

Policy Clarification
Medical Assistance – All
PMA-19966-870

Submitted: 5/19/20

Agency: CAOs

Subject: Medical Assistance (MA) Appeal Adjudications and Maintaining Eligibility During the Coronavirus (COVID-19) Emergency

Question: Should MA benefits be maintained when an adjudication order from an Administrative Law Judge (ALJ) rules in favor of the County Assistance Office (CAO) that has determined an individual ineligible?

Response By: Division of Health Services

Date: 5/28/20

If the individual was in an eligible status on March 18, 2020 or after, the CAO must keep that individual open even if an adjudication order from an ALJ rules that the household is ineligible. This includes individuals who were determined ineligible by the CAO prior to March 18, 2020, but whose MA benefits were continued pending an appeal. The CAO should act on the ALJ's order after the end of the emergency.

If the individual was in an eligible status on March 18, 2020 or after, the CAO will also maintain benefits if the client withdraws the appeal at or before the hearing, or if the client does not attend the hearing and the appeal is dismissed as abandoned.

There are some exceptions to maintaining an individual's MA eligibility during the emergency. For examples of acceptable reasons to close MA during the COVID-19 emergency, refer to [OPS-20-03-03](#). If an individual is appealing a termination for one of these reasons, the CAO will need to close MA following the appeal adjudication.