

State of Ohio



Ohio Department  
of Health

SUBJECT:  RYAN WHITE PART B PROGRAM ELIGIBILITY--Financial	PAGE 1 OF 6  NUMBER: 11-RWB-03
RELATED RULE/CODE: ORC 121.07, OAC 3701.241, HRSA Policy Notice 10-02, HRSA Monitoring Standards, HRSA Policy Clarification Notice 13-02, and HRSA Program Letter (February 25, 2013)	SUPERSEDES:
RELATED PHAB STANDARDS: NA	EFFECTIVE DATE: To be assigned 30 days from issuance.
RELATED FORMS:  Verification of Income Form (HEA 0169)	APPROVED:

## I. AUTHORITY

This directive is issued in compliance with Ohio Revised Code 121.07, which delegates to the Director of the Department of Health the authority to manage and direct the operations of the Department and to establish such rules and regulations as the Director prescribes. Further, section 3701.241 of the Ohio Administrative Code requires the Director to develop and administer AIDS and HIV-related programs. In addition, this policy is supported by HRSA Policy Notice 10-02, the 2011 HRSA National Monitoring Standards, and HRSA Policy Clarification Notice (PCN) 13-02.

## II. PURPOSE

The purpose of this directive is to state the financial eligibility requirement for participation in the Ryan White Part B programs.

## III. APPLICABILITY

This policy applies to all Ryan White Part B program clients and is to be used by Ryan White Part B-funded medical case managers and ODH staff who review client applications for Part B program services.

## IV. DEFINITIONS

**ADAPs—AIDS Drug Assistance Programs:** This state-administered program is authorized under Part B of the Ryan White HIV/AIDS Program (RWHAP) and provides FDA-approved medications for HIV and related conditions to low-income individuals with HIV disease who have no/limited coverage from private insurance or Medicaid. ADAPs are designed to provide medication/medication assistance even in areas where other Ryan White programs are present. In Ohio, the program is known as OHDAP (Ohio HIV Drug Assistance Program).

**AGI—Adjusted Gross Income:** The AGI is all of an individual’s income less certain adjustments. Allowable reductions are found in the instructions of the IRS Form 1040. Commonly used adjustments include such things as IRA and self-employed retirement plan contributions, alimony payments, etc.

**AIDS—Acquired Immune Deficiency Syndrome:** AIDS is the term used for a recognized constellation of infections, cancers, and other illnesses resulting from late stage infection with the human immunodeficiency virus (HIV). It is also referred to as HIV Disease Stage 3. In the US, the Centers for Disease Control and Prevention are responsible for creating the AIDS definition based on pathogenic organisms present in the United States. The World Health Organization (WHO) determines the AIDS definition for much of the rest of the world.

**Client Eligibility Recertification:** To maintain eligibility for RWHAP services, clients must be recertified at least every 6 months per HRSA with the primary purpose being to ensure that residency, income, and insurance statuses continue to meet the eligibility requirements and to verify that RWHAP is the payer of last resort.

**Community-Based Programs:** The Ryan White Part B community-based programs include the provision of medical and supportive case management services as well as the following financial assistance programs: diagnostic and monitoring tests, outpatient ambulatory medical care, oral health care, and medical transportation services.

**Community-Based Programs Administrator:** This individual is responsible for daily operations of the Ryan White Part B community-based services for Ohio.

**FPL—Federal Poverty Level:** HHS establishes an annual measure of income used for calculating eligibility for Medicaid and the Children’s Health Insurance Program (CHIP). The amounts are released every January for that calendar year. Due to the Ryan White Part B program federal fiscal year, the new annual federal poverty level is implemented in April.

**Formulary:** An official list giving details of medications that may be prescribed. The OHDAP Formulary is the official list of such medications specific to the Ohio HIV Drug Assistance Program. Regardless of which sub-program in which a client enrolls, OHDAP will provide the drugs or pay medication copayments for formulary products only.

