

**CATEGORICAL FACTORS
MEDICAID EXTENSIONS/CONTINUATIONS**

PICKLE ELIGIBLE (FORMERLY 503 CASES)

Description: Section 503 of Public Law 94-566, referred to as the Pickle Amendment, protects Medicaid eligibility for all recipients of Retirement Survivors and Disability Insurance (RSDI) who were previously eligible for RSDI and SSI benefits concurrently. These recipients are individuals who would be eligible for SSI, if all RSDI COLAs received since they were last eligible for and receiving RSDI and SSI benefits concurrently, were deducted from their countable income. The RSDI beneficiary may have lost his/her SSI benefit for reasons other than COLAs and still be considered a Pickle eligible.

References:

SSL Sect.	366.2(b) 363-b
Dept. Reg.	360-3.3(c)(10)
ADMs	87 ADM-27 85 ADM-35

Interpretation: To be eligible under the Pickle Amendment, an A/R must meet the following criteria:

- (1) On or after April 1977, were eligible for and receiving SSI and RSDI benefits concurrently;
- (2) is currently eligible for and receiving RSDI;
- (3) is currently ineligible for SSI, and
- (4) would be eligible for SSI, if the RSDI COLAs received by the A/R and his/her spouse, since the last month that the A/R received both RSDI and SSI benefits, are disregarded.

A person eligible under the Pickle amendment must meet the SSI income and resource criteria. An A/R cannot spend down to attain Pickle eligibility.

Eligibility for all individuals who meet the Pickle criteria is initially determined by deducting all COLAs received since SSI eligibility was lost. (See **REFERENCE REDUCTION FACTORS FOR CALCULATING MEDICAID ELIGIBILITY UNDER THE PICKLE AMENDMENT**) If the individual's total income (less COLAs) and resources are below current SSI standards, the individual is eligible under the Pickle Amendment.