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GENERAL INFORMATION SYSTEM  
**DIVISION:** Office of Medicaid Management

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**GIS** 01 MA/016

**TO:** Local District Commissioners, Medicaid Directors and Child Support Coordinators

**FROM:** Betty Rice, Director  
Division of Consumer and Local District Relations

**SUBJECT:** Medicaid Recoveries When Income and Resources Are Not Used in Determining Eligibility

**EFFECTIVE DATE:** Immediately

**CONTACT PERSON:** Bureau of Local District Support (518)474-9130 Upstate  
(212)268-6855 NYC

A letter dated December 5, 2000 signed by Margot Bean of the Office of Temporary and Disability Assistance and Kathryn Kuhmerker of the Department of Health was issued to all local departments of social services. That letter contained policy related to the recovery of confinement and pregnancy related expenses and Medicaid-only applicant/recipient cooperation with child support.

After that letter was issued, some questions were asked concerning child support referrals to recover Medicaid payments from parents whose income and resources were not considered in the determination of eligibility. Specifically, parents' income and resources are not considered when determining eligibility for:

- a child participating in one of the home and community-based waived programs,
- a pregnant minor; or
- a certified blind or certified disabled child 18 years of age or older or, if under 18, expected to be living separately from the parents' household for at least 30 days.

Since the parents' income and resources were not considered when eligibility was determined, the Medicaid payments were correctly paid and recovery of Medicaid payments from the parents should not be pursued.

If you have any questions about this policy, please contact your county's representative in the Bureau of Local District Support.