Work In Progress

A new law will let you bring home the bacon without having to sacrifice your Medicaid benefits.

May 1, 2000 By Rebecca Minnich

Wake up, *POZ* working stiffs! If you think punching the clock 9 to 5 for a decent salary means you forfeit your disability coverage, wake up and smell the coffee. A law passed by Congress and signed by the president in December could be the biggest extension in health coverage for PWAs since the Ryan White CARE Act.

The Deal: The new Work Incentives Improvement Act lets states give Medicaid to workers who are fully disabled, "pre-disabled" and "ex-disabled," (see the terms for details) even while putting in a 40-hour week. The law also pushes up the salary cutoff for benefits eligibility to include salaries that can be as high as $43,000 (or more, if your state agrees). Assets such as a house, car and up to $2,000 in savings are allowed—but states can also exempt additional savings, second cars for families and retirement accounts like IRA and 401(k)s. Plus, your local cash-strapped AIDS organization will be eligible for money from Social Security to provide job-readiness and rehabilitation counseling for HIVers re-entering the workplace.

The Catch: The feds are footing only part of the bill. Each state must first vote to approve the extended benefits and then shell out matching funds—20 percent to 50 percent of the total—to cover them.

Take It Home: At least 18 states are already considering or have implemented some or all of the new Medicaid coverage options and some, such as Massachusetts, enacted similar protections even before the federal act was passed. In fact, in a national first, the Bay State has appropriated $10 million to create a new category of Medicaid eligibility for HIVers with an income of $16,700 or less who are considered pre-disabled. They don't have to undergo disability reviews—just bringing in an HIV diagnosis is sufficient. And California has approved one provision of the legislation, allowing disabled workers to "buy into" Medicaid with monthly payments of $20 to $250 based on income. The next step in California is to introduce new state legislation that will cover pre-disabled working people.

Do It Yourself: If you're an AIDS advocate (or a wanna-be), the Title II Community AIDS National Network offers reams of resources. You can even order a free activist kit with useful materials to lobby for the Work Incentives Improvement Act in your state, including a model bill for consideration in your state assembly. Write to TIICANN, 1775 T St. NW, Washington, DC 20009, or

e-mail tomxix@ix.netcom.com.

The Terms: Pre-disabled: You're HIV positive (no AIDS diagnosis, no OIs, asymptomatic), working—and may be eligible for benefits if you're likely to become disabled without Medicaid treatment.

Ex-disabled: You used to be eligible for Medicaid as a disabled worker before flunking part or all of the review process, but are still seriously impaired by your condition. The new law will also make easier to appeal the review if you didn't pass.

In your state: If you live in one of the following states, Medicaid coverage of disabled, pre-disabled and ex-disabled workers is available or is being debated: Alaska, California, Connecticut, Illinois, Maine, Massachusetts, Minnesota, Mississippi, Missouri, Nebraska, New Mexico, New Hampshire, Ohio, Oregon, South Carolina, Vermont, Washington and Wisconsin.

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