

Health Care Finance and Administration	Section: Categories of Eligibility
Policy Manual Number: 115.030	Chapter: Widow/Widower Categories

WIDOW/WIDOWER CATEGORIES

Legal Authority: Social Security Act §1634(d); 42 CFR 435.137; 42 CFR 435.138; 1990 OBRA § 5103

1. Policy Statement

TennCare Medicaid benefits are available to certain widows/widowers who would be eligible for Supplemental Security Income (SSI) payments if initial entitlement to and/or increases in their Social Security widow/widower benefit were disregarded. Widows/ widowers who are eligible for TennCare Medicaid on the basis of their widow/widower status must meet all other non-financial and financial eligibility conditions.

Widows/widowers may qualify for this category of TennCare Medicaid coverage under one of two categories: 1) Widow/Widower Spousal Retirement; and 2) Widow/Widower Actuarial Reduction.

The Social Security Widow/Widower benefit is based on the deceased spouse's Title II Old-Age, Survivors and Disability Insurance (OASDI) benefit.

2. Eligibility Categories

a. Widow/Widower Spousal Retirement

A disabled widow/widower is eligible for TennCare Medicaid for any month in which he or she is entitled to a Social Security Widow/Widower benefit, but is not eligible for SSI, if he or she:

- Was eligible for SSI based on his or her own disability;
- Was entitled to the Social Security Widow/Widower benefit any time after the age of 50;
- Lost SSI eligibility in the first month that the Social Security Widow/Widower benefit was paid;
- Has been continuously entitled to the Social Security Widow/Widower benefit from the month that the SSI was authorized;
- Would be eligible for SSI if the Widow/Widower entitlement and all subsequent COLAS were disregarded;
- Is not entitled to Medicare Part A; and
- Is at least age 50 and up to age 65.

b. Widow/Widower Actuarial Reduction

Note: This category is closed to enrollment.

TennCare Medicaid benefits continued for certain disabled widows/widowers who lost SSI eligibility in 1984 due to an increase in the Social Security Widow/Widower benefit that

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occurred as a result of a change in the way the benefit was calculated. In order to receive TennCare Medicaid benefits in this category; the individual must:

- Have been entitled to a monthly Title II disabled Social Security Widow/Widower benefit for December 1983;
- Have been entitled to a received a Title II Social Security Widow/ Widower benefit for January 1984;
- Have lost SSI eligibility in the first month that his or her increased widow/widower benefit was paid, due to the elimination of the reduction factor;
- Have been entitled to the Social Security Widow/Widower benefit prior to age 60;
- Have continuously been entitled to the Widow/Widower benefit from the month the benefit was increased;
- Have continued to be eligible for SSI when the Widow/Widower increase and all subsequent COLAS were disregarded; and
- Have applied for Medicaid benefits on the basis of this change in the Widow/Widower benefit prior to July 1, 1988.

3. Non-Financial Eligibility Requirements

a. Age

Individuals must be at least age 50 and up to age 65 when they lost SSI due to receipt of the Social Security Widow/Widower benefit.

b. Citizenship

Individuals must be U.S. citizens, U.S. nationals, or eligible non-citizens. Individuals are not required to provide documentary evidence of citizenship or national status if they are receiving Social Security benefits.

c. Residency

Individuals must be residents of Tennessee.

d. Enumeration

Individuals must possess and provide a valid Social Security Number (SSN) or proof of application for an SSN.

e. Received an SSI Payment

Individuals would continue to be eligible for SSI if the Social Security Widow/Widower benefit and subsequent COLAs were not counted as income.

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f. Medicare Eligibility

Eligible individuals cannot be entitled to Medicare Part A.

4. Financial Eligibility Requirements

a. Household

Applicants/enrollees in the Widow/Widower Spousal Retirement category are treated as an individual, or have a household size of one.

b. Income Limit

The individual's countable income must not exceed the SSI Federal Benefit Rate for an individual, which is \$735, effective 1/1/2017.

c. Resource Limit

The individual's countable resources must be under \$2,000.

5. Budget Overview

a. Widow/Widower Increase

An individual must present an entitlement/benefit increase letter from SSA verifying the W/W benefit amount. If the applicant cannot present the SSA letter, contact the Buy-In Unit for assistance with determining the Widow/Widower increase or entitlement amount.

i. Initial Entitlement

If the initial entitlement to the Widow/Widower benefit caused SSI ineligibility, the entire initial entitlement is disregarded from the applicant's income. Follow the steps below to determine the amount of the disregard:

- Verify the date SSI was terminated;
- Verify the current Widow/Widower benefit amount and enter it into the eligibility determination system as the Widow/Widower increase and disregard from unearned income.

ii. Increase in Widow/Widower Benefit

If an increase in the Widow/Widower benefit caused SSI ineligibility, the amount of the increase is disregarded from the applicant's income. Follow the steps below to determine the amount of the disregard:

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- Verify the date SSI was terminated;
- Verify the current Widow/Widower benefit amount and the amount prior to SSI termination. Subtract the benefit amount prior to SSI termination from the current benefit amount. Enter the difference, of the amount of the increase, into the eligibility determination system and disregard from unearned income.

b. Budget Overview

1. Total Gross Unearned Income Computation

Unearned Income (includes current Widow/Widower benefit; excludes child support)
+ Total Countable Child Support
= Gross Unearned Income

2. Total Gross Earned Income Computation

Total Countable Earned Income
+ Self-Employment Income
– Disabled Student Under Age 22 Earned Income Exclusion
= Gross Earned Income

3. Total Net Unearned Income Computation

Gross Unearned Income
– Widow/Widower Increase or Initial Entitlement Amount
– General Unearned Income Disregard (\$20)
– Child Support Disregard
= Net Unearned Income

4. Total Net Earned Income Computation

Gross Earned Income
– General Income Disregard Remainder
– Earned Income Disregard
– Disabled Work Expense
– ½ Disregard
– Blind Work Expense
= Net Earned Income

5. Countable Income Computation

Net Unearned Income
+ Net Earned Income

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= Total Countable Income

If Total Countable Income is less than the current SSI-FBR (\$735 for one), the individual is eligible in the Widow/Widower Retirement category. If Total Countable Income is greater than the current SSI-FBR, the individual is ineligible.

c. Example Budget

Mrs. Jones became SSI-eligible based on disability at age 50. At age 60, she became entitled to Social Security Widow/Widower benefits. She is now 62. Her initial benefit was \$300 a month, and it has now increased to \$500. Mrs. Jones lost her SSI eligibility in the month of the increase in her benefits. She has \$200 of unearned pension income per month, and \$100 of earned income.

1. Widow/Widower Increase Computation

\$500 Current Widow/Widower Benefit
 – \$300 Widow/Widower Initial Entitlement
 = \$200 Widow/Widower Increase Amount

2. Total Gross Unearned Income Computation

= \$700 Total Gross Unearned Income

3. Total Gross Earned Income Computation

= \$100 Total Gross Earned Income

4. Total Net Unearned Income Computation

\$700 Gross Unearned Income
 – \$200 Widow/Widower Increase Amount
 – \$20 General Unearned Income Disregard
 = \$480 Net Unearned Income

5. Total Net Earned Income Computation

\$100 Gross Earned Income
 – \$65 Earned Income Disregard
 – \$17.50 ½ Disregard
 = \$17.50 Net Earned Income

6. Countable Income Computation

\$480 Net Unearned Income
 + \$17.50 Earned Income

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= \$497.50 Countable Income

Mrs. Jones' countable income, \$497.50, is less than the current SSI-FBR, \$735, so she is eligible in the Widow/Widower Spousal Retirement category.

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