

Medicaid Advisors Application Assistors

consumer**brief**

Do you or a family member or a friend have a need for Medicaid assistance? If so, it's important for you to know that applying and qualifying for Medicaid assistance requires more than just filling out a form and attaching requested documents. More often than you think, the services of a qualified professional is needed to answer the questions you have and, more important, to raise questions and concerns that you may not have even thought about. These questions and concerns may rise to the level of requiring legal advice and counsel. That's why it's important for you to be familiar with the following information **BEFORE** starting the Medicaid application process.

WHAT IS MEDICAID AND WHAT ARE MEDICAID ASSISTORS

Medicaid is a State-administered program that provides health insurance to eligible individuals including those that are aged, blind or disabled. If the individual is eligible, the program pays for hospital services, doctor visits, prescriptions, nursing home care, and other services. While the program is administered by the State, federal law imposes certain requirements on the State. One requirement is that an individual may choose other individuals to help him/her in the application process. These "Application Assistors" may be certified by the State and, when they are, they may perform the following services all without payment or compensation for their services:

- providing information on insurance affordability programs and coverage options;
- helping individuals to complete an application or renewal;
- working with the individual to provide required documentation;
- submitting applications and renewals to the agency;

- interacting with the agency on the status of applications and renewals;
- assisting individuals with responses to any requests from the agency; and
- managing the individual's case between the eligibility determination and regularly scheduled renewals.

While non-lawyer Medicaid Advisors/Application Assistors may provide these limited services, they cannot provide advice in matters that require the professional judgment of a lawyer. Services that require the professional judgment of a lawyer include strategies (through wills, trusts, powers of attorney, guardianships, asset transfers, spend-down of resources, gifts, estate planning and tax implications, and marriage and divorce) to facilitate Medicaid eligibility. In New Jersey, providing advice on strategies to become eligible for Medicaid is prohibited because it involves the unauthorized practice of law.

The N.J. Division of Consumer Affairs is aware that non-lawyer Medicaid Advisors/Application Assistors are offering their services to consumers in this State who may need help with completing a Medicaid application. The Division has also been told that some non-lawyer Medicaid Advisors/Application Assistors have charged consumers substantial sums of money and that, in some cases, the assistance provided was faulty or incomplete, causing the consumer ineligibility, significant financial loss or both. Consumers with complaints against non-lawyer Medicaid Advisors/Application Assistors regarding the services provided and fees charged should contact the Division using the web address and/or phone number listed below.

800-242-5846 • New Jersey Division of Consumer Affairs
www.NJConsumerAffairs.gov

