

5.2 RESOURCE DEVELOPMENT AS AN ELIGIBILITY REQUIREMENT

A. MEDICAID

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

- Medicaid applicants/recipients 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 required to apply for Prouty Benefits (See Section 5.6,A,3).
- 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 cash assistance 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 AFDC Medicaid or AFDC-Related Medicaid, even if the receipt of the improved pension did not or would not render them ineligible for the Department's benefit.

B. 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 must apply for and/or accept SSI benefits.