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MEDICAID UPDATE

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Medicaid Update

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Medicaid Update

I. NEW PROCEDURE FOR APPLYING FOR MEDICAID ONLINE

The Texas Health and Human Services Commission has invested heavily over the last several years in developing the capacity to process Medicaid applications filed online. Elder Law attorneys have eagerly responded to each invitation to use the "portal" at https://www.yourtexasbenefits.com. However, at least until recently, those efforts were generally unsuccessful, because opening an account for a client required answering questions of obscure client history that clients--most of whom have dementia--are unable to answer. The big change, announced by HHSC representative Lisa M. Vasquez at the State Bar's Advanced Elder Law Conference April 4, 2019, is to allow any individual who has been appointed Authorized Representative to open an account then *use the same account for an unlimited number of applications*. No client history is required to open the account. Therefore, each law firm staff member who works with Medicaid applications can open an account then use that account for every application he or she handles.[1]

Unfortunately, this new and improved system is not fully functionally as of July 2019. The online application "filler" does not transmit to the caseworker all the information you enter. This results in the caseworker's receiving an incomplete application that requires a document request in which the caseworker asks you to complete the application again in its entirety and resubmit the application via facsimile. My office is attempting to work around this issue by uploading to the portal the complete signed application on form H1200.

Here are other "tips and tricks" for using the portal:

- When initially selecting the benefits you wish to apply for on behalf of your client, be sure to select both "LTC services" and "MSP" (Medicare Savings Programs—QMB, SLMB, etc.). The MSP programs are not automatically tested for, unlike when you submit an application by facsimile. MSP programs are located under the "Healthcare" tab
- When completing the initial audit of information, treat the *applicant* as "Contact Person/ Head of Household." If you try to enter your attorney information as the contact person for the case, you will soon find yourself applying for benefits right alongside your client!

[1] The description of the application process herein is from the notes of the author and Meredith Sullivan taken at Ms. Vasquez's presentation on April 4, 2019, supplemented by our own very limited previous experience with online applications. No written materials were provided at the conference. The suggested procedures in this paper should be viewed as tentative.

- In the income section, make sure you pay attention to each option presented. "Money Coming Into the Home" is for income from jobs, self-employment or training", whereas "Other Money Sources" is *literally everything else.* "Other Money Sources" is where you enter retirement income, Social Security, VA and annuity information.
- The "Things You Have" tab is for vehicles and real property.
- "Accounts and Expenses" is where you enter all other resources, including burial and preneed funeral contract information.
- "Past Income" is where you enter information regarding transfers, sales of assets, and closed accounts.
- Uploading files involves some challenges. You are limited to files less than 6MB in size (total files limit of 10 files with 30MB total). The naming of the files is extremely important—each name cannot be more than 50 characters, no spaces and no special characters allowed.
- When you submit the application, be sure to record the **Application ID.** That is the ID that Medicaid will use to identify your case in the list of cases you are able to monitor. You are able to upload additional files after the initial submission of the application.

Here is an overview of the process of opening an account. There is no option for simply opening an account, so you have to pretend to be filing an application:

1. Go to https://www.yourtexasbenefits.com
2. Select Login in the upper right corner
3. Select "Create an account" in the lower right corner
4. Select OK
5. To "Get benefits now" select No
6. Under "Pick Programs" select "Long-Term Care Services" (or any other option) and select Next at the lower right corner (Note: If the next screen says you have not selected a program, select an option with a small checkbox rather than one of the large ones.)
7. Select "Apply Now," then select "Limited Access." (You can get Full Access later, when you have a case in which your name is listed as Authorized Representative.)
8. Create username and password as directed

The website gives the following encouraging information:

Once you apply online you can:

- Check the status of your benefits
- Report changes to your case
- Renew your benefits
- Print a Medicaid card
- Upload items we need from you

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