

+-----+
| LOCAL COMMISSIONERS MEMORANDUM |
+-----+

DSS-4037EL (Rev. 9/89)

Transmittal No: 91 LCM-141

Date: August 14, 1991

Division: Medical Assistance

TO: Local District Commissioners

SUBJECT: Health Insurance Continuation Program for Persons with AIDS
(Chapter 165 of the Laws of 1991)

ATTACHMENTS: Attachment 1: Chapter 165 of the Laws of 1991, pages
39 and 40 (not available on-line)

Chapter 165 of the Laws of 1991 provides statutory authority for payment of health insurance premiums under the Medicaid program for certain persons with AIDS whose household incomes are above the Medicaid eligibility level but at or below 185 percent of the comparable federal poverty line. The purpose of this legislation is to assist such persons in maintaining their private insurance coverage after termination or reduction of employment. Payment of health insurance premiums under the Medicaid program can avert or delay impoverishment of this population and the resultant spenddown to Medicaid eligibility levels with its concomitant health care services costs.

Chapter 165 requires social services districts to pay the health insurance premiums for persons with AIDS who:

1. are unemployed, or if employed on a part-time basis are ineligible to participate in the plan of health insurance through their current employers, or the employers offer no such plan; and
2. participated in the plan of health insurance provided by their prior employers and are eligible to continue or convert their participation in such plan by assuming the health insurance costs associated with such plan although no longer employed by such employers; and
3. reside in a household whose household income is less than or equal to 185 percent of the federal poverty line; and
4. are not otherwise eligible for medical assistance benefits.

Date August 14, 1991

Trans. No. 91 LCM-141

Page No. 2

The Department is currently developing emergency regulations and an administrative directive to implement the statutory requirements. In the interim, questions regarding the Health Insurance Continuation Program for Persons with AIDS may be directed to Ms. Bobbi Krusik of my staff at 1-800-342-3715, extension 3-5562, or (518) 473-5562.

Jo-Ann A. Costantino
Deputy Commissioner
Division of Medical Assistance