

Table of Contents

State/Territory Name: North Dakota

State Plan Amendment (SPA) #: 23-0034

This file contains the following documents in the order listed:

- 1) Approval Letter
- 2) CMS Form 179
- 3) Approved SPA Pages

ND - Submission Package - ND2023MS00040 - (ND-23-0034) - Eligibility

Summary Reviewable Units Versions Correspondence Log Analyst Notes **Approval Letter** Transaction Logs News Related Actions

DEPARTMENT OF HEALTH & HUMAN SERVICES
Centers for Medicare & Medicaid Services
Medicaid and CHIP Operations Group
601 E. 12th St.
Room 355
Kansas City, MO 64106



Center for Medicaid & CHIP Services

February 02, 2024

Sarah Aker
Director
North Dakota Department of Health and Human Services
Dept 325
600 E Boulevard Ave
Bismarck, ND 58505

Re: Approval of State Plan Amendment ND-23-0034

Dear Sarah Aker,

On December 19, 2023, the Centers for Medicare and Medicaid Services (CMS) received North Dakota State Plan Amendment (SPA) ND-23-0034, in which the state proposed changes to the income disregards and financial methodologies applied to certain medically needy groups.

We approve North Dakota State Plan Amendment (SPA) ND-23-0034 with an effective date(s) of January 01, 2024.

If you have any questions regarding this amendment, please contact Tyson Christensen at tyson.christensen@cms.hhs.gov

Sincerely,
Falecia M. Smith
Acting Director, Division of Program
Operations
Center for Medicaid & CHIP Services

ND - Submission Package - ND2023MS00040 - (ND-23-0034) - Eligibility

[Summary](#) [Reviewable Units](#) [Versions](#) [Correspondence Log](#) [Analyst Notes](#) [Approval Letter](#) [Transaction Logs](#) [News](#) [Related Actions](#)

Submission - Summary

MEDICAID | Medicaid State Plan | Eligibility | ND2023MS00040 | ND-23-0034

CMS-10434 OMB 0938-1188

Package Header

Package ID	ND2023MS00040	SPA ID	ND-23-0034
Submission Type	Official	Initial Submission Date	12/19/2023
Approval Date	02/02/2024	Effective Date	N/A
Superseded SPA ID	N/A		

State Information

State/Territory Name: North Dakota

Medicaid Agency Name: North Dakota Department of Health and Human Services

Submission Component

- State Plan Amendment
- Medicaid
- CHIP

Submission - Summary

MEDICAID | Medicaid State Plan | Eligibility | ND2023MS00040 | ND-23-0034

Package Header

Package ID	ND2023MS00040	SPA ID	ND-23-0034
Submission Type	Official	Initial Submission Date	12/19/2023
Approval Date	02/02/2024	Effective Date	N/A
Superseded SPA ID	N/A		

SPA ID and Effective Date

SPA ID ND-23-0034

Reviewable Unit	Proposed Effective Date	Superseded SPA ID
Optional Eligibility Groups	1/1/2024	ND-19-0022
Medically Needy Pregnant Women	1/1/2024	ND-19-0017
Medically Needy Children under Age 18	1/1/2024	ND-19-0017
Medically Needy Reasonable Classifications of Individuals under Age 21	1/1/2024	ND-19-0017
Medically Needy Parents and Other Caretaker Relatives	1/1/2024	ND-19-0017

Submission - Summary

MEDICAID | Medicaid State Plan | Eligibility | ND2023MS00040 | ND-23-0034

Package Header

Package ID	ND2023MS00040	SPA ID	ND-23-0034
Submission Type	Official	Initial Submission Date	12/19/2023
Approval Date	02/02/2024	Effective Date	N/A
Superseded SPA ID	N/A		

Executive Summary

Summary Description Including Goals and Objectives Amends the State Plan to align the effective income level for AFDC-related medically needy groups at 90 percent of the FPL and to use the same medically needy income and resource standards for non-MAGI and ACA.

Federal Budget Impact and Statute/Regulation Citation

Federal Budget Impact

	Federal Fiscal Year	Amount
First	2024	\$2825550
Second	2025	\$3784200

Federal Statute / Regulation Citation

42 CFR 435.301

Supporting documentation of budget impact is uploaded (optional).