**Formulary Client:** A client who is enrolled in the Ohio HIV Drug Assistance Program (OHDAP) who has no other means of medication coverage (e.g., Medicaid, Medicare Part D, prescription insurance) and who receives OHDAP Formulary medications shipped directly to them.

**HAB--HIV/AIDS Bureau:** Within HRSA, the HIV/AIDS Bureau has responsibility for oversight of the Ryan White HIV/AIDS Program (RWHAP).

**HHS—Health and Human Services:** In the US, HHS is the government’s principal agency for protecting the health of all Americans and providing essential services, especially for those who are least able to help themselves. Health and Human Services includes HRSA (where the Ryan White program is located) and the CDC.

**HIPP—Health Insurance Premium Payment Program:** The HIPP program is a specialized program within OHDAP whereby an eligible client who has or could obtain health insurance may receive

assistance with wrap-around health insurance costs such as premiums, medication copayments, and co-insurance.

**HIPP Client:** A client who is an eligible participant in any of the health insurance premium payment (HIPP) program offerings (e.g., assistance with monthly insurance premiums, assistance with medication copayments, etc.).

**HIV—Human Immunodeficiency Virus:** HIV is a retrovirus (lentivirus) that is known to cause AIDS.

**HRSA—Health Resources and Services Administration:** HRSA is an agency within the US Department of Health and Human Services (HHS) and is the federal agency that funds the Ryan White Programs in the United States.

**MAGI—Modified Adjusted Gross Income:** Typically the MAGI and the AGI are close in value to one another, however to calculate MAGI, it is necessary to take the AGI and add back certain deductions including student loan interest, qualified tuition expenses, tuition and fees deductions and certain other deductions.

**OHDAP—Ohio HIV Drug Assistance Program:** OHDAP is the mechanism by which eligible Ohioans with HIV are able to receive prescription medication to treat their HIV disease and related conditions. The program includes distribution of formulary medications directly to eligible program clients (formulary clients) or as a result of providing wrap-around services (e.g., paying insurance premiums, payment of medication copayments, etc.), most commonly referred to as a HIPP (health insurance premium payment) client.

**OHDAP Administrator:** Also referred to as the OHDAP Manager, this individual is responsible for daily operations of the Ohio ADAP.

**OHDAP Coordinator:** Ohio HIV Drug Assistance Program (OHDAP) Coordinators are the ODH employees who work in the Ohio HIV Drug Assistance Program to determine client eligibility and enrollment.

**PLWHA:** Person living with HIV/AIDS

**Ryan White:** Ryan White was diagnosed with AIDS at age 13 (December 17, 1984). He and his mother, Jeanne White Ginder fought for his right to attend school, gaining international attention as a voice of reason about HIV/AIDS. Ryan was one of the first children with hemophilia to be diagnosed with AIDS. At the age of 18, Ryan died on April 8, 1990, just months before Congress passed the AIDS bill that bears his name—the Ryan White Comprehensive AIDS Resources Emergency (CARE) Act. The legislation has been reauthorized four times since—in 1996, 2000, 2006, and 2009 and is now called the Ryan White HIV/AIDS Program (RWHAP).

**RWAD—Ryan White Application Database:** This ODH web-based system (also known as RWAD) is designed to document client eligibility and enrollment in any of the Ryan White Part B programs in Ohio.

**Ryan White Case Manager:** Ryan White Parts A and B provide medical case management services within Ohio. Potential clients for any of the Ryan White programs are able to receive assistance from a Ryan White case manager at no cost to the client.

**RWHAP—Ryan White HIV/AIDS Program:** This is the name of the program within the HIV/AIDS Bureau (HAB) at the Health Resources and Services Administration (HRSA). Originally named the Ryan White Comprehensive AIDS Resources Emergency (CARE) Act, the program had several name changes when reauthorized in 1996, 2000, 2006, and 2009 (as the Ryan White HIV/AIDS Treatment Extension Act of 2009) and is now called the Ryan White HIV/AIDS Program (RWHAP).

