

**NUMBER**

#23-21-28

**DATE**

December 28, 2023

**OF INTEREST TO**

County Directors

Social Services Supervisors and  
Staff

Financial Assistance Supervisors  
and Workers

Tribal Chairperson and Tribal  
Health Directors

Navigators, Certified  
Application Counselors and  
Brokers

**ACTION/DUE DATE**

Implement the policies in this  
bulletin effective Jan. 1, 2024

**EXPIRATION DATE**

December 28, 2023

## DHS Eliminates the Asset Limit for MA for Employed Persons with Disabilities

---

### TOPIC

The asset limit for Medical Assistance for Employed Persons with Disabilities (MA-EPD).

### PURPOSE

This bulletin announces that applicants and enrollees are now eligible for MA-EPD with no asset limit.

### CONTACT

County and tribal servicing agencies should submit policy questions via HealthQuest. All others should direct questions to:

Health Care Eligibility and Access Division  
PO Box 64989  
540 Cedar Street  
St. Paul, MN 55164-0989

### SIGNED



JULIE MARQUARDT  
Interim State Medicaid Director

### TERMINOLOGY NOTICE

The terminology used to describe people we serve has changed over time. The Minnesota Department of Human Services (DHS) supports the use of "People First" language.

## I. Background

---

Medical Assistance for Employed Persons with Disabilities (MA-EPD) is a work incentive health care program that makes Medical Assistance (MA) coverage available to employed Minnesotans who have been determined disabled by the Social Security Administration or the State Medical Review Team. To qualify for MA-EPD, a person must meet all non-financial MA eligibility factors, including state residency, and citizenship or immigration status requirements. A person must also have earned income greater than \$65 per month and must pay a monthly premium. See the Eligibility Policy Manual (EPM) [Section 2.3.5 MA for Employed Persons with Disabilities](#) for more information.

Before January 1, 2024, to qualify for MA-EPD, a person aged 21 or older cannot have assets greater than \$20,000.

Effective January 1, 2024, a new Minnesota law eliminates the asset limit for people applying for and enrolled in MA-EPD.

## II. Elimination of MA-EPD Asset Limit

---

Effective January 1, 2024, people are eligible for MA-EPD with no limit to the amount of assets they own. People who apply for MA-EPD on or after January 1, 2024, and people already enrolled in MA-EPD will no longer have an asset test.

There is no change to asset limit policies for the Medicare Savings Programs (MSP) or for MA for people who are aged 65 or older, blind, or have a disability (MA-ABD). Asset verification and completion of the [Authorization to Obtain Financial Information from the Account Validation Service \(AVS\)\(DHS-7823\)](#) are still required for these programs.

Applicants use the [Application for Certain Populations \(DHS-3876\)](#) to apply for MSP, MA-ABD, and MA-EPD, so people applying for MA-EPD must provide asset information and verification to be determined for these other programs. At renewal, MA-EPD enrollees receive the [Minnesota Health Care Programs Renewal \(DHS-3418\)](#) to renew their eligibility. The MA-EPD eligibility determination at application or renewal must not be delayed or denied for failure to provide information about assets or proof of assets needed for other programs.

MA-EPD applicants or enrollees who request or receive Medical Assistance for Long-Term Care Services (MA-LTC), including for home and community-based services waivers, must still meet the MA-LTC eligibility factors. See section II.C.

### A. Asset Verification

Effective January 1, 2024, asset verification does not apply to MA-EPD applicants or enrollees. Workers must not require completion of the [Authorization to Obtain Financial Information from the Account Validation Service \(AVS\)\(DHS-7823\)](#) or the [Asset Information form \(DHS-8445\)](#) for people applying for MA-EPD.

## B. Changes in Basis of Eligibility

### 1. MA Eligibility After an MA-EPD Enrollee Stops Working

When MA-EPD enrollees stop working other than during a four-month job loss or four-month medical leave, or no longer meet the work requirements, their eligibility must be redetermined under all MA bases of eligibility. See EPM [Section 2.3.5.1.3 MA-EPD Work Requirements](#) for more information. Before January 1, 2024, when an MA-EPD enrollee has eligibility redetermined under an MA-ABD basis, the MA-EPD asset limit of \$20,000 continues to apply to the person for up to 12 consecutive months.

