

Paralegal  **Course Outlines**

TITLE: Government Benefits
PARA 470

OBJECTIVES:

- 1) To provide non-paralegal students with an overview of the various government benefit programs which provide economic maintenance and financing for health care.
- 2) To gain an understanding of the government programs for medical assistance, Medicare, Temporary Assistance to Needy Families, Minnesota Family Investment Program, North Dakota's Training, Education, Employment, Management, Food stamps and nutrition programs, Social Security Disability Insurance and Supplemental Security Income.
- 3) To provide non-paralegal students with an introduction to the law, regulations and administration of these programs.

CLASS SIZE:

Average: 40	Minimum: 20
Maximum: 50	Optimal: 30

CREDITS: 3 semester credit hours

INSTRUCTION: Lecture and small group work and exercises to apply material

EVALUATION: Tests; projects

Outline:

- I. Medical Assistance
 - A. Introduction
 - B. Administration
 - C. Sources of law and policies
 - D. Federal Financial Participation
 - E. Single state agency
 - F. Eligibility determinations/redeterminations
 - G. Lien and recoveries
 - H. Third party liability, assignment, and cooperation
 - I. Categories of eligibility
 1. Mandatory categorically needy
 2. Optional categorically needy
 3. Medically needy
 - J. Financial eligibility
 - K. Retroactive eligibility
 - L. Residency
 - M. Services
 - N. Effects of disability on the MA program
 - O. Changes in income, earnings, or work activity
 - P. Becoming institutionalized

- Q. Spousal impoverishment provisions
- R. Appeals process
- S. Qualified Medicare Beneficiary (QMB) program

II. Medicare

- A. Overview of Medicare
 - 1. Introduction
 - 2. Law, regulations, and policy
 - 3. Administration
 - 4. Description of the program
 - 5. Coverage
- B. Eligibility and Enrollment for Medicare
 - 1. Part A. Hospital Insurance
 - 2. Part B. Medical Insurance
 - 3. When benefits begin
 - 4. Evidence of entitlement
- C. Part A. Coverage: Hospital Insurance
 - 1. In-patient hospital care
 - 2. Skilled nursing care
 - 3. Home health services
 - 4. Hospice benefits
- D. Part B Coverage: Medical Insurance
 - 1. Covered services
 - 2. Medicare payment
 - 3. Beneficiary costs
- E. Payment of Claims
 - 1. Submitting Claims
 - 2. In-patient hospital payment procedures
 - 3. Medical necessity requirement
 - 4. Waiver of liability
- F. Appeals process
 - 1. Eligibility determinations
 - 2. Part A PRO coverage determinations
 - 3. Non-PRO Part A coverage determinations
 - 4. Part B coverage determinations
- G. Miscellaneous issues
 - 1. Medicare as secondary payor
 - 2. Overpayments
 - 3. Medigap insurance
- H. Medicare/Medical Assistance comparison

III. Temporary Assistance to Needy Families (TAMF)

- A. Overview
- B. Eligibility requirements—federal law
 - 1. Status
 - a. Resources
 - b. State residence
 - c. Categorical coverage
 - 2. Financial requirements
 - 3. Conduct requirements
 - a. Work requirements
 - b. Child support assignment and cooperation

- c. Social Security number
- 4. Procedural requirements
 - a. Applicants
 - b. Recipients

IV. Minnesota Family Investment Program

- 1. Review of statute
- 2. Services provided
- 3. Income and asset limits
- 4. Application for benefits
- 5. Residency requirements
- 6. Work requirements

V. Training, Education, Employment and Management (ND)

- 1. Review of statute
- 2. Services provided
- 3. Income and asset limits
- 4. Application for benefits
- 5. Residency requirements
- 6. Work requirements
- 7. Appeals process

VI. Food Stamp and Nutrition Programs

A. Introduction

- 1. Law and administration
- 2. Food stamps and uses
- 3. Food stamp allotment

B. Eligibility requirements

- 1. Basic requirements
- 2. Households
- 3. Special categories of people
- 4. Citizenship
- 5. Residency
- 6. Income
- 7. Resources
- 8. Work requirements

C. Application, Issuance, and Certification

- 1. Application process
- 2. Verification
- 3. Emergency Food Stamps (expedited service)
- 4. Issuance
- 5. Certification
- 6. Reporting changes

D. Notice of adverse action

E. Appeals Process

- 1. Right to a fair hearing
- 2. State level and local level hearings
- 3. Household rights before and during hearings
- 4. Rights after the hearing

F. Overissuances and fraud

G. Coupon allotment: amount of food stamps

H. Women, Infants & Children Program

- I. School Lunch Program
- J. School milk and breakfast program
- K. Senior Meals Program

VII. Supplemental Security Income (SSI)

- A. Introduction
 - 1. Definitions and purpose
 - 2. History
 - 3. Sources of law
 - 4. Financing
 - 5. Administration
 - 6. Relationship to Social Security Insurance Programs
 - 7. SSI and Medical Assistance
 - 8. SSI and Food Stamps
- B. Eligibility requirements
 - 1. Financial eligibility requirements
 - 2. Non-financial requirements
 - 3. Application for other benefits
 - 4. Categories of entitlement
- C. Eligibility Limitations
 - 1. Refusal of vocations rehabilitation
 - 2. Public institution
- D. Eligibility criteria: Income
 - 1. Definition
 - 2. Types of income
 - 3. Income exclusions
- E. Eligibility criteria: Resources
 - 1. Definition
 - 2. Types of resources
 - 3. Resource limits
 - 4. Resource exclusions
 - 5. Joint bank account
 - 6. Conditional SSI benefits
 - 7. Transferring of non-excluded resources
- F. SSI Benefit Amount
 - 1. Computation
 - 2. Resident in institution
 - 3. Reductions due to living arrangements
 - 4. Date of application
- G. Emergency SSI Benefits
 - 1. Advance payment
 - 2. Immediate payment
 - 3. Presumptive eligibility
- H. Appeals
 - 1. Initial Determinations
 - 2. Time limits.
 - 3. Appeals levels
- I. Overpayments
 - 1. General information
 - 2. Overpayment issues
 - 3. Waiver standards
 - 4. Appeals

5. Recovery of overpayments

VIII. Social Security

- A. Overview of Retirement, Survivors
Disability Health Insurance
 - 1. Sources of law
 - 2. Structure of Social Security Administration
 - 3. Eligibility
 - a. Quarters of coverage
 - b. Insured status

- B. Benefits to Worker's Family
 - 1. Spouse's benefits
 - 2. Divorced spouse's benefits
 - 3. Child's benefits
 - 4. Widow/Widower's benefits
 - 5. Parent's benefits

- C. Computation of benefits
 - 1. Earnings record
 - 2. Earned income limits

- D. Application

- E. Social Security Disability
 - 1. Definitions
 - 2. Sequential evaluation of disability
 - 3. Vocational/Medical Experts
 - 4. Representation

