

**CATEGORICAL FACTORS
ADC-RELATED
DEPRIVATION OF PARENTAL SUPPORT OR CARE**

INCAPACITY

Policy: When a child under the age of twenty-one (21) is deprived of parental support and/or care due to the incapacity of one or both parents, the child and the parent or caretaker relative may be ADC-related. The A/R must meet all other requirements to be eligible for Medicaid.

The incapacity results from a medical condition and substantially reduces or eliminates the parent's ability to support/care for his/her child. The incapacity must have existed for at least thirty (30) days or be expected to last at least 30 days.

NOTE: The A/R's statement of his/her relationship to the child which may or may not indicate a deprivation factor is acceptable unless there is a reason to doubt the validity of the relationship. A signed application indicating the relationship and deprivation factor is generally the only verification required. When the relationship or deprivation factor is questionable other verification is necessary.

References: SSL Sect. 366.1(a)(5)(iii)

Dept. Reg. 360-3.3(b)(5)

ADMs 74 ADM-180

Verify Status: When the A/R indicates that a child in the household has an incapacitated parent.

A woman is pregnant or has recently given birth. Pregnancy and/or child birth, by themselves, are not considered incapacitating. There must be additional medical evidence that the mother is incapacitated.

A parent is in, or has recently been released from a hospital, nursing home, or other medical facility.

A parent appears to be or indicates that s/he is blind, sick or disabled.

A parent is in an alcohol or drug treatment program, or indicates that s/he wants treatment.

A parent is in receipt of Workers' Compensation, Veterans' Benefits, N.Y.S. Disability Insurance or RSDI Benefits.

Verification: When eligibility is based upon deprivation of parental support/care due to incapacity, the local district verifies and documents the incapacity of the parent and the expected duration of that incapacity through the applicant/recipient's written and/or oral statements.