

**441—76.5(249A) Effective date.****76.5(1) Three-month retroactive eligibility.**

*a.* Medical assistance benefits shall be available for all or any of the three months preceding the month in which the application is filed to persons who meet both of the following conditions:

(1) Have medical bills for covered services which were received during the three-month retroactive period.

(2) Would have been eligible for medical assistance benefits in the month services were received, if application for medical assistance had been made in that month.

*b.* The applicant need not be eligible in the month of application to be eligible in any of the three months prior to the month of application.

*c.* Retroactive medical assistance benefits shall be made available when an application has been made on behalf of a deceased person if the conditions in paragraph “*a*” are met.

*d.* Persons receiving only supplemental security income benefits who wish to make application for Medicaid benefits for three months preceding the month of application shall complete Form 470-2304, 470-2304(S), 470-0364, or 470-0364(S), SSI Medicaid Information.

*e.* Rescinded IAB 10/8/97, effective 12/1/97.

**76.5(2) First day of month.**

*a.* For persons approved for the family medical assistance-related programs, medical assistance benefits shall be effective on the first day of a month when eligibility was established anytime during the month.

*b.* For persons approved for supplemental security income, programs related to supplemental security income, or state supplementary assistance, medical assistance benefits shall be effective on the first day of a month when the individual was resource eligible as of the first moment of the first day of the month and met all other eligibility criteria at any time during the month.

*c.* When a request is made to add a new person to the eligible group, and that person meets the eligibility requirements, assistance shall be effective the first of the month in which the request was made.

*d.* When a request is made to add a person to the eligible group who previously was excluded, in accordance with the provisions of rule 441—75.59(249A), assistance shall be effective no earlier than the first of the month following the month in which the request was made.

**76.5(3) Care prior to approval.** No payment shall be made for medical care received prior to the effective date of approval.