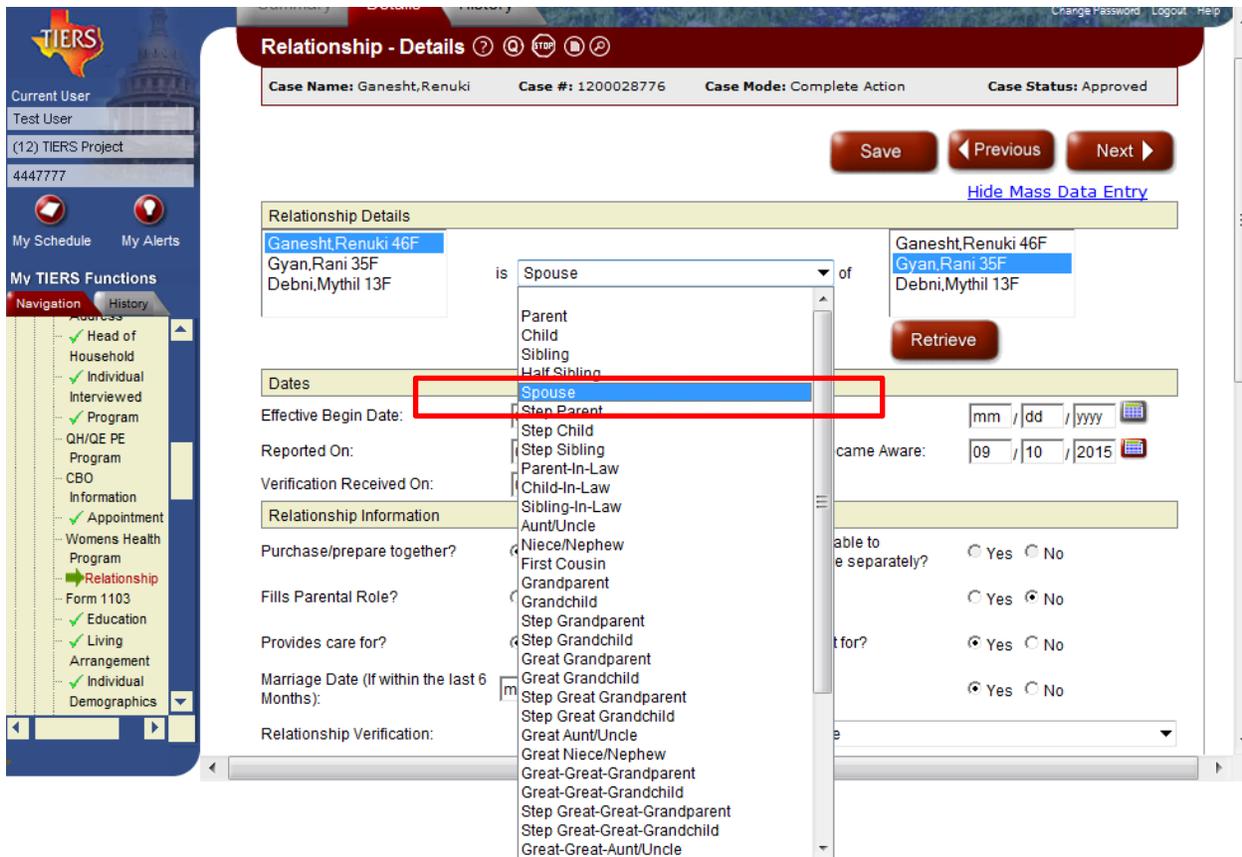
On August 25, 2015, policy regarding recognition of same-sex marriages was provided for the Medicaid for the Elderly and People with Disabilities (MEPD) programs.

For all programs, the policies and procedures that apply to opposite-sex marriages now apply to same-sex marriages, effective June 26, 2015.

Effective September 19, 2015, system changes will be implemented and staff will no longer need to use the Contingency Processing Method (CPM) # 594992 when processing eligibility determinations for households with same-sex spouses.

TIERS

The **Relationship-Details** page in TIERS is updated to allow staff to designate married couples as spouses instead of husband or wife.



Although the Texas Integrated Eligibility Redesign System (TIERS) allows for the designation of spouse and the **Relationship-Details** section shows spouse, the **Household Relationship Grid** continues to show one individual as the husband and the other as the wife even for same-sex married couples. Staff **must not** modify the husband/wife designation.

