

5.2 RESOURCE DEVELOPMENT AS AN ELIGIBILITY REQUIREMENT

1. TANF and Medicaid

It is a condition of eligibility for TANF and Medically Needy Medicaid coverage groups that clients take necessary steps to develop resources which may be available to them with the following exceptions:

- TANF and Medicaid clients are not required to apply for or accept SSI.
- If the client has appealed a disability decision, he is not expected to accept a reduced amount of disability compensation pending completion of the appeal process.
- The client is not expected to enroll in Part A Medicare if he would be required to pay a premium. The premium is required when the individual is 65 years of age or older but does not meet the minimum work coverage requirement.
- The client is not required to apply for Prouty Benefits (See Section 5.6,A,3).
- The TANF client, who is under age 65, is not required to accept or retain Medicare, Part B.
- The Veteran's and Survivor's Improvement Act of 1978 provided VA pensioners receiving a pension in 12-78 the option of choosing to receive a higher "improved" pension after 12-31-78. Some pensioners who chose this option lost AFDC/U eligibility due to higher income. Those who lived in states without a Medically Needy Program also lost Medicaid eligibility. To remedy this, Section 1133 of the Social Security Act allowed these pensioners to revert to their previous pension level to regain their benefits. Therefore, these VA pensioners who elected lower pensions cannot be required to reapply for the improved pension as a condition of eligibility for TANF or AFDC/U-Related Medicaid, even if the receipt of the improved pension did not or would not render them ineligible for the Department's benefit.

2. WV WORKS

While WV WORKS clients are expected to take necessary steps to develop resources which may be available to them, the development of such resources is part of the Personal

Responsibility Contract (PRC). As such, the application is not held pending until the client initiates development of the resource. The same items listed in item 1 above are exceptions for WV WORKS clients, except that WV WORKS clients, unlike TANI and Medicaid clients, must apply for and/or accept SSI benefits.