




**Commonwealth of Massachusetts**  
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MassHealth  
Eligibility Letter 165  
August 15, 2007

**TO:** MassHealth Staff

**FROM:** Tom Dehner, Medicaid Director 

**RE:** Revisions to Financial Eligibility Regulations

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Eligibility Letter 148, issued July 1, 2006, expanded the financial eligibility criteria for MassHealth Family Assistance from 200% to 300% of the federal-poverty level (FPL) for applicants and members under age 19 who are citizens, nationals, and qualified aliens, as well as adults working for qualified employers.

The regulations at 130 CMR 506.007 are being revised to comply with those changes.

These regulations are being issued as emergency regulations, effective July 1, 2006.

#### MANUAL UPKEEP

<u>Insert</u>	<u>Remove</u>	<u>Trans. By</u>
506.006	506.006	E.L. 144

**Trans. by E.L. 165****MASSHEALTH  
FINANCIAL REQUIREMENTS****Chapter 506  
Page 506.006**

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**Rev. 07/01/06****506.006: Transfer of Income**

All family group members are required to avail themselves of all potential income.

(A) If the MassHealth agency determines that income has been transferred for the primary purpose of establishing eligibility for MassHealth, the income is counted as if it were received.

(B) If the MassHealth agency is unable to determine the amount of available income, the family group remains ineligible until such information is made available.

**506.007: Calculation of Financial Eligibility**

(A) The financial eligibility for various MassHealth coverage types is determined by comparing the family group's gross monthly income with the applicable income standard for the specific coverage. In determining gross monthly income, the MassHealth agency multiplies average weekly income by 4.333.

(B) Generally, eligibility is based on 100 percent of the federal-poverty level for long-term unemployed adults; 133 percent of the federal-poverty level for parents and disabled nonworking adults; 200 percent of the federal poverty level for pregnant women, persons who are HIV positive, and children who are special status aliens; and 300% of the federal poverty level for children who are citizens, nationals, or qualified aliens, as well as for adults working for qualified employers. Disabled persons with income in excess of these applicable standards may be eligible for MassHealth CommonHealth. There is no income cap for premium-based CommonHealth.

(C) The monthly federal-poverty-level income standards are determined according to annual standards published in the *Federal Register* using the following formula. The MassHealth agency adjusts these standards in April of each calendar year.

(1) Divide the annual federal-poverty-level income standard as it appears in the *Federal Register* by 12.

(2) Multiply the unrounded monthly income standard by the applicable federal-poverty-level standard.

(3) Round up to the next whole dollar to arrive at the monthly income standards.

**506.008: Cost-of-Living Adjustment (COLA) Protections**

Applicants and members whose income increases each January as the result of a cost-of-living adjustment (COLA) will have their eligibility determined using their social security income just before the COLA, if such income can be verified, until the subsequent federal-poverty-level adjustment.