Name	Date Created
No items available	

Submission - Summary

MEDICAID | Medicaid State Plan | Eligibility | ND2023MS00040 | ND-23-0034

Package Header

Package ID	ND2023MS00040	SPA ID	ND-23-0034
Submission Type	Official	Initial Submission Date	12/19/2023
Approval Date	02/02/2024	Effective Date	N/A
Superseded SPA ID	N/A		

Governor's Office Review

- No comment
- Comments received
- No response within 45 days
- Other

Describe Authority to prepare and submit Medicaid State Plans is provided to the Medicaid single state agency

PRA Disclosure Statement: Centers for Medicare & Medicaid Services (CMS) collects this mandatory information in accordance with (42 U.S.C. 1396a) and (42 CFR 430.12); which sets forth the authority for the submittal and collection of state plans and plan amendment information in a format defined by CMS for the purpose of improving the state application and federal review processes, improve federal program management of Medicaid programs and Children's Health Insurance Program, and to standardize Medicaid program data which covers basic requirements, and individualized content that reflects the characteristics of the particular state's program. The information will be used to monitor and analyze performance metrics related to the Medicaid and Children's Health Insurance Program in efforts to boost program integrity efforts, improve performance and accountability across the programs. Under the Privacy Act of 1974 any personally identifying information obtained will be kept private to the extent of the law. According to the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number. The valid OMB control number for this information collection is 0938-1188. The time required to complete this information collection is estimated to range from 1 hour to 80 hours per response (see below), including the time to review instructions, search existing data resources, gather the data needed, and complete and review the information collection. If you have comments concerning the accuracy of the time estimate(s) or suggestions for improving this form, please write to: CMS, 7500 Security Boulevard, Attn: PRA Reports Clearance Officer, Mail Stop C4-26-05, Baltimore, Maryland 21244-1850.

This view was generated on 2/2/2024 3:34 PM EST

ND - Submission Package - ND2023MS0004O - (ND-23-0034) - Eligibility

[Summary](#)
[Reviewable Units](#)
[Versions](#)
[Correspondence Log](#)
[Analyst Notes](#)
[Approval Letter](#)
[Transaction Logs](#)
[News](#)
[Related Actions](#)

Medicaid State Plan Eligibility

Optional Eligibility Groups

MEDICAID | Medicaid State Plan | Eligibility | ND2023MS0004O | ND-23-0034

CMS-10434 OMB 0938-1188

Package Header

Package ID	ND2023MS0004O	SPA ID	ND-23-0034
Submission Type	Official	Initial Submission Date	12/19/2023
Approval Date	02/02/2024	Effective Date	<u>1/1/2024</u>
Superseded SPA ID	ND-19-0022		
	System-Derived		

A. Options for Coverage

The state provides Medicaid to specified optional groups of individuals.


Yes
 No

The optional eligibility groups covered in the state plan are (elections made in this screen may not be comprehensive during the transition period from the paper-based state plan to MACPro):

Families and Adults

Eligibility Group Name		Covered In State Plan	Include RU In Package	Included in Another Submission Package	Source Type
Optional Coverage of Parents and Other Caretaker Relatives		<input type="checkbox"/>	<input type="checkbox"/>	<input type="radio"/>	NEW
Reasonable Classifications of Individuals under Age 21		<input type="checkbox"/>	<input type="checkbox"/>	<input type="radio"/>	NEW
Children with Non-IV-E Adoption Assistance		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="radio"/>	CONVERTED
Independent Foster Care Adolescents		<input type="checkbox"/>	<input type="checkbox"/>	<input type="radio"/>	NEW
Optional Targeted Low Income Children		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="radio"/>	APPROVED
Individuals above 133% FPL under Age 65		<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="radio"/>	NEW
Individuals Needing Treatment for Breast or Cervical Cancer		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="radio"/>	NEW
Individuals Eligible for Family Planning Services		<input type="checkbox"/>	<input type="checkbox"/>	<input type="radio"/>	NEW
Individuals with Tuberculosis		<input type="checkbox"/>	<input type="checkbox"/>	<input type="radio"/>	NEW
Individuals Electing COBRA Continuation Coverage		<input type="checkbox"/>	<input type="checkbox"/>	<input type="radio"/>	NEW

