



# What You Need to Know About New York State's Medicaid Buy-In Program

## WHAT IS THE MEDICAID BUY-IN PROGRAM?

The Medicaid Buy-In Program is a New York State program that allows persons with disabilities who work to obtain or maintain Medicaid eligibility **even if they earn more income or have more resources than would ordinarily be allowable under regular Medicaid.**

## WHO IS ELIGIBLE FOR THE PROGRAM?

To qualify for the Medicaid Buy-In Program you must meet the following requirements:

**Disability:** You must have a disability that meets the medical criteria set by the Social Security Administration (SSA) for Supplemental Security Income (SSI) or Social Security Disability Insurance (SSDI) benefits. That is, a person must demonstrate a medically determinable physical or mental impairment that has lasted or can be expected to **last continuously for more than twelve months** or to result in death. If you have not already been certified disabled by SSA in connection with either SSDI or SSI, you will need to have a disability review done by the New York State Disability Review Team. Your local social services agency can advise you about this process and provide the appropriate forms. In New York City, that office is the Human Resources Administration (HRA) Job Center or the local Medicaid office.

**Age:** You must be between the ages of 16 and 64.

**Residency:** You must be a resident of New York State.

**Work:** You must be engaged in paid work (either full-time or part-time).

**Income:** You may have a gross income as high as \$60,420 for a single person or \$81,132 for a couple and still qualify for the Medicaid Buy-In Program.

**Other resources:** A single person must have no more than \$20,000 of "nonexempt resources" (\$30,000 for a couple). Most assets you own other than your home are considered "nonexempt resources" for purposes of this determination. Exempt resources include such things as burial funds, the home you live in and your car/truck. Examples of "nonexempt resources" are your regular savings account or property you own other than your own home. As of October 1, 2011, Individual Retirement Accounts (IRAs) and other retirement funds, i.e., 401(k) plans and pension plans will be disregarded and not counted toward the resource limit.

An explanation of the program and the current eligibility requirements can be found at [https://www.health.ny.gov/health\\_care/medicaid/program/buy\\_in/](https://www.health.ny.gov/health_care/medicaid/program/buy_in/).

## **WHO BENEFITS FROM THE PROGRAM?**

The main beneficiaries of the Medicaid Buy-In Program are people who have a disability but do not receive SSI. These include:

- People who receive SSDI;
- People who had SSDI but lost it because they went to work;
- People who have a disability that would qualify them for SSI but have never received SSI; and
- People who received SSI in the past but were disqualified because they had more resources than allowed for SSI.

People who are on SSI and lose it because they go to work can maintain eligibility for Medicaid under another work-incentive program known as the Section 1619(b) program.

## **ARE MY CHILDREN OR FAMILY MEMBERS COVERED BY THE MEDICAID BUY-IN?**

No. The Medicaid Buy-In is only for individuals with disabilities or couples if both have disabilities

## **WILL I HAVE TO PAY ANYTHING TO PARTICIPATE?**

Generally, payment of a premium would depend on how much total income you earn – both earned (from wages) and unearned (from other sources such as a pension, unemployment benefits, etc.) However, at the present time, there is a moratorium on premiums.

## **HOW DO I APPLY FOR THE PROGRAM?**

You can apply at your local HRA Job Center or Medicaid Office. In New York City, contact the HRA Medicaid Helpline at 888-692-6116 for the nearest location. You can also find a list of local Medicaid Offices online at <http://www1.nyc.gov/site/hra/locations/medicaid-locations.page>.

## **IS ELIGIBILITY RETROACTIVE?**

If you are found to be eligible for the Medicaid Buy-In Program, you will be entitled to up to three months of retroactive eligibility.

## **WHAT IF I GET SICK OR LOSE MY JOB WHILE I AM PARTICIPATING IN THE PROGRAM?**

If you stop working for a medical reason or are laid off, you will be granted a “grace period” of up to 6 months. To receive a “grace period” of continued eligibility, you must apply to the local HRA Job Center / Medicaid office.

## **WHAT IF I CAN GET HEALTH INSURANCE FROM MY EMPLOYER?**

Medicaid encourages you to use such insurance. If you are required to pay anything for the insurance, Medicaid may cover the premium cost.

**WHERE CAN I GET MORE INFORMATION ABOUT THE MEDICAID BUY-IN PROGRAM?**

If you have questions about the Medicaid Buy-In Program, you can call the New York State Medicaid Helpline at 800-541-2831 or the HRA Medicaid Helpline at 888-692-6116.

**WHO CAN I CONTACT IF I HAVE QUESTIONS?**

You may call MFY Legal Services, Inc.'s Government Benefits Project at 212-417-3732 on Mondays from 10:00 a.m. to 12:00 p.m. If you are a mental health consumer you may call MFY's Mental Health Law Project at 212-417-3830 on Mondays, Tuesdays, and Thursdays from 10:00 a.m. to 5:00 p.m.

**DISCLAIMER: This fact sheet gives general information for NYC residents; it is NOT legal advice.**