

Presumptive Eligibility for Hospital Providers Desk Guide

Purpose:

The purpose of this document is to provide a single reference source of tools to support hospital providers in determining Presumptive Eligibility.

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Acronyms

Term	Definition
ACA	Affordable Care Act
BPE	Bureau of Program Evaluation
COMPASS	Commonwealth of Pennsylvania Application for Social Services
DCA	Division of Corrective Action
EPP	Error Prevention Plan
FPL	Federal Poverty Level
MA	Medical Assistance
MAB	Medical Assistance Bulletin
MAGI	Modified Adjusted Gross Income
PE	Presumptive Eligibility
PS	Provider Specialty
PT	Provider Type

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Lawful Immigration Status

Lawful Immigration Status	Five Year Bar	Definitions/Documentation
Lawful Permanent Resident (LPR)	Yes *	Any person not a citizen of the United States who is residing in the U.S. under legally recognized and lawfully recorded permanent residence as an immigrant. I-551 Permanent Resident card. NOTE: Lawful Permanent Residents who entered under another category that is not subject to the five year bar (e.g. Refugees, Asylees, Trafficking victims, Cuban/Haitian entrants) remain exempt from the five year bar.
Refugees and Asylees	No	Admitted under Section 207 of the INA. Temporary Resident card (I-94) annotated with refugee status. Asylum status is a form of protection available to refugees who are already in the U.S. or seeking admission.
Cuban and Haitian Entrants	No	A Cuban and Haitian Entrant is any individual granted parole status as a Cuban/Haitian immigrant, who is not subject to a final removal order, and has applied for asylum. As defined in Section 501(e) of the Refugee Assistance Act of 1980. I-94 or I-551 annotated.
Non-citizens granted parole for at least one year	Yes *	Have authorization to remain the US for a period of at least one year. Granted for emergency reasons. I-94 annotated grant of parole under 212(d)(5) of INA and a date showing grant of parole for at least one year.
Non-citizens whose deportation is being withheld	No	Order from Immigration Judge showing deportation withheld under Section 243(h) and date of the grant.
Non-citizens granted conditional entry	No	Individuals who were admitted to the U.S. as conditional entrants under INA §203 (a)(7) prior to April 1, 1980.
Battered non-citizens and their children or parents	Yes *	The Violence Against Women Act allowed certain battered non-citizens to self-petition for legal permanent residence without the knowledge of the abuser or sponsor. USCIS reviews a petition and supporting requirements. If basic requirements are met, USCIS will issue an I-797.
Trafficking victims and their spouse, child, sibling or parent	No	Victims of severe form of trafficking under Section 107(b)(1) of the Trafficking Victims Protection Act of 2000. Letter from the Office of Refugee Resettlement, I-94 annotated T1, T2, T3, T4 or T5 stating admission under Section 212(d)(5) of the INA if status granted for at least one year.
Veterans or individuals on active duty and their families	No	Qualified aliens who are (a) honorably discharged veterans; (b) on active duty in the U.S. military; or (c) the spouse (including an unmarried surviving spouse) or unmarried dependent child of such an honorably discharged veteran or individual on active duty. Evidence of honorable discharge or active duty status must also be provided.
Iraqi and Afghani special immigrants	Yes *	Special immigrants from Iraq and Afghanistan are individuals granted special immigrant status under INA §101(a)(27). Either entered the U.S. as asylee or entered as permanent resident with special immigrant visas.

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Tax Filing Statuses Defined

Tax Filer

An individual who expects to file a tax return for the taxable year in which an initial determination of eligibility is being made.

Tax Dependent

An individual who expects to be claimed as a tax dependent by another taxpayer for the taxable year in which an initial determination of eligibility is being made.

Non-Filer

An individual who does not expect to file a tax return and does not expect to be claimed as a tax dependent for the taxable year in which an initial determination of eligibility is being made.

Child

Individuals between the ages of 0 and 18.

