BEFORE THE ALASKA OFFICE OF ADMINISTRATIVE HEARINGS ON REFERRAL BY THE COMMISSIONER OF HEALTH AND SOCIAL SERVICES

In the Matter of)	
)	
ΖT)	OAH No. 13-0020-MDE
)	Agency No.

DECISION

I. Introduction

The Division of Public Assistance (division) terminated Ms. T's Family Medicaid benefits when her daughter became 19 years old. Ms. T requested a hearing to contest that decision.

A hearing was held on February 26, 2013. Ms. T represented herself, and the division was represented by Public Assistance Analyst Terri Gagne. Based on the evidence in the record, the division was correct to terminate Ms. T's benefits.

II. Facts

The relevant facts are uncontested. Ms. T and her daughter D had been receiving Family Medicaid benefits. D turned 19 in December of 2012. There are no other children under the age of 19 in the home. Ms. T has applied for Social Security Disability, but has not yet qualified for those benefits.

III. Discussion

Family Medicaid benefits are available in Alaska to eligible families. To determine eligibility, the division looks at who is in the household, and then determines if the household meets the financial eligibility requirements.¹ "A Family Medicaid household is the combination of individuals whose financial needs the department considers for the purpose of determining eligibility."² A household consists of mandatory members,³ optional members,⁴ and those required to be included under 7 AAC 100.120(b).⁵ While she was under the age of 19, D was a mandatory member of the household if she was enrolled in

¹ 7 AAC 100.102(a).

² 7 AAC 100.102(b).

³ 7 AAC 100.102(b)(1).

⁴ 7 AAC 100.102(b)(2).

⁵ 7 AAC 100.102(b)(3).

secondary school or vocational training.⁶ As long as D was a mandatory household member under this provision, Ms. T was also a mandatory member.⁷ When D turned 19, however, she was no longer a mandatory household member. She also does not fit in any of the categories of optional members under 7 AAC 100.116, or under the categories of included household members under 7 AAC 100.120(b). Similarly, Ms. T does not fit within any of the other household membership categories.

By definition, a Family Medicaid household is a "combination of individuals[.]" Ms. T, by herself, cannot be a household under this definition. While D may qualify for Under-21 Medicaid program, there does not appear to be any Medicaid program that Ms. T qualifies for at this time.

IV. Conclusion

When her daughter turned 19, Ms. T no longer fit the eligibility requirements of any Medicaid program. The division was correct to terminate her benefits and close her Medicaid case.

Dated this 6th day of March, 2013.

Signed
Jeffrey A. Friedman
Administrative Law Judge

⁰ 7 AAC 100.250 – 256.

⁶ 7 AAC 100.104(a)(1)(B).

⁷ 7 AAC 100.104(a)(2).

⁸ 7 AAC 100.102(b).

There are ways in which an individual person can be a household, but none of those are applicable here. *See* 7 AAC 100.114 (description of Family Medicaid household combinations).

Adoption

The undersigned, by delegation from of the Commissioner of Health and Social Services, adopts this Decision, under the authority of AS 44.64.060(e)(1), as the final administrative determination in this matter.

Judicial review of this decision may be obtained by filing an appeal in the Alaska Superior Court in accordance with Alaska R. App. P. 602(a)(2) within 30 days after the date of this decision.

DATED this 20th day of March, 2013.

By: <u>Signed</u>

Name: Jeffrey A. Friedman Title: Administrative Law Judge

[This document has been modified to conform to the technical standards for publication.]