Relationship Verification:

Household Relationship Grid

[Expand All](#) [Collapse All](#)

Source Name	Relationship Type	Reference Name	Record Completed	Effective Begin Date	End Date
<input type="checkbox"/> Ganesht, Renuki 46F 100069380	Husband	Gyan, Rani 35F 706207417	Y	06 / 26 / 2015	mm / dd
	Mother	Debni, Mythi1 13F 100069381	Y	10 / 01 / 2014	mm / dd
<input type="checkbox"/> Gyan, Rani 35F 706207417	Wife	Ganesht, Renuki 46F 100069380	Y	06 / 26 / 2015	mm / dd
	Step Mother	Debni, Mythi1 13F 100069381	Y	10 / 01 / 2014	mm / dd
<input type="checkbox"/> Debni, Mythi1 13F 100069381	Daughter	Ganesht, Renuki 46F 100069380	Y	10 / 01 / 2014	mm / dd
	Step Daughter	Gyan, Rani 35F 706207417	Y	10 / 01 / 2014	mm / dd

In the **Relationship-Details** page, staff must enter an **Effective Begin Date** (EBD) of June 26, 2015, or a later date for a same-sex married couple (if married after June 26, 2015 using current EBD policies). If a date prior to June 26, 2015, is entered, TIERS displays an error message and directs staff to enter an **Effective Begin Date** of June 26, 2015.

The actual marriage date should be recorded in the **Marriage Date** field. TIERS allows staff to enter a date prior to June 26, 2015, in the **Marriage Date** field for same-sex married couples. It also allows for a date older than six months.

Staff should continue to follow existing policies for opposite-sex married couples when entering the **Effective Begin Date** and **Marriage Date**.

Relationship – Details

TIERS

Summary Details History

Current User: Test Userlast
(12) TIERS Project
7875148421

My Schedule My Alerts

My TIERS Functions

Navigation History

- Individual
- Address
- Head of Household
- Individual Interviewed
- Program
- QH/QE PE Program
- CBO
- Information
- Appointment
- Womens Health Program
- Relationship
- Form 1103
- Education
- Living Arrangement

Relationship - Details

Case Name: Doe,James Case #: 111111111 Case Mode: Intake Case Status: Pending

Save Previous Next

Hide Mass Data Entry

Relationship Details

Doe,James 33M is Spouse of Doe,James 33M Bond,John 31M

Retrieve

Dates

Effective Begin Date: 08 / 01 / 2015 End Date: mm / dd / yyyy

Reported On: 08 / 21 / 2015 Date Client Became Aware: 08 / 21 / 2015

Verification Received On: 08 / 21 / 2015

Relationship Information

Purchase/prepare together? Yes No If yes, physically able to purchase/prepare separately? Yes No

Fills Parental Role? Yes No Tax Dependent? Yes No

Provides care for? Yes No Provides support for? Yes No

Marriage Date (If within the last 6 Months): mm / dd / yyyy Living Together? Yes No

YourTexasBenefits.com

The **Relationships** page has been updated to allow an individual or customer care representative (CCR) to designate a spouse instead of husband or wife at application, renewal, or when reporting a change.

Application - Relationships Page

TEXAS Health and Human Services Commission

Your Texas Benefits

English | Español Text size A A A

Logout

Home What help can I get Apply for benefits Find support services View my case Find office FAQs

Apply for benefits

Pick programs Person filing out this form Interview help People applying for benefits Emergency help Where you live Facts about person Other money More facts Upload your files Check answers and send

Relationships [Change relationships](#)

Does everyone who is applying for benefits live in the same home as Mike Wood? Yes No

How is Mike Wood related to others?

Mike Wood is the spouse of Jone Wood

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Reporting a Change – Case Facts, People on Your Benefits Case, Relationships
and
Renewals – Case Facts, People on Your Benefits Case, Relationships

TEXAS Health and Human Services Commission

Your Texas Benefits

English | Español Text size A A A

Log out

Home What help can I get Apply for benefits Find support services View my case Find office FAQs

Manage messages View messages **Case facts** Actions Interview Medicaid Letters and forms

Report changes : case 1200028776

Go back to "Report Changes" start page

People on your benefits case + Add person

Does this person work for the Texas Health and Human Services Commission? Yes No

Does this person: (1) work for the state of Texas, and (2) do they have a Texas Employee Retirement System account? Yes No

Does this person: (1) work for a Texas public school, and (2) does this person have a Texas Teacher Retirement System account? Yes No

Is this person an American Indian or Native Alaskan? Yes No

Is this person in the Children with Special Health Care Needs program?
You don't need to answer this question. Yes No

Relationships

Tell us how this person is related to other people living in the home

is the of Renuki Ganesht

is the of Debni

is the of Gyan

Go back Save and go to next page Save this page Exit

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Under the **Facts about person** page the **Give facts about Mother/Father** titles have been modified to say **Give facts about biological or adoptive Parent 1/Parent 2**. In addition, the individual or the CCR must now also select a **Sex** and, if available, **Maiden name**.