Aged, Blind and Disabled

Eligibility Group Name		Covered In State Plan	Include RU In Package 	Included in Another Submission Package	Source Type 
Individuals Eligible for but Not Receiving Cash Assistance		<input type="checkbox"/>	<input type="checkbox"/>	<input type="radio"/>	NEW
Individuals Eligible for Cash Except for Institutionalization		<input type="checkbox"/>	<input type="checkbox"/>	<input type="radio"/>	NEW
Individuals Receiving Home and Community-Based Waiver Services under Institutional Rules		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="radio"/>	NEW
Optional State Supplement Beneficiaries		<input type="checkbox"/>	<input type="checkbox"/>	<input type="radio"/>	NEW
Individuals in Institutions Eligible under a Special Income Level		<input type="checkbox"/>	<input type="checkbox"/>	<input type="radio"/>	NEW
PACE Participants		<input type="checkbox"/>	<input type="checkbox"/>	<input type="radio"/>	NEW
Individuals Receiving Hospice		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="radio"/>	NEW
Children under Age 19 with a Disability		<input type="checkbox"/>	<input type="checkbox"/>	<input type="radio"/>	NEW
Age and Disability-Related Poverty Level		<input type="checkbox"/>	<input type="checkbox"/>	<input type="radio"/>	NEW
Work Incentives		<input type="checkbox"/>	<input type="checkbox"/>	<input type="radio"/>	NEW
Ticket to Work Basic		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="radio"/>	APPROVED
Ticket to Work Medical Improvements		<input type="checkbox"/>	<input type="checkbox"/>	<input type="radio"/>	NEW
Family Opportunity Act Children with a Disability		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="radio"/>	APPROVED
Individuals Receiving State Plan Home and Community-Based Services		<input type="checkbox"/>	<input type="checkbox"/>	<input type="radio"/>	NEW
Individuals Receiving State Plan Home and Community-Based Services Who Are Otherwise Eligible for HCBS Waivers		<input type="checkbox"/>	<input type="checkbox"/>	<input type="radio"/>	NEW

Optional Eligibility Groups

MEDICAID | Medicaid State Plan | Eligibility | ND2023MS00040 | ND-23-0034

Package Header

Package ID	ND2023MS00040	SPA ID	ND-23-0034
Submission Type	Official	Initial Submission Date	12/19/2023
Approval Date	02/02/2024	Effective Date	1/1/2024
Superseded SPA ID	ND-19-0022		
	System-Derived		

B. Medically Needy Options for Coverage

The state provides Medicaid to specified groups of individuals who are medically needy.

Yes No

The medically needy eligibility groups covered in the state plan are:

1. Mandatory Medically Needy:

Families and Adults

Eligibility Group Name		Covered In State Plan	Include RU In Package ?	Included in Another Submission Package	Source Type ?
Medically Needy Pregnant Women		<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="radio"/>	APPROVED
Medically Needy Children under Age 18		<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="radio"/>	APPROVED

Aged, Blind and Disabled

Eligibility Group Name		Covered In State Plan	Include RU In Package ?	Included in Another Submission Package	Source Type ?
Protected Medically Needy Individuals Who Were Eligible in 1973		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="radio"/>	NEW

2. Optional Medically Needy:

Families and Adults

Eligibility Group Name		Covered In State Plan	Include RU In Package ?	Included in Another Submission Package	Source Type ?
Medically Needy Reasonable Classifications of Individuals under Age 21		<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="radio"/>	APPROVED
Medically Needy Parents and Other Caretaker Relatives		<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="radio"/>	APPROVED

Aged, Blind and Disabled

Eligibility Group Name		Covered In State Plan	Include RU In Package ?	Included in Another Submission Package	Source Type ?
Medically Needy Populations Based on Age, Blindness or Disability		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="radio"/>	APPROVED

Optional Eligibility Groups

MEDICAID | Medicaid State Plan | Eligibility | ND2023MS00040 | ND-23-0034

Package Header

Package ID	ND2023MS00040	SPA ID	ND-23-0034
Submission Type	Official	Initial Submission Date	12/19/2023
Approval Date	02/02/2024	Effective Date	1/1/2024
Superseded SPA ID	ND-19-0022		
	System-Derived		

