



Ohio Administrative Code

Rule 5160:1-5-04 Medicaid: Ohio workability.

Effective: April 1, 2026

(A) This rule governs the eligibility requirements for the medical assistance program authorized under section 1902(a)(10)(A)(ii)(XIII) of the Social Security Act (as in effect October 1, 2025). Ohio workability enables certain working disabled individuals aged sixty-five or older to increase their income and resources without the risk of losing medical assistance coverage.

(B) Definitions.

- (1) "Countable income," for the purpose of this rule, means total monthly income less exclusions.
- (2) "Countable resources," for the purpose of this rule, means those resources remaining after all exclusions have been applied.
- (3) "Income," for the purpose of this rule, means gross monthly earned income and gross monthly unearned income.
- (4) "Individual," for the purpose of this rule, means the applicant for or recipient of Ohio workability.
- (5) "Ohio workability" means the component of the medicaid program established under section 5163.063 of the Revised Code.
- (6) "Resource eligibility limit for Ohio workability" means countable resources limited to fourteen thousand eight hundred forty-eight dollars in calendar year 2024, adjusted annually with the consumer price index for all items for all urban consumers for the previous calendar year (CPI-U), as published by the United States bureau of labor statistics, effective beginning with calendar year 2025.
- (7) "Social security disability insurance (SSDI)" means the program established under Title II of the Social Security Act (as in effect October 1, 2025).
- (8) "Supplemental security income (SSI)" means the program established under Title XVI of the Social Security Act (as in effect October 1, 2025).
- (9) "Work" or "working," for the purpose of this rule, means employment or self-employment from which state or federal income and payroll taxes are paid or withheld.

(C) Eligibility criteria. To be eligible for Ohio workability the individual must:

- (1) Meet the conditions of eligibility described in rule 5160:1-2-10 of the Administrative Code;



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- (2) Meet the definition of disability used by the social security administration (SSA), except that employment, earnings, and substantial gainful activity must not be considered when determining whether the individual meets the disability criterion for Ohio workability. An individual may be eligible for Ohio workability regardless of whether the individual is receiving SSI or SSDI;
- (3) Be at least sixty-five years of age;
- (4) Meet the financial eligibility requirements described in paragraph (D) of this rule; and
- (5) Be working.

(D) Financial eligibility.

- (1) For the purpose of determining whether an individual is income eligible for Ohio workability, the administrative agency must compare the individual's countable income to two hundred fifty per cent of the federal poverty level (FPL) for one person. Only the individual's income is considered when determining eligibility for Ohio workability.
 - (a) From the individual's income, apply exclusions in accordance with rule 5160:1-3-03.2 of the Administrative Code, then round down to the nearest whole dollar.
 - (b) When the amount determined in paragraph (D)(1)(a) of this rule is no more than two hundred fifty per cent of the FPL, the individual meets the income eligibility requirement for Ohio workability.
 - (c) When the amount determined in paragraph (D)(1)(a) of this rule exceeds two hundred fifty per cent of the FPL:
 - (i) An additional annual amount up to twenty thousand dollars of earned income shall be excluded.
 - (ii) The twenty thousand dollar earned income exclusion may be applied wholly or in part in any month to reduce the individual's countable income to no more than two hundred fifty per cent of the FPL. This exclusion begins the first month the individual would otherwise be eligible for Ohio workability except for income and continues within a twelve-month period until the twenty thousand dollars is exhausted.



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- (2) For the purpose of determining whether an individual meets the resource eligibility requirement for Ohio workability, an individual's countable resources must not exceed the resource eligibility limit for Ohio workability as defined in paragraph (B) of this rule.
- (a) Only the individual's resources are considered when determining resource eligibility for Ohio workability. In the case of resources which are jointly owned, the administrative agency must consider the total amount of the resource available to the individual in accordance with rule 5160:1-3-05.1 of the Administrative Code.
- (b) For the purpose of determining resource eligibility for Ohio workability, resources are excluded in accordance with rule 5160:1-3-05.14 of the Administrative Code.
- (c) Retirement funds are evaluated in accordance with rule 5160:1-3-03.10 of the Administrative Code.
- (E) Receipt of long-term care services, as defined in rule 5160:1-6-01.1 of the Administrative Code, is not a cause for discontinuance or denial of an individual's eligibility for Ohio workability.
- (F) Individuals eligible for Ohio workability are not subject to a patient liability as described in rule 5160:1-6-07 or 5160:1-6-07.1 of the Administrative Code.
- (G) Administrative agency responsibilities. The administrative agency shall:
- (1) Determine eligibility for Ohio workability as described in this rule.
- (2) Verify the individual's disability in accordance with paragraph (C)(2) of this rule.
- (3) Explore eligibility for qualified medicare beneficiary (QMB) and specified low-income medicare beneficiary (SLMB) programs in accordance with rule 5160:1-3-02.1 of the Administrative Code. Ohio workability individuals are not eligible for the qualified individual (QI-1) or qualified disabled and working individuals (QDWI) medicare premium assistance programs.
- (H) Individual responsibilities. The individual shall provide the information necessary to establish eligibility, cooperate with the verification process, and report changes in accordance with rule 5160:1-2-08 of the Administrative Code.