

2412.30.05 Exceptions when MRT will determine disability

SSA will determine disability for Medicaid except in the following circumstances where MRT will determine disability:

- a. An individual has never applied to the SSA for disability benefits
- b. An individual has applied to the SSA for disability benefits, but SSA has not yet rendered a decision
- c. An individual had applied to the SSA and the SSA determination denied disability is more than 12 months old and the individual is currently claiming a change in condition since the SSA denial
- d. An individual had applied to the SSA and the SSA determination denied disability less than 12 months ago, the individual is currently claiming a change in condition since the SSA denial, and the individual has applied to SSA for reconsideration of its disability decision, but the SSA refused to reconsider

~~If any condition described in either a), b), or c) the individual will be required to provide proof that the individual also applied for disability to the SSA by the 45th day following the date of the individual's submitted application for Medicaid or from the 13th day after the mailing date of the pending verification checklist that indicates that the individual must apply for disability benefits, whichever is longer. If there is an SDX match showing a pending application, this requirement would be met.~~

~~If a person is required to apply for benefits with the SSA, the person must receive notice of the requirement by being given a 2032 after the interview is held. Refer to IPPM 2005.00.00. Further, Workers must not delay requesting medical information needed to determine disability due to this requirement.~~

For purposes of c) and d), when the individual has appealed the SSA determination, the date considered to be the SSA determination is the date the SSA made its original determination, not the date of the SSA hearing decision.

~~If the condition described in d) is met, that individual will not be required to apply for disability benefits to the SSA. MRT will make the disability determination.~~

~~If the disabled applicant is under 18 years of age, they are not required to apply for disability with SSA until after they turn 18.~~ Children are eligible to receive most services, including waiver services, under a Hoosier Healthwise category (see IHCPM 3310.00.00).