Starting January 1, 2024, when an MA-EPD enrollee stops working or no longer meets work requirements and is redetermined eligible under an MA-ABD basis, the enrollee is eligible for MA-ABD with no asset limit for 12 consecutive months. Standard MA-ABD asset limits and policies apply after the 12 months. See EPM [Section 2.3.3.2 MA-ABD Assets](#) for more information about standard asset policies. If the enrollee qualifies for MA-ABD without an asset limit but then loses MA-ABD eligibility for one month or more in the 12-month period, the MA-ABD asset limit applies to all subsequent months and MA-ABD eligibility determinations.

### 2. MA Eligibility After Age 65

Former MA-EPD enrollees who were enrolled in MA-EPD for the 24 consecutive months before turning age 65, who become ineligible for MA-EPD for any reason at age 65 or older, and who are redetermined eligible under an MA-ABD basis, are eligible with certain MA-EPD income and asset rules including an asset limit of \$20,000. Generally, this MA-EPD asset policy is not affected by the new state law, and will continue on and after January 1, 2024, except as noted here. See EPM [Section 2.3.5.2.1 MA-EPD Bases of Eligibility](#) for more information.

Starting January 1, 2024, certain former MA-EPD enrollees will qualify for MA-ABD with no asset limit for up to 12 months, followed by MA-ABD eligibility with an asset limit of \$20,000. This will apply to MA-EPD enrollees who:

- were enrolled in MA-EPD for the 24 consecutive months before turning age 65, and
- become ineligible for MA-EPD at age 65 or older because they stopped working or no longer meet work requirements, and
- are redetermined eligible under an MA-ABD basis.

### 3. Account Validation Service (AVS)

Eligibility workers must request asset information, including a completed [Authorization to Obtain Financial Information from the Account Validation Service \(AVS\)\(DHS-7823\)](#) for an asset determination when an MA-EPD enrollee is transitioning to an MA-ABD basis of eligibility that has an asset limit. Eligibility workers must follow the policies for gathering information when redetermining under other bases of eligibility following a change in circumstances, described in [Bulletin #23-21-16](#).

## C. MA-EPD Enrollees Eligible for MA-LTC including HCBS Waivers

People eligible for MA-EPD may also be eligible for Medical Assistance for Long-Term Care Services (MA-LTC), including home and community-based services (HCBS) waivers, as long as they meet all MA-EPD eligibility factors including having earned income greater than \$65 a month and paying a premium.

Effective January 1, 2024, MA-EPD enrollees who are receiving MA-LTC services or who request MA-LTC services and meet the MA-LTC eligibility factors are eligible for MA-LTC with no asset limit.

All MA-LTC eligibility factors continue to apply to an MA-EPD enrollee who requests or receives MA-LTC, including that the person:

- Requires a nursing facility level-of-care as determined through a [Long-Term Care Consultation \(LTCC\)](#).
- Must have home equity at or below the [home equity limit](#).
- Must not be subject to a period of ineligibility under the [uncompensated transfer rules](#).
- Must [name the state as remainder beneficiary](#) of certain annuities.

See EPM [Section 2.4.1 MA-LTC Eligibility Requirements](#) for more information.

## III. Action Required

---

Effective January 1, 2024, county and tribal workers must implement the policies outlined in this bulletin and follow ONEsource instructions related to this bulletin.

## IV. Legal Authority

---

Laws of Minnesota 2023, chapter 61, article 3, sections 3 and 4

### Americans with Disabilities Act (ADA) Advisory

This information is available in accessible formats for people with disabilities by calling 651-297-3862 or toll free at 800-657-3672 or by using your preferred relay service. For other information on disability rights and protections, contact the agency's ADA coordinator.