C. Additional Information (optional)

Eligibility Groups Deselected from Coverage

The following eligibility groups were previously covered in the source approved version of the state plan and deselected from coverage as part of this submission package:

- N/A

PRA Disclosure Statement: Centers for Medicare & Medicaid Services (CMS) collects this mandatory information in accordance with (42 U.S.C. 1396a) and (42 CFR 430.12); which sets forth the authority for the submittal and collection of state plans and plan amendment information in a format defined by CMS for the purpose of improving the state application and federal review processes, improve federal program management of Medicaid programs and Children's Health Insurance Program, and to standardize Medicaid program data which covers basic requirements, and individualized content that reflects the characteristics of the particular state's program. The information will be used to monitor and analyze performance metrics related to the Medicaid and Children's Health Insurance Program in efforts to boost program integrity efforts, improve performance and accountability across the programs. Under the Privacy Act of 1974 any personally identifying information obtained will be kept private to the extent of the law. According to the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number. The valid OMB control number for this information collection is 0938-1188. The time required to complete this information collection is estimated to range from 1 hour to 80 hours per response (see below), including the time to review instructions, search existing data resources, gather the data needed, and complete and review the information collection. If you have comments concerning the accuracy of the time estimate(s) or suggestions for improving this form, please write to: CMS, 7500 Security Boulevard, Attn: PRA Reports Clearance Officer, Mail Stop C4-26-05, Baltimore, Maryland 21244-1850.

This view was generated on 2/2/2024 3:34 PM EST

ND - Submission Package - ND2023MS0004O - (ND-23-0034) - Eligibility

Medicaid State Plan Eligibility

Eligibility Groups - Medically Needy

Medically Needy Pregnant Women

MEDICAID | Medicaid State Plan | Eligibility | ND2023MS0004O | ND-23-0034

Woman who are pregnant or post-partum who would qualify under the state's Pregnant Women eligibility group, except for income.

CMS-10434 OMB 0938-1188

Package Header

Package ID	ND2023MS0004O	SPA ID	ND-23-0034
Submission Type	Official	Initial Submission Date	12/19/2023
Approval Date	02/02/2024	Effective Date	<u>1/1/2024</u>
Superseded SPA ID	ND-19-0017		
	System-Derived		

The state covers the Medically Needy Pregnant Women eligibility group in accordance with the following provisions:

A. Characteristics

Individuals qualifying under this eligibility group must meet the following criteria:

1. Are pregnant or post-partum, as defined in 42 CFR 435.4.
2. Would qualify under the Pregnant Women eligibility group, except for income.
3. Are not otherwise eligible for categorically needy coverage under the state plan.
4. Have income at or below the medically needy income level and resources at or below the medically needy resource level.

Medically Needy Pregnant Women

MEDICAID | Medicaid State Plan | Eligibility | ND2023MS00040 | ND-23-0034

Package Header

Package ID ND2023MS00040
Submission Type Official
Approval Date 02/02/2024
Superseded SPA ID ND-19-0017
System-Derived

SPA ID ND-23-0034
Initial Submission Date 12/19/2023
Effective Date 1/1/2024

B. Financial Methodologies

1. The financial methodology used is:

- a. AFDC methodologies. Please refer as necessary to Non-MAGI Methodologies, completed by the state.
- b. MAGI-like methodologies. Please refer as necessary to Non-MAGI Methodologies, completed by the state.

2. Less restrictive methodologies are used in calculating countable income.

- Yes
- No

The less restrictive income methodologies are:

- The difference between one income standard and another is disregarded.
 - Between the following percentages of the FPL: **FPL 90.00%**
 - Between the medically needy income limit and a percentage of the FPL:
 - Between the SSI Federal Benefit Rate and:
 - Between other income standards:

General income disregard:

Name of disregard:	Description:
Guardian or Conservator	The legally appointed guardian or conservator may be allowed to retain 5 percent of a recipient's monthly benefits as reimbursement for services. The remainder of the recipient's monthly benefit shall be considered available to the Medical Assistance Unit.

A specified amount of unearned income is disregarded.

Amount: \$25.00

Description of disregard: The first \$25 of unearned income from rental of rooms, apartments, or other property from each unit is exempt to defray any associated expenses.

Census Bureau wages are disregarded.

Description of disregard: All wages paid by the Census Bureau for temporary employment related to census activities are excluded.

