



## **Medicare Application as Condition of Medicaid Eligibility FAQs**

### **Background**

Social Services Law requires individuals who are eligible for or who appears to be eligible for benefits under Medicare to **apply for Medicare benefits** as a condition of Medicaid eligibility. Individuals must submit proof of application for Medicare by the due date indicated on the Human Resources Administration (HRA) or the New York State of Health (NYSoH) Notice. Unless otherwise excluded, individuals who fail to apply for Medicare benefits and provide proof will have their Medicaid eligibility denied or discontinued following timely notice from the HRA or NYSoH.

The purpose of this FAQs is to help Member Services Representatives, Retention Representatives, and Sales Representatives provide uniform responses to members' or prospective members' inquiries on this requirement.

### **FAQs**

#### **1. Will I have to apply for Medicare to keep my Medicaid benefits?**

If you're receiving or applying for full Medicaid benefits and you are age 65 or older or will be turning 65 within the next 3 months, you must apply for Medicare to keep your Medicaid benefits.

You must also submit proof of application for Medicare to the Human Resources Administration (HRA) or New York State of Health (NYSoH).

#### **2. How do I apply for Medicare?**

If you're over 65 (or turning 65 in the next 3 months) and not already getting benefits from Social Security, you need to sign up to get Medicare Part A (Hospital Insurance) and Part B (Medical Insurance).

You can sign up or apply for Medicare with the Social Security Administration (SSA) either:

- Online at <https://www.ssa.gov/benefits/medicare/>
- In person at your local SSA office. You should call first to make an appointment.
- By phone. You can call the SSA at 1-800-772-1213 (TTY: 1-800-325-0778), Monday to Friday 7AM to 7PM.
- If you worked for a railroad, call the Railroad Retirement Board (RRB) at 1-877-772-5772.

#### **3. Will I have to submit proof of application for Medicare to the HRA or NYSoH?**



If you're receiving or applying for full Medicaid benefits and you are age 65 or older or will be turning 65 within the next 3 months, you must apply for Medicare to keep your Medicaid benefits.

Yes, you must also submit proof of application for Medicare to the Human Resources Administration (HRA) or New York State of Health (NYSoH).

**4. Where/How do I submit the proof that I applied for Medicare?**

You should submit the proof of application for Medicare to either the HRA or NYSoH. You should have received a notice from the HRA or NYSoH which includes the return address.

If you have received a notice from the HRA, it's best to check the notice for the return address because there are different return addresses based on the type of case you have.

If you're enrolled through the NYSoH, you can either upload the proof online by signing into your account or by mail to:

- NY State of Health  
PO Box 11727  
Albany, New York 12211

**5. What can I submit as proof that I applied for Medicare?**

Proof of Medicare application can be:

- a copy of your red, white and blue Medicare Card
- your Medicare Application Submission Receipt
- your Medicare Application Acknowledgement Letter
- your Medicare Award Letter of Acceptance
- a Medicare Letter of Denial

**6. By when must I submit the proof of application for Medicare to the HRA or NYSoH?**

In general, Medicaid members will have 30 days from the date of the notice to provide proof of application for Medicare to either the HRA or NYSoH. You should always check your notice for the due date and return the required proof by the due date at the return address provided in the notice. If you need additional time to submit the proof, you may request an extension by calling the HRA or NYSoH.

**7. I am not eligible for Medicare. Do I still need to submit proof that I applied for Medicare?**

Unless you're excluded from this requirement, you must submit proof that you have applied for Medicare in order to keep your Medicaid benefits. If you've already applied and was determined not eligible for Medicare, you can submit the Medicare Letter of Denial to either the HRA or NYSoH as proof that you have applied.



**8. Are there people excluded from the requirement?**

Yes. Medicare eligible individuals with an income above the Medicaid income level or above 120% of the Federal Poverty Level (FPL), whichever is higher, and are age 65 or older, or turning 65 within the next 3 months, are exempt from this requirement.

In addition, Medicaid recipients that are considered ineligible for Medicare, which include individuals in the five (5) year bar (e.g. Essential Plan 3 and Essential Plan 4), PRUCOL or incarcerated with suspended coverage, are not required to apply for Medicare as a condition of Medicaid eligibility. Although they are excluded from the requirement, this does not mean they are absolutely ineligible for Medicare. Medicare eligibility is determined by the Social Security Administration (SSA).