

**OTHER ELIGIBILITY REQUIREMENTS  
DECISION AND NOTIFICATION****DENIAL**

**Description:** A denial is a determination that an applicant is not eligible for Medicaid.

**Policy:** When an application for Medicaid is denied, a written notification is sent to the applicant.

**References:**

SSL Sect.	366 366-a
Dept. Reg.	358-3.3 358-4.1 360-2.3 360-2.4 360-2.5 360-2.8 360-2.9
ADMs	10 OHIP/ADM-4 04 OMM/ADM-6 97 OMM/ADM-2 96 ADM-15 89 ADM-21 87 ADM-4

**Interpretation:** An application for requested Medicaid coverage may be denied because the applicant is ineligible or because the applicant's eligibility cannot be determined due to his/her failure to cooperate in establishing eligibility.

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When a decision is reached, a letter is sent to the applicant, including a copy of the budget, when applicable, informing him/her of the reason for the denial and of his/her right to: a conference with a representative of the local district; and a fair hearing as outlined in **OTHER ELIGIBILITY REQUIREMENTS DECISION AND NOTIFICATION**. A copy of the notice is also sent to the Medical provider (e.g. nursing home and hospital) as appropriate.

When an applicant is denied due to excess income and the applicant is ADC-related, SSI-related, a pregnant woman, or under age 21, the letter explains how excess income may be utilized to "spend down" to the Medically Needy Income level. (See **INCOME MEDICALLY NEEDED INCOME LEVEL**). The letter further explains local district procedures regarding the applicant's use of the excess income, including the "Optional Pay-In Program for Individuals with Excess Income."

**NOTE:** If an LDSS receives an application for a child who is ineligible for Medicaid due to excess income or immigration status and a plan selection has been made, the LDSS must, on a daily basis, mail the application and documentation, including a copy of the ineligible Medicaid budget for cases denied for excess income, directly to the selected CHPlus plan. If a plan selection has not been made and there is only one CHPlus plan in the county, the application and supporting documentation is mailed directly to that plan. If a plan selection was not made and there are multiple CHPlus plans available in the county, the LDSS must send the application and supporting information to the Corning Tower, Room 1619, Empire State Plaza, Albany, New York 12237.