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Tax Household Composition

<p>If an individual is considered a TAX FILER– Household includes:</p> <ul style="list-style-type: none"> • TAX FILER. • Spouse of TAX FILER (if living with TAX FILER). • All claimed TAX DEPENDENTS of TAX FILER. 	<p>If an individual is considered a TAX DEPENDENT– Household includes:</p> <ul style="list-style-type: none"> • TAX DEPENDENT. • Claiming TAX FILER. • Claiming TAX FILER’S spouse (if living with TAX FILER). • Other TAX DEPENDENTS of claiming TAX FILER. • TAX DEPENDENT’s spouse (if living with TAX DEPENDENT). <p>NOTE: If an individual is considered both a TAX FILER and a TAX DEPENDENT, the individual will be considered a TAX DEPENDENT for Tax Household size.</p>	<p>If an individual is considered a NON-FILER– Household includes (if living in household):</p> <ul style="list-style-type: none"> • Spouse of NON-FILER. • Child(ren) under age 19 (biological, adopted or step-child(ren)) of NON-FILER. <p>If a CHILD is being determined under NON-FILER rules, household includes (if living in household):</p> <ul style="list-style-type: none"> • CHILD. • Parent(s) (biological, adopted or step-parent(s)). • Sibling(s) under age 19 (biological, adopted or step-sibling(s)).
<p>Exceptions to Rules Above (Use NON-FILER Rules):</p> <ul style="list-style-type: none"> • A TAX DEPENDENT who is claimed by someone other than a spouse or parent (biological, adopted or step-parent). • A TAX DEPENDENT (under age 19) who lives with both parents, for whom parents will not file jointly and only one parent claims child. • A TAX DEPENDENT (under age 19) who is claimed by a non-custodial parent. • A TAX DEPENDENT (under age 19) whose parents are married and will file jointly, but one parent does not live in the home due to a separation or pending divorce. The parent outside of the household will not be included in budget group. • A TAX FILER who cannot provide proof of their TAX DEPENDENTS. 		

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Examples of MAGI Households

1. Mary is applying for PE. She has a daughter, Joan, who is 14. Mary is divorced from Joan's father, Dale, and they are not living together. Mary plans to file taxes and claim Joan as her tax dependent.

The MAGI household for Mary follows the tax filer household rules. The MAGI household for Mary's determination consists of:

- Mary (tax filer)
- Joan (tax dependent)

2. Sarah, age 22, is pregnant and is applying for PE for herself only. She lives with her boyfriend and Aly, their common child who is 2-years-old. She files her own taxes and claims the child.

The MAGI household for Sarah follows the tax filer household rules. The MAGI household for Sarah's determination consists of:

- Sarah (tax filer)
- Aly (tax dependent)
- Unborn baby

3. Adam, age 18, is applying for PE for himself only. He is a full-time student and lives with his parents, Samantha and Jim, who are planning to claim Adam as a tax dependent. Samantha and Jim are married and will file taxes jointly.

The MAGI household for Adam follows the tax dependent household rules. The MAGI household for Adam's determination consists of:

- Adam (tax dependent)
- Samantha (tax filer)
- Jim (tax filer's spouse)

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4. Mary and her 14-year-old daughter, Joan, are applying for PE. Mary is divorced from Joan's father, Dale, and they are not living together. Dale plans to file taxes and claim Joan as his tax dependent. Mary will file her own taxes.

The MAGI household for Mary follows the tax filer household rules. The MAGI household for Mary's determination consists of:

- Mary (tax filer)

The MAGI household for Joan follows the child non-filer household rules. The MAGI household for Joan's determination consists of:

- Joan (child non-filer)
- Mary (child non-filer's parent)

5. David, age 52, is applying for PE. David is single, with no dependent children. He is employed and plans to file taxes in the coming year. He is a single tax filer with no tax dependents.

