

**TO:** Local District Commissioners, Medicaid Directors

**FROM:** Judith Arnold, Director  
Division of Health Reform and Health Insurance Exchange Integration

**SUBJECT:** 2013 Federal Poverty Levels

**EFFECTIVE DATE:** January 1, 2013

**CONTACT PERSON:** Local District Support Unit  
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The purpose of this GIS message is to inform local departments of social services (LDSS) of the revised federal poverty levels (FPLs). The revised FPLs are effective January 1, 2013, and are the actual poverty levels published in the Federal Register on January 24, 2013.

The new FPLs are effective for cases with budget "From" dates of January 1, 2013 or later. The revised figures will be available on MBL April 1, 2013. For all new and pending applications, income must be compared to the revised FPLs. Budgets with a "From" date of 2012 or earlier will be mass re-budgeted and overlaid with a budget "From" date of April 1, 2013. Upstate budgets will be stored on March 30, 2013. Cases with a budget store date prior to January 19, 2013 will include the 2013 Cost Of Living Adjustment (COLA) increase. Cases with a budget "From" date of 2012 or earlier and a budget store date of January 19, 2013 or greater will be recalculated, but no COLA will be applied.

Districts should review cases with a budget store date of January 19, 2013 or greater and recalculate the budget using the 2013 social security income amount.

If a district determines that a previously budgeted case with a "From" date of January 1, 2013, has been negatively affected due to use of 2012 FPL, or a case is brought to the districts attention, the case should be re-budgeted using the revised FPLs. If eligible, covered medical expenses paid by an individual as a result of an improper calculation must be reimbursed pursuant to 10 OHIP/ADM-9, "Reimbursement of Paid Medical Expenses Under 18 NYCRR §360-7.5(a)."

NOTE: Since the COLA increase of 1.7% is less than the 2.8% FPL increase, it is possible that some SLIMB eligibles may now be QMB eligible. Staff is reminded to change the MSP code in WMS and eMedNY to reflect the correct MSP level.

NYC mass re-budgeting (MRB) will occur March 17, 2013.

As a result of the increase in the FPLs, the amount used in the Family Member Allowance (FMA) formula increased to \$1,939. The maximum monthly FMA increased to \$647. All spousal impoverishment cases involving a family member entitled to the family member allowance, which were active on or after January 1, 2013, and which were budgeted using the 2012 family member allowance, must be re-budgeted using the new family member allowance. In

addition, the increased family member allowance must be used effective January 1, 2013, in determining any requested contribution of income from a community spouse or from a spouse living apart from an SSI-related applicant/recipient. Budget adjustments should be made at next contact or renewal.

A chart with the new FPLs is attached to this GIS. Please see the previously issued GIS, "2013 Medicaid Only Income and Resource Levels," for other pertinent eligibility determination information.