

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

In the Matter of)
)
Q L) OAH No. 19-0691-DKC
) Agency No.
_____)

DECISION

I. Introduction

Q L applied for Medicaid benefits on July 9, 2019. The Division of Public Assistance (Division) approved his application effective July 2019 and denied him retroactive benefits for June 2019. Mr. L requested a hearing to challenge the denial of retroactive benefits.

The hearing was held on September 11, 2019. Mr. L represented himself and testified on his own behalf. D L, his daughter, also testified on his behalf. Public Assistance Analyst Sally Dial represented the Division.

The evidence shows that Mr. L's income exceeded the Medicaid income limit during June 2019. As a result, the Division's denial of his request for Medicaid coverage for June 2019 is upheld.

II. Facts

Mr. L is 60 years old.¹ He became critically ill in June 2019. He incurred extremely high medical bills during the last part of that month.² His employer, recognizing that he would be unable to return to work, cashed out his accrued leave and paid it to him in June. His total gross income from his job for June was \$5,112.00.³ Mr. L is not currently working and is currently unable to work. He cannot afford to pay the extremely high medical bills that he incurred.⁴

Mr. L applied for Medicaid benefits for his one-person household on July 9, 2019.⁵ His application was approved with a benefit start date of July 1, 2019. The application was denied as to coverage for June 2019.⁶ The denial of Medicaid coverage for June 2019 was because the

¹ Ex. 1.2.
² Mr. L's testimony.
³ Mr. L's testimony; Ex. 2.
⁴ Mr. L's testimony; Ms. L's testimony.
⁵ Exs. 1 – 1.2.
⁶ Exs. 5 – 5.1.

Division determined that his total gross income in June 2019 exceeded the Medicaid program's monthly gross income limit for a one-person household of \$1,794.⁷

III. Discussion

The Medicaid program has a variety of coverage categories. Each of these programs contains income limits; if an applicant/recipient's income exceeds that limit, they are not financially eligible for Medicaid. Mr. L, because he is an adult under the age of 65 and has not been determined to be legally disabled, falls under the Denali Care (Medicaid Expansion) category. That eligibility coverage group's income limit is 133% of the federal poverty level for Alaska.⁸ This federal poverty level fluctuates on a year to year basis. For the time period beginning April 1, 2019, the gross income limit for Mr. L's one-person household, was \$1,794 after application of disregard.⁹

The next step is to determine whether the Division correctly determined that Mr. L's June 2019 gross monthly income exceeded \$1,794. If it did, then Mr. L was not eligible for Medicaid in June. It is undisputed that Mr. L's June income greatly exceeded that amount, given that his employer cashed out his accrued leave. While this was an anomalous situation, especially given the extreme financial hardship it imposes on Mr. L, the Alaska Medicaid program does not have a hardship exception.¹⁰ As a result, the Division was correct to deny Mr. L Medicaid coverage for June of 2019.

IV. Conclusion

The Division's denial of Medicaid benefits for Mr. L for June 2019 is upheld.

Dated: September 27, 2019

Signed

Lawrence A. Pederson
Administrative Law Judge

⁷ Ex. 5.

⁸ 7 CFR § 435.119(b).

⁹ Exs. 4, 4.3.

¹⁰ 7 AAC 43.080, which provided the Division with the ability to exercise discretion in the case of hardship, was repealed in 2004.

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 11th day of October, 2019.

By: Signed
Name: Lawrence A. Pederson
Title: Administrative Law Judge

[This document has been modified to conform to the technical standards for publication. Names may have been changed to protect privacy.]