Application - Facts about person

Home What help can I get Apply for benefits Find support services View my case Find office FAQs

Apply for benefits

1 Pick progress 2 Person filling out this form 3 Interview help 4 People applying for benefits 5 Emergency help 6 Where you live 7 Facts about person 8 Other money 9 More facts 10 Upload your files 11 Check answers and send

Facts about person: James Items you must fill out

Is James age 18 or younger? Yes No

Give facts about birth or adoptive Parent 1

Parent 1 is: In home Out of home Deceased

Sex:

First name:

Last name:

Maiden name:

Social Security number: - -

You need to give the Social Security number for only people who want benefits.

Birth date: mm/dd/yyyy

Employer:

Cell or daytime phone: - -

Address (line 1):

Address (line 2):

City:

State:

ZIP: xxxxx

Give facts about birth or adoptive Parent 2

Parent 2 is: In home Out of home Deceased

Sex:

First name:

Last name:

Maiden name:

Social Security number: - -

You need to give the Social Security number for only people who want benefits.

Birth date: mm/dd/yyyy

Employer:

Cell or daytime phone: - -

Address (line 1):

Address (line 2):

City:

State:

ZIP: xxxxx

Were these parents ever married to each other? Yes No

Marital status:

Correspondence

The following correspondence forms have been updated to reflect the term spouse for all married couple relationships when the pre-populated PDF is generated from YourTexasBenefits.com:

- **Form H2020-YTB**, Your Texas Benefits Renewal Form, Relationships
- **Form H1019-YTB**, Reporting Changes to Your Case, Relationships
- **Form H1206**, Health-care Benefits Renewal Form

Examples of the pre-populated PDFs are provided on the following pages.

Form H2020-YTB – Relationships



Relationships

Add

Mike M Brady Sr

Carol M Brady Spouse

Do they live in the same home? Yes

Cindy T Brady Daughter

Do they live in the same home? Yes

Update

Mike M Brady Sr

Marsha A Brady Daughter

Do they live in the same home? Yes

Greg R Brady Jr Son

Do they live in the same home? No

No Change

Carol M Brady

Jan B Brady Daughter

Do they live in the same home? Yes

Tax return status

Add

Marie Barron I

How this person will file taxes next year: Tax dependent

Will this person file jointly with someone who isn't a part of this benefits case? Yes



Form H1019-YTB – Relationships



Relationships

Add Terry Kristen I

Gary Kristen I Spouse

Do they live in the same home? No

Perry Kristen I Brother

Do they live in the same home? Yes

Tax return status

Add firstName1 lastName1 I

How this person will file taxes next year: Filing separately

Will this person file jointly with someone who isn't a part of this benefits case? Yes

This person will file jointly next year with: jfirstName1 jlastName1 I

Will this person claim any dependents on their tax return next year? Yes

This person's tax dependent: dfirstName1 dlastName1 I

This person's tax dependent: dfirstName2 dlastName2 I

Will this person claim a dependent who isn't a part of this benefits case? Yes

This person will be claimed as a tax dependent by: cfirstName1 clastName1 I

This person will be claimed as a tax dependent by: cfirstName2 clastName2 I



Form H1206 – Relationship Section

Correspondence -- Webpage Dialog
http://devs1-tiers-vip.hhscie.txaccess.net/jsp/co/COVPCShowPDFCO.jsp?preview=true&PS=D&STR=BX1902243268X3446100009871X18422454592558

Name		Daffy Bus			
Home Address	Apt #	City	State	County	
1609 Centre Creek DR Austin TX 78758	5168	Austin	Texas	Travis	

Individuals Ready For Renewal							
Name	Gender	Date of Birth	Relationship to Head of Household	This Person Lives	U.S. Citizen	Lives in Texas	Plans to Stay in Texas
Daffy Bus	Female	08/13/1985	Self	At home	Yes	Yes	Yes
Blinky Bus	Female	08/13/2008	Spouse	At home	Yes	Yes	Yes

Immigration Status		
Has immigration status changed?.....		<input type="checkbox"/> Yes <input type="checkbox"/> No
If yes, complete the following:		
Name	Immigration Registration Number	Document Type

T-H1206MA-3446100009871 

Effective Date

System changes will be implemented September 19, 2015.

Handbook

The MEPD Handbook will be updated with the December 2015 revision.

Training

No training is required.