

STATE OF VERMONT
HUMAN SERVICES BOARD

In re) Fair Hearing No. R-12/19-818
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Appeal of)
)

INTRODUCTION

Petitioner appeals the denial of Medicaid eligibility as determined by the Department of Vermont Health Access ("Department"). The following facts are adduced from a telephone hearing held on March 10, 2020 and documents submitted by the Department.

FINDINGS OF FACT

1. Petitioner applied for Medicaid on December 3, 2019, as a household of one. At the time, and without dispute, petitioner reported income of \$455 per week from unemployment compensation and approximately \$200 per week in earned income.

2. It is noted that the interplay of petitioner's earned income with his unemployment compensation is the subject of some dispute by petitioner; however, on his December 3, 2019 application, he reported both sources of income.

3. Because petitioner's total reported income was well over the Medicaid monthly threshold of \$1,437.05, petitioner was denied eligibility for Medicaid, but was found eligible for enrollment into a Qualified Health Plan with subsidies on Vermont's healthcare exchange ("VHC").¹

4. Following his denial of Medicaid eligibility, in phone conversations with VHC representatives during December 2019, petitioner protested that his income had been incorrectly calculated, arguing that his unemployment compensation is reduced (above a minimum amount) by \$1 for every \$2 of earned income. When a Department representative requested that he provide paystubs and unemployment compensation statements to verify his income, petitioner declined to provide this information, on the grounds that he had provided information to VHC before (for prior applications) which had been lost or misplaced. This appeal followed.

5. On appeal, petitioner maintains his argument that VHC miscalculated his income. However, he does not dispute that in December 2019 he was receiving, at a minimum, \$455 per week in income (if not more than that). Petitioner made

¹ It is assumed that if petitioner wanted to enroll into an exchange plan, he would have needed to do so during the open enrollment period which ended on December 15, 2019.

clear that he is not interested in enrolling in an exchange plan through VHC, even if that option is available to him (see note 1, *supra*).

6. At hearing petitioner also reported that his unemployment compensation had ended but declined the opportunity to submit a new Medicaid application to VHC, despite the possibility that he may now fall under the income threshold. Irrespective of the outcome of this appeal, petitioner always has the option of reapplying for Medicaid.

ORDER

The Department's decision is affirmed.

REASONS

Review of the Department's determination is de novo. The Department has the burden of proof at hearing if terminating or reducing existing benefits; otherwise the petitioner bears the burden. See Fair Hearing Rule 1000.3.0.4.

Petitioner does not dispute that in December 2019 his income was \$455 per week, if not more; moreover, petitioner himself reported income of \$455 in unemployment compensation plus \$200 per week in job income, on his December 2019 application. Even income of \$455 per week (or \$1,950 per

month, based on a 30-day month) is well above the applicable Medicaid eligibility threshold of \$1,4307.05 per month for a household of one. See Health Benefits Eligibility and Enrollment Rules, § 7.03.²

As such, the Department's denial of Medicaid eligibility is consistent with the rules and must be affirmed by the Board. See 3 V.S.A. § 3091(d); Fair Hearing Rule No. 1000.4D.

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²Specific income thresholds may be found online at:
<https://info.healthconnect.vermont.gov/thresholds2020#Medicaid>.