

Along with her application, Ms. N provided the Division with copies of her bank records. Those records showed that the balance in her bank accounts on July 1, 2013 was \$2,382.52.⁷ Her bank account balance, as of the date of her July 3, 2013 application, was \$3,578.52.⁸

Ms. N explained that the bank balances were high because she had personal items and cash taken from her home; she believes one of her caregivers took those items and the cash. As a result, she did not feel comfortable keeping cash in her home and began keeping all of her funds in her bank accounts.⁹ She was also saving money so she could buy a mobile scooter.¹⁰

The Division denied her application on July 9, 2013, because her countable resources (bank account balance) exceeded the Adult Public Assistance and Medicaid program limits of \$2,000.¹¹

III. Discussion

The Alaska Adult Public Assistance program has financial eligibility requirements. One of those requirements is that a person who lives by himself or herself may not own more than \$2,000 in countable resources.¹² Resources are valued on the first day of each eligibility month.¹³

The Medicaid program contains a variety of coverage categories.¹⁴ Each of these categories has differing eligibility requirements. As an elderly person who lives on her own, and who does not receive Supplemental Security Income benefits, Ms. N is eligible for Medicaid benefits under the aged (65 or older) or disabled category.¹⁵ However, in order to qualify for this Medicaid coverage category, Ms. N must be eligible for and receiving Adult Public Assistance benefits.¹⁶

Ms. N's eligibility for Adult Public Assistance and its accompanying Medicaid benefits is therefore subject to the financial requirement that she may not own more than \$2,000 in

⁷ Matanuska Valley Federal Credit Union primary account \$27.16; Matanuska Valley Federal Credit Union share draft account \$506.91; Alaska USA Federal Credit Union savings account \$9.87; Alaska USA Federal Credit Union checking account \$1,838.58. *See* Exs. 2.6 – 2.7.

⁸ Matanuska Valley Federal Credit Union primary account \$27.16; Matanuska Valley Federal Credit Union share draft account \$1,156.91; Alaska USA Federal Credit Union savings account \$9.87; Alaska USA Federal Credit Union checking account \$2,384.58. *See* Exs. 2.6 – 2.7.

⁹ Ms. N testimony.

¹⁰ Ex. 2.19.

¹¹ Ex. 2.16.

¹² 7 AAC 40.260 and 7 AAC 40.270(a)(1).

¹³ 7 AAC 40.270(b).

¹⁴ *See* 7 AAC 100.002 for a list of the various coverage categories.

¹⁵ 7 AAC 100.002(d)(1) and 7 AAC 100.410(b).

¹⁶ 7 AAC 100.410(b).

countable resources, which is measured on the first day of the month. On the first day of July 2013, the month she reapplied for benefits, her bank account balances exceeded \$2,000.

Ms. N explained that she was keeping funds in her accounts due to thefts and that she was saving money to purchase a mobile scooter. Neither of these reasons are a basis for excluding any part of Ms. N's bank account balances from being counted as a resource.¹⁷

Because this was a renewal application, the Division's denial of that application resulted in Ms. N's Adult Public Assistance and Medicaid benefits being terminated. The Division has the burden of proof in benefit termination cases.¹⁸ The Division has met its burden of proof and demonstrated that Ms. N's bank accounts made her financially ineligible for Adult Public Assistance and Medicaid benefits.

IV. Conclusion

The Division's denial of Ms. N's July 3, 2013 Adult Public Assistance and Medicaid application is upheld.

DATED this 14th day of August, 2013.

Signed

Lawrence A. Pederson
Administrative Law Judge

¹⁷ See 7 AAC 40.280 for a list of the allowable exclusions from resources.

¹⁸ 7 AAC 49.135.

Adoption

The undersigned, by delegation from 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 28th day of August, 2013.

By: *Signed* _____
Name: Lawrence A. Pederson
Title/Agency: Admin. Law Judge, DOA/OAH

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