



ADMINISTRATIVE RULES OF MONTANA



37.83.401 QUALIFIED DISABLED WORKING INDIVIDUALS, APPLICATION AND ELIGIBILITY FOR MEDICAID

- (1) A qualified disabled working individual (QDWI) is an individual:
 - (a) who is entitled to enroll in hospital insurance benefits (medicare Part A) under 42 USC 1395i-2a because he lost premium-free Part A medicare coverage due solely to excess earned income from substantial gainful activity;
 - (b) meets the non-financial criteria in (2) of this rule;
 - (c) whose income does not exceed 200% of the official federal poverty guideline as defined by the executive office of management and budget; and
 - (d) whose resources do not exceed twice the supplemental security income (SSI) resource limit set forth at 42 USC 1382 (a) (3) (A) and (B) (1990 edition) .
- (2) The non-financial criteria for determining eligibility of a qualified disabled working individual are that the person:
 - (a) has not attained the age of 65;
 - (b) is blind or disabled as defined in 42 USC 416(i) (1) (1990 edition) .
 - (c) has a social security number;
 - (d) meets the citizenship or alienage requirements of ARM 37.82.401; and
 - (e) meets the residency requirements of ARM 37.82.402.
- (3) A person in applying for and receiving medicaid as a qualified disabled working individual is subject to the following provisions:
 - (a) ARM 37.85.407 concerning third party liability;
 - (b) ARM 37.82.201 concerning application requirements;
 - (c) ARM 37.82.204 concerning determinations of eligibility;
 - (d) ARM 37.82.205 concerning redetermination ;
 - (e) ARM 37.82.407 concerning limitation on the financial responsibility of relatives;
 - (f) ARM 37.82.415 concerning application for other benefits; and
 - (g) ARM 37.82.416 concerning assignment of rights to benefits.
- (4) Countable income and resources will be determined using SSI criteria incorporated by reference in ARM 37.82.903(2) .

- (5) A person receiving medicaid as a qualified disabled working individual must report within 10 days any changes in circumstances that may affect eligibility.

Authorizing statute(s): Sec. 53-6-113, MCA

Implementing statute(s): Sec. 53-6-101 and 53-6-131, MCA

History: NEW, 1991 MAR p. 1052, Eff. 7/1/91; TRANS, from SRS, 2000 MAR p. 197.