

12.9 PRESUMPTIVE APPROVAL

A. INTRODUCTION

The process of making a disability, incapacity or blindness decision at the **local** level is referred to as the presumptive eligibility process.

In some situations the decision may be made prior to obtaining any medical reports.

However, in all other situations, the presumptive decision is made only when medical information and the social summary are available. The presumptive decision is always one of presumptive approval, not presumptive denial.

When the case is referred to MRT for a final decision, the presumptive eligibility decision is made by the Worker, with approval of his Supervisor.

The guidelines for presumptive decisions based on medical and social information are found in items B-F below. The definitions of incapacity, blindness and disability follow.

In making a presumptive decision of incapacity or disability, the Worker uses the guidelines appropriate for the coverage group to determine if the medical/psychological impairment of the applicant is likely to last the required length of time. He then uses the social summary information to determine if the impairment:

- Prevents the incapacitated parent, age 18 and over, from working.
- Prevents the applicant under age 18 from functioning independently and effectively in an age-appropriate manner.
- Prevents the incapacitated parent from caring for himself or performing household duties and, therefore, requires the presence of the spouse in the home.

B. WHEN THE APPLICANT HAS RECEIVED SSI BASED ON DISABILITY OR BLINDNESS

When an individual whose SSI payment has terminated applies for Medicaid, and it is necessary to establish incapacity, disability or blindness, the procedure is as follows:

Determining Disability, Incapacity and Blindness

- If it is verified that the SSI payment was terminated for some reason other than the lack of disability or blindness, medical eligibility is presumed prior to obtaining medical reports.
- The Worker then follows the usual procedures to obtain medical reports, complete the social summary **and** submit the case to the MRT for a final decision, etc.

C. GUIDELINES FOR PRESUMPTIVE DECISION OF BLINDNESS

To meet the definition of blindness, **the client must have** central visual acuity of 20/200 or less in the better eye with correcting glasses.

D. GUIDELINES FOR PRESUMPTIVE DECISION OF DISABILITY FOR SSI-RELATED MEDICAID **AND M-WIN**, AGE 18 OR OVER

1. Definition Of Disability

An individual, who is age 18 or over, is considered disabled if he is unable to engage in substantial gainful employment by reason of any medically determined physical or mental impairment which can be expected to result in death, or which has lasted or can be expected to last for a continuous period of not less than 12 months.

2. Role Of The Worker In The Presumptive Approval Process

Prior to referral to MRT, the Worker must review the medical information to determine if the client's conditions meet any of the criteria for presumptive approval listed in Appendix A. **If a client's medical information does not meet the criteria for presumptive approval, but the Worker or Supervisor feels the client's condition(s) is severe enough to warrant an immediate evaluation, submit the case to MRT as soon as possible.**

E. GUIDELINES FOR PRESUMPTIVE DECISION OF DISABILITY FOR SSI-RELATED MEDICAID **AND M-WIN** UNDER AGE 18

1. Definition Of Disability

A child who is under age 18 is considered disabled if he has a physical or mental impairment which can be expected to last or has lasted for at least 12 months and is of comparable severity to that which qualifies an individual age 18 or over.

Determining Disability, Incapacity and Blindness

Comparable severity exists, provided the child is not engaged in substantial gainful activity, when the child's physical or mental impairment(s) so limits his ability to function independently, appropriately and effectively in an age-appropriate manner that the impairment(s) and the limitation(s) resulting from it are comparable to those which would disable an adult.

2. Role Of The Worker In The Presumptive Approval Process

Prior to referral to MRT, the Worker must review the medical information to determine if the client's condition meets any of the criteria for presumptive approval listed in Appendix B. **If a client's medical information does not meet the criteria for presumptive approval, but the Worker or Supervisor feels the client's condition(s) is severe enough to warrant an immediate evaluation, submit the case to MRT as soon as possible.**

F. GUIDELINES FOR PRESUMPTIVE DECISION OF INCAPACITY FOR AFDC **MEDICAID** AND AFDC-RELATED MEDICAID

1. Definition Of Incapacity

To be considered incapacitated, the parent must have a medically determined physical or mental impairment which is expected to last for at least 30 days.

2. Role Of The Worker In The Presumptive Approval Process

Prior to referral to MRT, the Worker must review the medical information to determine if the client's conditions meet any of the criteria for presumptive approval listed in Appendix C. **If a client's medical information does not meet the criteria for presumptive approval, but the Worker or Supervisor feels the client's condition(s) is severe enough to warrant an immediate evaluation, submit the case to MRT as soon as possible.**