Interest is disregarded.

Description of disregard: Dividend and interest income from liquid assets is disregarded as income.

Dividends are disregarded.

Description of disregard: Dividend and interest income from liquid assets is disregarded as income.

Training allowances and expenses are disregarded.

Description of disregard: For each individual who is not an aged, blind, or disabled recipient within a family who is employed or in training, deduct the \$30 standard work/ training expense allowance.

A specified type of income is disregarded:

Name of income type:	Description:
Income In-Kind	Income in-kind is to be excluded except that income in-kind which is in lieu of wages is considered earned income.
Extra Checks of Earned or Unearned Income	Extra checks of earned or unearned income received from a regularly recurring income source are disregarded as income. Bonus checks, or checks for any other reason, are not considered extra checks. The last check received in the month is considered the extra check.
Child Care Costs	Allow reasonable child care costs necessary for employment or training to be deducted from income.
Payroll Deductions and Union Dues	Gross earnings for employed individuals who are not aged, blind, or disabled applicants or recipients are reduced by mandatory payroll deductions and union dues actually withheld or actually paid or \$90 whichever is greater.
Child Support	The First \$50 per month of current child support, received on behalf of children in the Medicaid unit, will be disregarded from each budget unit that is budgeted with a separate income level.
Adult Dependent Care Expenses	Reasonable adult dependent care expenses incurred for any incapacitated or disabled adult in the Medicaid unit are allowed as a deduction from income so a caretaker or spouse can work or attend training.
Car Safety Seat	The cost to purchase or rent a car safety seat for a child through age 10 is allowed as a deduction if a seat is not otherwise reasonably available.
Subsidized Guardianship Payments	Disregard subsidized guardianship payments for children.
Child and Adult Food Program	Disregard payments from the Child and Adult Food Program for meals and snacks to licensed families who provide daycare in their home.
Military Personnel Additional Pay	Additional pay received by military personnel as a result of deployment to a combat zone is disregarded as income.
TANF Cash Grant	Disregard TANF cash grant as income.

3. Less restrictive methodologies are used in calculating countable resources.

- Yes
 No

The less restrictive resource methodologies are:

- A specified type of resource is disregarded:

Name of resource type:	Description:
Salability of "Contractual Rights to Receive Payment"	<p>An applicant/recipient may rebut the presumption of the salability of "contractual rights to receive payment" by showing the following.</p> <p>a. That his interest in the contract was advertised for sale in a newspaper whose circulation area includes the area where the real property relating to the contract is located. This advertisement must be published successively for two weeks if the newspaper is a weekly and for one week if it is a daily.</p> <p>b. The sworn statement of the applicant/ recipient that no offers were received which equaled or exceeded the minimum price. If all offers were below the minimum price, the property is determined to be not saleable; any offer received that is equal to or in excess of the minimum price will establish that the property is saleable and the seller has the right to accept any of the offers. Rebuttals must be made immediately prior to each redetermination of eligibility for the property to continue to be treated as unsaleable.</p>
Effective Date of Eligibility	<p>Effective Date of Eligibility - An individual is considered resource eligible for the full month if he/she attains resource eligibility on any day of the month, without regard to whether the individual was resource eligible on the first moment of the first day of the month.</p>
Life Estate	<p>Effective July 1, 1996 the value of a life estate will be excluded in determining if the available assets of an applicant or recipient exceed the asset limit.</p>
Employee Benefit Annuity	<p>The value of an employee benefit annuity that is an individual retirement annuity or is an annuity that was purchased with the proceeds from an individual retirement account (IRA), a Roth IRA, a simplified employee pension, an employer or employee association retirement account, or an employer simple retirement account, as described in § 408 of the Internal Revenue Code of 1986 is excluded.</p>
State Tax Refunds	<p>State tax refunds and refundable tax credits are excluded as resources for nine months beginning after the month of receipt.</p>
Real or Personal Property	<p>Real or personal property which is not saleable without working an undue hardship may be considered unavailable in determining Medical Assistance eligibility. Property which has been, in good faith, offered for sale, and for which no offer has been received which equals or exceeds</p>

