

# The Pennsylvania Loophole

## What is the PA loophole?

This Pennsylvania Loophole allows for children with disabilities who meet “certain disability standards” to qualify for medical assistance regardless of the income of their parents. A child can qualify even if they have other insurance. The assets and income(s) of the child’s guardians or parents will not count towards their qualification, though documentation of parental income is still required.

## How does this apply to your state?

Dr. Amy Houtrow, chief of Pediatric Rehabilitation Medicine Services at UMPC Children’s Hospital, stated that “the system is set up to perpetuate people with disabilities living in poverty... Or not having the services they need if they’re not in poverty”. To combat this current setup of the system, a first possible step could be making medical assistance available to children regardless of their parent’s income in your state. The income of a child’s parents should not affect the medical services they are offered. A version of the “Pennsylvania Loophole” should exist in all states in order to fund the needs of children with disabilities despite the income of their parents.

## Next Steps

In your state, check to see if parental income counts towards eligibility of children’s care needs. If it does, begin to talk with people with disabilities, advocates for people with disabilities and legislators who can help to make a change. Share this information publicly to gain the attention of others to support this cause. Children with disabilities deserve to be cared for regardless of their parents/guardian’s income(s).

## Sources:

<https://www.phlp.org/uploads/attachments/ck70i90ve0007x8u8d07hx2ok-ph-95-guide-update-april-2019.pdf>

<https://www.dhs.pa.gov/Services/Assistance/Pages/Home-and-Community-Based%20Services.aspx>

Websites with information per state about parental income and children’s care needs:

<https://www.medicaid.gov/state-overviews/state-profiles/index.html>

<https://www.kff.org/medicaid/issue-brief/medicaids-role-for-children-with-special-health-care-needs-a-look-at-eligibility-services-and-spending/>

<https://ciswh.org/project/the-catalyst-center/financing-strategy/tefra/>