

DSS-4357EL

WGIUPD

GENERAL INFORMATION SYSTEM

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DIVISION: Health & Long Term Care

PAGE 1

GIS 96 MA/028

TO: Local District Commissioners, MA Directors

FROM: Martin J. Conroy, Acting Deputy Commissioner, H<C
Patricia Stevens, Deputy Commissioner, Temporary Assistance

SUBJECT: Railroad Retirement Disability Benefits

EFFECTIVE DATE: Immediately

CONTACT PERSON: For MA issues: Ellen Bayewitz (518) 473-0195

For PA & FS issues contact your Regional TA Representative:

Region I - (518) 473-0332

Region II - (518) 474-9344

Region III - (518) 473-9307

Region IV - (518) 474-9300

Region V - (518) 473-1496

Region VI - (212) 383-1658

Effective immediately, persons in receipt of Railroad Retirement benefits as "totally and permanently" disabled individuals may be automatically considered as disabled for the purposes of determining their MA category. An MA disability review is not necessary for these A/Rs as HCFA has indicated that the disability criteria for this benefit category is the same as for Social Security Disability. Documentation should include a copy of the award letter indicating the category of disability as "total and permanent". Other categories of Railroad Retirement benefits such as "occupational" disability have different disability criteria which would not constitute an automatic category of disabled for MA program purposes. If the type of benefit cannot be documented, an MA disability review must be performed. For SSI-related budgeting purposes, retroactive lump sum Railroad Retirement benefits are to be counted as unearned income in the month received and an exempt resource for six months following the month of receipt.

For Public Assistance (PA) purposes, a person in receipt of Railroad Retirement benefits as "totally and permanently disabled" would be exempt from employment requirements if financially and otherwise eligible for PA. They should be coded 36, "incapacitated".

For Food Stamps (FS) purposes, a household with a member in receipt of Railroad Retirement benefits as "totally and permanently disabled" would be considered to meet the definition of disabled for FS budgeting and would be exempt from the FSE&T requirements if otherwise eligible for benefits.