

What is a “Non-DAC?”

How does “Non-DAC” status allow some students with intellectual and developmental disabilities (I/DD), who are not eligible for Medicaid, to receive DDD services?

This fact sheet was written for parents, educators, and other professionals who interact with students with I/DD.

1. What is the usual process for an individual with I/DD to receive DDD services at age 21?

In order to receive supports and services from the New Jersey Division of Developmental Disabilities (DDD) at age 21, students with I/DD are required to have Medicaid and be functionally eligible for DDD services. *However, there is an exception to the Medicaid requirement, which is applicable to a small number of individuals with I/DD (see the next paragraph).* The recommended process for obtaining Supplemental Security Income (SSI) – and the Medicaid that accompanies it – has been explained in the SSI Fact Sheet from DDD. That fact sheet explains the importance of youth with I/DD applying for SSI as soon as possible after their 18th birthday. This process is applicable for the majority of youth with I/DD.

2. What is the exception to DDD’s Medicaid requirement?

A relatively small number of school-age youth with I/DD are not able to obtain SSI or Medicaid at age 18 because a **parent has retired, become disabled, or died before the student was able to apply for SSI.**

Upon the death, disability or retirement of a parent, the son/daughter with I/DD usually starts to receive a monthly Social Security Disability Insurance (SSDI) benefit. The amount of this benefit is determined by the parent’s earnings and the number of years worked. Often, the amount of the SSDI benefit is too high for the student to obtain SSI or Medicaid.

3. What happens if individuals with I/DD are receiving child support income due to the divorce of their parents?

Child support money that is given to the child when parents are divorced is viewed by the Social Security Administration and by NJ Medicaid as the child’s income. If the monthly child support payment is above the threshold for Medicaid eligibility (stated in #4 below), then the child will not be eligible for Medicaid. However, there is a 1/3 exclusion applied to the child support income. For example, if the child receives a monthly child support payment of \$999.00, only \$666.00 would count towards income for purposes of Medicaid eligibility.

4. What is the monthly income limit that would allow a student with I/DD to be eligible for NJ Medicaid?

Depending upon the amount of child support income or the SSDI benefit, the son/daughter with I/DD may be eligible for Medicaid, even though they are not eligible for SSI. If the individual with I/DD has a **monthly income lower than \$1,012/month** (in 2018), it is likely that he/she will be eligible for NJ Medicaid in the category called New Jersey Care Special Medicaid Program, also known as Community Medicaid.

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5. What is the process to allow some individuals with I/DD to receive DDD services, if they do not meet the usual criteria for Medicaid eligibility?

DDD developed the term “Non-DAC” to describe individuals with I/DD who are eligible for an exception to the requirement of having Medicaid before they can receive DDD services. The term “Non-DAC” indicates that the individual with I/DD receives child support due to divorce or receives SSDI benefits because a parent has retired, become disabled, or passed away. It further indicates that due to the amount of this income, the individual with I/DD is not able to receive Medicaid from the County Welfare Agency/Board of Social Services.

The Arc of New Jersey developed a Medicaid Eligibility Problem Form so that families can easily document why their son/daughter is ineligible for Medicaid. DDD has developed a separate troubleshooting form. These two forms are similar, and the family does not need to complete both. When a family completes The Arc of New Jersey’s form, it is forwarded to DDD to request “Non-DAC” status for the student.

The Arc of NJ’s Mainstreaming Medical Care Program has a Medicaid Eligibility Problem [Form](#) available online at <http://bit.ly/NonDAC-elig> or it can be requested by emailing brobert@arcnj.org.

DDD is the only agency that can officially designate an individual as a Non-DAC. Non-DACs are individuals who have earned or unearned income above 100% Federal Poverty Level (\$1,012/month in 2018) and under 300% Federal Benefit Rate (\$2,250/month in 2018). The resource limit (i.e., bank accounts, bonds, etc.) must be less than \$2,000.

6. Can an immigrant with I/DD, who is not eligible for Medicaid, request approval from DDD as a Non-DAC?

Unfortunately, DDD is not able to give Non-DAC status to immigrants who are not eligible for Medicaid. When an immigrant with I/DD has been living in the United States for five (5) years with a green card, then he/she should apply for NJ Medicaid. When the individual has received Medicaid, he/she can apply for DDD services.

7. What should the family do after receiving a “Non-DAC” designation from DDD?

The family should complete the DDD intake application process. It should be noted that having Non-DAC status does not provide Medicaid. In the future (after being approved for DDD services) the family will receive a Medicaid application from DDD. The family will then be required to apply for Medicaid for the individual with I/DD, through the Waiver Supports Program.

Below is a link to the NJ Division of Medical Assistance and Health Services (DMAHS) page where you can access important Medicaid information including the Medicaid Communications related to the Income Eligibility Standards:

<http://www.nj.gov/humanservices/dmahs/info/resources/medicaid/>.

The two main resources related to financial eligibility are:

- 17-03 Increased Income Eligibility Standards Effective January 1, 2017
- 17-01 Medicaid Only Income and Resource Standards.

If you have questions on the “Non-DAC” process, or to receive the Medicaid Eligibility Problem Form, please contact broberts@arcnj.org