

petitioner and his wife need to spend down before they would be eligible for Medicaid. HAEU computes the amount needed for a spend-down for a six month period.

3. HAEU applied a \$20 unearned income disregard netting the petitioner \$2,453 in countable income or a monthly excess of \$1,612. The initial spend-down was \$9,672 for the period of July 1, 2006 through December 30, 2006. HAEU then deducted \$1,062 for Medicare premiums, \$2,128 for over the counter drugs and supplies and \$831.17 for other expenses resulting in a spend-down of \$5,650.77.

4. The petitioner could not believe that the income eligibility standards were so low. As a result, he appealed.

5. At the hearing held on September 29, 2006, the petitioner questioned whether there should be a spend-down and how the HAEU calculated the spend-down. The hearing was continued to October 19, 2006 to give the petitioner time to review the information HAEU used to determine the spend-down including income, Medicare premiums, over the counter drugs and supplies for the spend-down period as well as any other medical expenses.

6. The petitioner and his wife were found eligible for the Healthy Vermonters Program and VPharm-3.

7. After reviewing the information, the petitioner does not dispute the information used by HAEU in the spend-down determination.

ORDER

The decision by HAEU is affirmed.

REASONS

Medicaid is a federal-state program whose aim is to provide help covering medical costs for low-income families with dependent children, the aged, the blind, and the disabled. 42 U.S.C. § 1396, Medicaid Manual (M) §§ 100, 101.

To qualify as a member of a SSI-related household¹, the petitioner and his wife must meet the both the financial and nonfinancial eligibility requirements. M § 200. The maximum income eligibility for a household of two is \$841 countable income per month. Medicaid Procedures P-2420.

Because petitioner and his wife have countable income in excess of the maximum income eligibility limit, they do not automatically qualify for Medicaid coverage. However, Vermont has opted to provide coverage to the medically needy once the household spends down to the protected income level

¹ SSI-related household include members who are aged, blind, or disabled. The other eligibility grouping is RUFA related—individuals age 20 years or younger, pregnant women, or caretakers of dependent children.

(PIL). M §§ 200.3, 410, 412, and 420. A household can meet its spend-down by paying or incurring medical expenses. M § 412.

Petitioner and his wife may qualify for Medicaid once they meet their spend-down. Petitioner does not dispute the information HAEU used in their calculations. The information supports the HAEU's determination of the amount of petitioner's spend-down.

Petitioner has been advised to keep records of the households medical expenses and can submit records to the Department once they have met their spend-down. If petitioner or his wife should need long-term care, they should consult with the Department regarding their eligibility under the long-term Medicaid program.

Based on the regulations, the decision by HAEU should be affirmed. 3 V.S.A. § 3091(d), Fair Hearing Rule 17.

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