

CATEGORICAL FACTORS**MEDICARE BUY-IN**

- Description:** Certain A/Rs who receive Medicare may be eligible for Medicaid to pay the Medicare premium, coinsurance and deductible amounts.
- Policy:** Persons eligible to be on the Medicare Buy-In who are not otherwise eligible for one of the Medicare Savings Programs (MSPs) are eligible in what is referred to as the “Original Buy-In”.
- References:** SSL Sect.
Dept. Reg. NYCRR 360-3.3
ADMs 95 ADM-11
87 ADM-27
- Interpretation:** The majority of individuals on Medicare Buy-In qualify as MSPs, not the “Original Buy-In”. “Original Buy-In” individuals (those that are not otherwise eligible for the MSP) are:
- Individuals in receipt of SSI cash assistance who do not qualify for the QMB program;
 - Individuals eligible for Medicaid under the Pickle Amendment (refer to 87ADM-27);
 - Individuals eligible for Medicaid under the Disabled Adult Child (DAC) provision (refer to 95 ADM-11);
 - Individuals eligible under Section 1619B of the Social Security Act, which states that any certified blind or certified disabled person who is a qualified severely impaired individual will continue to be eligible for Medicaid despite earnings that demonstrate his or her ability to engage in substantial gainful activity under the SSI program (refer to 18 NYCRR Section 360-3.3); and
 - Individuals eligible for Medicaid under 249E of Public Law 92-603, which includes individuals who became ineligible for SSI cash assistance because of the 1972 increase in their OASDI benefit and who would continue to be eligible except for that increase (refer to 18 NYCRR 360-3.3).