

CATEGORICAL FACTORS

FAMILIES LIVING WITH DEPENDENT CHILDREN UNDER AGE 21

Policy: A family including two birth and/or adoptive parents in which their child under age 21 is not deprived of parental support or care due to incapacity, may be eligible for Medicaid if the parents are living with their child and the family meets all other eligibility requirements. The deprivation for the child is considered to be the un/under employment of the parent. Stepparents and fathers of unborns living with the pregnant woman who have no other children in the household may also be eligible for Medicaid.

References:

SSL Sect.	366 366.1(a) (7) 366-ee 466.1 (a) (5) 366.2 (a) (8) 368-a.1 (j)
Dept. Reg.	360-3.3 (b) (7) 360-3.3 (b) (5)
ADMs	10 OHIP/ADM-01 OMM/ADM 97-2 89 ADM-38
GISs	09 MA/027

Interpretation: A one or two-parent family including a child under the age of 21 may be eligible for Medicaid if the family meets the Low Income Families (LIF) or ADC-related budgeting requirements.

The living arrangement of the child is considered. The child must be living with his/her parents. The child is considered to be living with the parents as long as the parents take responsibility for the care and control of the child, even though circumstances may require the temporary absence of either the child or one or both parents.

When a budget surplus exists, the parents and the child may be eligible with a spenddown or the child may be otherwise eligible under the poverty level budgeting methodology. (See **INCOME MEDICALLY NEEDY INCOME LEVELS**)

Effective for eligibility periods on or after January 1, 2010, there is no resource test for families living with dependent children under age 21. For A/Rs applying for Medicaid coverage for the 3-month retroactive period prior to January 1, 2010, there is a resource test.

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Stepparents and fathers of unborns, with no children of their own, who have income at or below the Medicaid standards may be eligible for Medicaid, but are not eligible with a spenddown.