



Are you pregnant OR under age 21?



You may be able to get TennCare IF:



Your family has enough medical costs

Medical costs can be doctor, hospital or medicine costs. But they **can't** be costs that your insurance paid.

AND

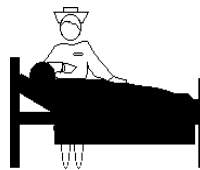


Your savings are low enough

TennCare Medicaid rules count your family's savings and certain other things you own. But, they **don't** count how much your home or 1 car is worth. And some IRAs don't count.

Getting TennCare Medicaid because of medical bills is called "**Spend Down.**" If you get TennCare Medicaid this way, it doesn't pay the medical costs you already have.

If you get TennCare Medicaid, what does it pay for? It pays for medical costs like doctors, hospitals and medicine. But it doesn't pay for the medical costs you already had when you applied. It pays for your new medical costs for the next year. If you are pregnant, it will pay for you and your baby's medical bills for a year. **AND** it will pay the medical bills for your other children under age 21.



Do you or your children get SSI payments?

You don't need to apply for anyone who gets SSI. They already have TennCare Medicaid.

Are you on Families First? You can get TennCare Medicaid just by applying for it. You don't need medical bills. Apply at the food stamp office - DHS (Department of Human Services).

See how much medical costs you need to get TennCare Medicaid using Spend Down.

How much medical costs you need is called your Spend Down amount.

A. Write your family's **gross** monthly income here. "Gross" means before money is taken out for insurance, Medicare or taxes.

B. In the box, find your family size. A pregnant woman counts as 2 people.

Family Size	1	2	3	4	5
Subtract	\$241	\$258	\$317	\$325	\$392



C. Find the dollar amount below your family size. Write it here.

D. Subtract. This is about how much medical costs you need.

\$ _____

- \$ _____

\$ _____

Example: You live alone.
 Your gross income: \$800
 Your family size is 1 so
 you subtract: - \$241
 Medical costs you need: \$559

The answer you get is close to your Spend Down amount. Apply for TennCare Medicaid if you have anywhere near that much in medical costs.

Does someone in your family get SSI payments? You may need less medical costs than that to get TennCare Medicaid.

If your answer is \$0, you don't need **any** medical costs to get TennCare Medicaid.

How to make Spend Down work for you:

- 1. Give DHS copies of ALL the medical bills for you and your family.** The more medical costs you have, the more likely you are to get TennCare Medicaid.

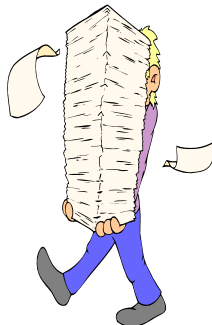
IMPORTANT! Your Spend Down amount can include both paid and unpaid medical costs. **BUT** these bills must be for care your family got in the month you apply. **OR** from the 3 months before you apply. DHS **can't** use the part of a medical bill that insurance paid. They can only use the part insurance didn't pay. **Have bills more than 3 months old?** Pay on them the **month you apply**. The part you pay counts for Spend Down.

DHS can use medical bills on:

- You
- Your husband or wife
- Your children under age 21

DHS can use:

- Doctor bills
- Hospital bills
- Prescription drug costs



If you have proof of the cost, DHS can also use:

- Medical supplies, such as needles and
- Glasses and eye doctor visits and
- Dental bills and
- Hearing aids and batteries and
- Health insurance payments

AND DHS can use:

- What you spend go to and from the doctor, hospital or drug store
- Over the counter medicine like Tylenol or allergy medicine. They can count up to \$10 per person without proof. They can count more if you have receipts.

2. Need to use medical bills more than 3 months old?

Then you must pay all or part of the bill **in the month you apply**. The part you pay counts for Spend Down.

Example: You got new glasses 4 months ago and are making payments. DHS can count what you paid on these bills in the month you apply for TennCare.



Special note about medicine costs

Is prescription medicine your main health care cost? Does one month of medicine cost as much as your Spend Down amount? Then give DHS your prescription receipts for the month when you apply.