**Ryan White Part B Administrator:** Also referred to as the HIV Care Services Section Administrator, this individual is responsible for all operations and programs with the HIV Care Services Section at the Ohio Department of Health. This is the role designated as the Principle Investigator on the HRSA program grant.

**Ryan White Part B Program:** This refers to the federal program established by the Ryan White HIV/AIDS Treatment Modernization Act, 42 USC 300ff et seq (as in effect on January 1, 2009) and administered by the Director of Health under division (D) of section 3701.241 of the Revised Code. Part B.

**TPA—Third Party Administrator:** The Ryan White Part B program may use the services of a TPA to pay for HIV-related medical services and medications.

## V. POLICY

It is the policy of the Ohio Department of Health (ODH) to identify eligibility requirements for participants in the Ohio Ryan White Part B programs. The ODH requirements are in line with HRSA requirements and ensure that interested PLWHAs provide appropriate documentation to illustrate that they meet these established eligibility requirements in order to receive program services.

## VI. PROCEDURE

**A. Financial Eligibility:** In order to be eligible for any Ryan White Part B program services in Ohio, an individual must meet certain financial eligibility standards expressed as an annualized percentage of the federal poverty level (FPL) based on available program resources. When possible, this should be based on the client's MAGI.

The annual percentage of FPL to be eligible for program services will be posted on the HIV Care Services webpage (<http://www.odh.ohio.gov/~media/ODH/ASSETS/Files/hst/hcs/2015-2016FinancialEligibilityGuidelines.pdf>) by March 15<sup>th</sup> of each year (in advance of the April 1 start date of each Ryan White federal fiscal year).

**B. Proof of Income:** There are a variety of documents that can serve as proof of the individual's income. Acceptable proofs of income vary slightly based on the source of the client's income:

1. Employed clients must provide four (4) consecutive weeks of recent pay stubs (clients may provide additional proof of income, particularly if there is a great deal of seasonal variation in income).
2. Clients on private disability must provide documentation of their disability income.
3. Clients who receive Social Security Income (SSI) or Supplemental Security Disability Income (SSDI) must provide a copy of their Benefit/Award Letter.
4. All clients must submit a Signed Verification of Income Statement.
5. Married clients must also provide above proofs for any legal spouse if the marriage is legally recognized in Ohio.
6. Self-employed individuals must include IRS tax transcripts for the past 3 years to show income history.

**C. Documentation:** The Ryan White Part B medical case manager or OHDAP Coordinator/Secretary entering a client program application into Ryan White Application Database (RWAD) must attach documentation of the client's financial eligibility. Updated information about client income is required every six (6) months for continued program enrollment.

- All applicants for program enrollment must submit a signed Verification of Income Form (HEA 0169) (including clients who report zero income).

**D. Review:** The case manager and/or OHDAP Coordinator approving the client for program participation will review the documentation provided and will specifically review the information provided as proof of financial eligibility. Any questions about an individual's financial eligibility will be referred to the appropriate program administrator (e.g., OHDAP Administrator, the Community-Based Programs Administrator or the Ryan White Part B Administrator) for clarification.

**E. Changing Income:** If a PLWHA has a change in income, this must be reported to the OHDAP Coordinator and the Ryan White Part B medical case manager (if applicable).

- Clients are asked to report any change of income promptly to ensure timely provision of services.
- Ryan White Part B cannot provide services to PLWHA who have an income above the threshold set for each program.

## 1. APPEAL

- On written request from an applicant or client, the Ryan White Part B Administrator may grant limited exceptions to the above policy.
- Any variance from the policy will be documented by the Ryan White Part B Administrator in the RWAD system. The Ryan White Part B Administrator will notify the individual within 30 days of any decision.

- Any decision made regarding an appeal to this policy by the Ryan White Part B Administrator will be final.

**Table of Effective Changes**

Version	Effective Date	Superseded/Modified	Significant Changes
0001			