The MAGI household follows the tax filer household rules. The MAGI household for David's determination consists of:

- David (tax filer)

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MAGI Income

Below are the types of income that should be included in the PE assessment:

Which income is counted under MAGI rules?	YES	NO
Earned Income		
Wages, Salary, Tips, Commissions, and Bonuses	X	
Self-employment Income	X	
Child's Income – if required to file a tax return	X	
Unearned Income		
Unemployment	X	
Worker's Compensation		X
Veteran's Benefits		X
RSDI (only included if the child's other income requires that child to file a tax return)	X	
Child Support		X
Alimony	X	
Child's Income – if required to file a tax return	X	
Educational Assistance not used for living expenses		X
Lump Sum in the month received	X	
American Indian/Alaska Native Income		X
SSI		X
TANF		X

NOTE: RESOURCES ARE NOT COUNTED IN MAGI ELIGIBILITY DETERMINATION!

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Allowable Tax Deductions

Enclose, but do not attach, any payment. Also, please use Form 1040-V.	17	Rental real estate, royalties, partnerships, S corporations, trusts, etc. Attach Schedule E	17		
	18	Farm income or (loss). Attach Schedule F	18		
	19	Unemployment compensation	19		
	20a	Social security benefits	20a		
		b Taxable amount	20b		
	21	Other income. List type and amount	21		
	22	Combine the amounts in the far right column for lines 7 through 21. This is your total income	22		
Adjusted Gross Income	23	Educator expenses	23		
	24	Certain business expenses of reservists, performing artists, and fee-basis government officials. Attach Form 2106 or 2106-EZ	24		
	25	Health savings account deduction. Attach Form 8889	25		
	26	Moving expenses. Attach Form 3903	26		
	27	Deductible part of self-employment tax. Attach Schedule SE	27		
	28	Self-employed SEP, SIMPLE, and qualified plans	28		
	29	Self-employed health insurance deduction	29		
	30	Penalty on early withdrawal of savings	30		
	31a	Alimony paid b Recipient's SSN	31a		
	32	IRA deduction	32		
	33	Student loan interest deduction	33		
34	Tuition and fees. Attach Form 8917	34			
35	Domestic production activities deduction. Attach Form 8903	35			
36	Add lines 23 through 35	36			
37	Subtract line 36 from line 22. This is your adjusted gross income	37			

For Disclosure, Privacy Act, and Paperwork Reduction Act Notice, see separate instructions.

Cat. No. 11320B

Form **1040** (2012)

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2016 FPL Income Limits for Presumptive Eligibility

Coverage Group	Parents/ Caretakers	Children Ages 6-18/Adults 19- 64	Children Ages 1- 5	Pregnant Women and Children Under Age 1	Former Foster Child	5% Income Disregard (Based on 100% of FPL)
	33% of FPL	133% of FPL	157% of FPL	215% of FPL	N/A	
Persons	Monthly	Monthly	Monthly	Monthly	N/A	Monthly
1	\$327	\$1,317	\$1,555	\$2,129	N/A	\$49.50
2	\$441	\$1,776	\$2,096	\$2,871	N/A	\$66.75
3	\$555	\$2,235	\$2,638	\$3,612	N/A	\$84.00
4	\$669	\$2,694	\$3,180	\$4,354	N/A	\$101.25
5	\$783	\$3,153	\$3,721	\$5,096	N/A	\$118.50
6	\$896	\$3,611	\$4,263	\$5,838	N/A	\$135.75
7	\$1,011	\$4,071	\$4,806	\$6,581	N/A	\$153.05
8	\$1,125	\$4,532	\$5,350	\$7,327	N/A	\$170.40
Each Additional Person	\$115	\$462	\$545	\$746	N/A	\$17.35

The FPL Income Limits for Presumptive Eligibility are updated every calendar year. A link to the FPL for the current year can be found at:

<http://dhs.pa.gov/affordablecareact/providers/index.htm>

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Supporting Documentation

Citizenship

- U.S. birth certificate
- U.S. passport
- Certificate of Naturalization
- Tribal enrollment or membership documents issues by a Federally recognized Indian Tribe
- Permanent Resident card (Green Card)
- Visa
- I-555

Residency

- Valid PA Driver's License
- Rent receipt
- Mortgage statement
- Utility bill
- Tax Office Record
- Voter registration
- A collateral contact

Identity

- PA or out of state Driver's License
- PA or out of state ID card
- U.S. Military ID
- U.S. passport
- Certificate of Naturalization
- Certificate of U.S. Citizenship