

**ALABAMA MEDICAID AGENCY
ADMINISTRATIVE CODE**

**CHAPTER 560-X-25
MEDICAID ELIGIBILITY**

**560-X-25-.15 Parents And Other Caretaker Relatives And
Transitional Medical Assistance.**

(1) Parents and Other Caretaker Relatives (POCR)

(a) Parents and Other Caretaker Relatives is a Medicaid eligibility coverage group available to parents and other caretaker relatives of dependent children with household income at or below 13% of the federal poverty level (FPL). POCR also includes qualified pregnant women without other children whose family income falls within the standards for POCR. A standard income disregard of 5% of the federal poverty level is applied if the individual is not eligible for coverage due to excess income.

(b) The POCR must be related to the dependent child by blood, adoption, or marriage, with whom the dependent child lives, and who has primary responsibility for the dependent child's care. An all-inclusive list of POCR relationships includes:

1. The dependent child's father, mother, grandfather, grandmother, brother, sister, stepfather, stepmother, stepbrother, stepsister, uncle, aunt, first cousin, nephew or niece;

2. The spouse of such POCR, even after the marriage ends due to divorce or death.

(c) A "dependent child" is defined as a child who is under the age of 19.

(d) Self-attestation must be accepted to verify the POCR relationship for caretaker relatives unless there is information that is not reasonably compatible with such attestation. In such cases, the following documents are acceptable to verify POCR relationship:

1. Primary sources: Birth record, school records, sworn, notarized or witnessed statement of applicant/recipient, affidavit of paternity, hospital birth record, court orders signed by the judge where the relationship is acknowledged as claimed and there is no evidence to the contrary. If there are no primary sources to verify the POCR relationship, then the combination of both a Declaration of Natural Relationship Form made by the

applicant/recipient or other persons with knowledge of the relationship and a secondary source to verify the POCR relationship

2. Secondary sources: Insurance policy, other agency records, (example Red Cross, SSA, Census records, VA, Department of Senior Services records, Department of Human Resources), bible records, income tax records, official records, (example school report card, juvenile court), other hospital records, clinic or Health Department records, church records, military records, statement from a minister, priest or rabbi, baptismal certificate or other.

(e) Technical Requirements:

1. The dependent child must be living in the home of the POCR.

2. The dependent child must be under age 19.

3. The dependent child must be a U.S. citizen or an alien in satisfactory immigration status.

4. The POCR caretaker must cooperate with the Department of Human Resources and Alabama Medicaid Agency in Medical Support Enforcement Activities and in Third Party Medical Liability Activities unless good cause for not cooperating is determined.

5. When application is made for a dependent child the POCR who cares for the dependent child automatically assigns to the State all medical insurance or medical support benefits to the extent medical assistance is provided to both the dependent child and the POCR.

6. The POCR must furnish all Social Security numbers for everyone in the household or apply for a Social Security number for anyone who does not have a number and furnish the number upon receipt. (These numbers will be used in addition to any other means of identification in the administration of the program as provided for in Section 402(a)(25) of the Social Security Act). The number provided will be used in computer matches, program reviews and audits. Eligibility and income information will be requested regularly from the Internal Revenue Service, Social Security Administration, Alabama Department of Industrial Relations and other public and private organizations.

7. The POCR must apply for any other benefits for which they or other members of the household appear to be

eligible, such as Veteran Benefits, Social Security, Unemployment Compensation, etc.

(f) The Agency uses less restrictive income and resource methodologies than those in effect as of July 16, 1996, as follows:

1. Resources are excluded.
2. Gifts and inheritance are considered excluded income.

(2) Transitional Medical Assistance (TMA)

(a) When a household loses eligibility for Medicaid benefits under the POCR coverage group due wholly or partly to the collection of increased earnings or hours of employment, the household is entitled to twelve (12) continuance months of Transitional Medical Assistance (TMA), provided that:

1. Medicaid benefits under the POCR coverage group were terminated due wholly or partly to the POCR's increased earnings or hours of employment;
2. The household correctly received Medicaid benefits under the POCR coverage group in Alabama for at least three (3) of the six (6) months immediately prior to the first month of ineligibility; and
3. There is a child under 19 in the home.

(b) When a household loses eligibility for Medicaid benefits under the POCR coverage group due wholly or partly to the collection or increased collection of spousal support, the household is entitled to four (4) continuous months (and children are eligible for twelve (12) continuous months) of Extended Medicaid coverage, provided that both:

1. Medicaid benefits under the POCR coverage group were terminated due wholly or partly to the POCR's collection or increased collection of spousal support; and
2. The household (or any member of the household) correctly received Medicaid benefits under the POCR coverage group in Alabama for at least three (3) of the six (6) months immediately prior to the first month of ineligibility.

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