What if one month of medicine is not as much as your Spend Down amount? Here's something to try. Tell the drug store you want to apply for TennCare. Tell them how much you need to owe to get your Spend Down amount. See if the drug store will let you charge your drugs until you owe enough. Then apply for TennCare. After you have applied, pay the drug store back for these old medicines. TennCare **won't** pay for these old medicines, only for your new medicines.

Here's another way to owe enough medicine costs. See if someone will pay for your medicine for awhile, as a loan. Do this until you owe them your Spend Down amount. Get it in writing. **BUT**

you can only use the medicine you got the month you applied. **AND** you can count the medicine you got for 3 months before you applied.

Are you trying to pay your bills off? Apply for TennCare before you pay them off.

Are you going to have to take bankruptcy? Apply for TennCare before the bankruptcy. Are you in the middle of a bankruptcy? Has a place you owe money to already written off the bill? Then you can't use it. You **can** use the medical bills you list in your bankruptcy for Spend Down. But just until the court says you don't have to pay them.



What if DHS won't count the bills even though the bankruptcy isn't over? Then you need to appeal. See "What to do if they turn you down" on page 7 of this booklet.

Once DHS has used the whole bill to approve you for Spend Down, they can't use it again, even if you still owe it.

TIP: Are your medical bills **more** than your Spend Down amount? Ask DHS to:

- Count your paid bills first. These must be bills from the month you apply.
- Then count the paid bills from the 3 months before you applied.
- Still have bills left? Ask DHS to write the rest of the bills in your record. You might be able to use these extra costs to meet Spend Down next year.

Don't have enough Spend Down costs when you apply? DHS puts your application "on hold" until the end of the month you applied in. Send them copies of any new bills you get. You may get enough bills to get Spend Down while your application is on hold. Then they can give you TennCare Medicaid without making you apply again. Does it take longer than the end of the month to get the costs you need? Then you will have to apply again.



What to take with you when you apply

DHS will give you a list of the papers you should bring. You can see the list on the internet. Go to <https://fabenefits.dhs.tn.gov>. Look for the part that talks about what kind of papers you will need.

Apply as soon as you can

Apply at DHS (the food stamp office) in your county. Are you good with computers? Then you can also apply on the internet at <https://fabenefits.dhs.tn.gov>. Click on "TennCare Medicaid." Apply as soon as you can. TennCare Medicaid only pays for health care you get after you apply. If you are in the hospital, ask if they have a Medicaid worker. Hospitals can fax in your application on nights or weekends.

OR you can fax your application to DHS. Need the fax number for DHS? Call **1-866-311-4287** for free. They can give you the fax number for the office near you.

What to do if they turn you down

You need to appeal. An appeal is a way to fix any mistakes DHS may make. You can appeal by calling DHS for free at **1-888-863-6178**. Or, you can write them a letter. Or, you can ask them to send you an appeal form.



After you appeal, call Legal Aid or Legal Services. If DHS made a mistake, Legal Aid may be able to help you with your appeal.

Does your child have bad health problems? See if your child can get TennCare Medicaid from SSI.

DHS **doesn't** know if your child can get TennCare Medicaid from the SSI program. SSI is run by



Social Security. If your child can get SSI, you can get monthly income and she can get TennCare Medicaid.

Do health problems keep your child from doing what others their age can do? Then call Social Security. Their free number is **1-800-772-1213**. Ask if your child can get SSI.

Check out other health care help

Ask your local health department about any free or low-cost clinics or medicine programs.



This booklet is not meant to take the place of legal advice. Each case is different and needs individual attention. We updated this booklet in April 2012. TennCare Medicaid rules may change from time to time. This booklet is a joint project of Legal Aid Society of Middle Tennessee and the Cumberland and the Tennessee Justice Center.



Legal Aid Society
of Middle Tennessee & the Cumberland

Working Together. Doing Justice. Restoring Hope.

1-800-238-1443

It's a free call.

On the internet at **www.las.org**