Name of resource type:	Description:
Value of Mineral Acres	<p>75% of the reasonable market value, will normally be treated as not saleable without working an undue hardship. A good faith offer to sell real property would normally include advertisements and listings with real estate agents or local dealers in real estate. The reasonable market value of real property may be established by appraisal or by any other method which is likely to produce an accurate valuation. Valuations established for real estate tax purposes shall not be used. A good faith offer to sell personal property would normally include advertisements, listing with real estate agents or local dealers. The reasonable market value of personal property may be established by appraisals or by any other method which is likely to produce an accurate valuation.</p> <p>The value of mineral acres are excluded in determining if the available assets of an applicant or recipient exceed the asset limit.</p>

- A beneficiary of a "qualified state long-term care insurance partnership" policy (partnership policy), as defined in section 1917(b)(1)(C) of the Social Security Act and 45 CFR 144.200 et seq., is provided a resource disregard, equal to the amount of the insurance benefit payments made to or on behalf of the individual from the partnership policy.

Medically Needy Pregnant Women

MEDICAID | Medicaid State Plan | Eligibility | ND2023MS00040 | ND-23-0034

Package Header

Package ID	ND2023MS00040	SPA ID	ND-23-0034
Submission Type	Official	Initial Submission Date	12/19/2023
Approval Date	02/02/2024	Effective Date	1/1/2024
Superseded SPA ID	ND-19-0017		
	System-Derived		

C. Income Standard Used

The income standard used for this group is described in the Medically Needy Income Level RU.

D. Resource Standard Used

The resource standard used for this group is described in the Medically Needy Resource Level RU.

E. Spenddown

The state allows individuals to deduct incurred medical and remedial expenses (spend down) to become eligible under this group. Spenddown is defined in the Handling of Excess Income (Spenddown) RU.

Medically Needy Pregnant Women

MEDICAID | Medicaid State Plan | Eligibility | ND2023MS00040 | ND-23-0034

Package Header

Package ID	ND2023MS00040	SPA ID	ND-23-0034
Submission Type	Official	Initial Submission Date	12/19/2023
Approval Date	02/02/2024	Effective Date	1/1/2024
Superseded SPA ID	ND-19-0017		
	System-Derived		

F. Additional Information (optional)

PRA Disclosure Statement: Centers for Medicare & Medicaid Services (CMS) collects this mandatory information in accordance with (42 U.S.C. 1396a) and (42 CFR 430.12); which sets forth the authority for the submittal and collection of state plans and plan amendment information in a format defined by CMS for the purpose of improving the state application and federal review processes, improve federal program management of Medicaid programs and Children's Health Insurance Program, and to standardize Medicaid program data which covers basic requirements, and individualized content that reflects the characteristics of the particular state's program. The information will be used to monitor and analyze performance metrics related to the Medicaid and Children's Health Insurance Program in efforts to boost program integrity efforts, improve performance and accountability across the programs. Under the Privacy Act of 1974 any personally identifying information obtained will be kept private to the extent of the law. According to the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number. The valid OMB control number for this information collection is 0938-1188. The time required to complete this information collection is estimated to range from 1 hour to 80 hours per response (see below), including the time to review instructions, search existing data resources, gather the data needed, and complete and review the information collection. If you have comments concerning the accuracy of the time estimate(s) or suggestions for improving this form, please write to: CMS, 7500 Security Boulevard, Attn: PRA Reports Clearance Officer, Mail Stop C4-26-05, Baltimore, Maryland 21244-1850.

This view was generated on 2/2/2024 3:36 PM EST

ND - Submission Package - ND2023MS0004O - (ND-23-0034) - Eligibility

[Summary](#) [Reviewable Units](#) [Versions](#) [Correspondence Log](#) [Analyst Notes](#) [Approval Letter](#) [Transaction Logs](#) [News](#) [Related Actions](#)

Medicaid State Plan Eligibility

Eligibility Groups - Medically Needy

Medically Needy Children under Age 18

MEDICAID | Medicaid State Plan | Eligibility | ND2023MS0004O | ND-23-0034

Children under age 18 who would qualify under the state's categorically needy eligibility groups, except for income.

CMS-10434 OMB 0938-1188

Package Header

Package ID	ND2023MS0004O	SPA ID	ND-23-0034
Submission Type	Official	Initial Submission Date	12/19/2023
Approval Date	02/02/2024	Effective Date	<u>1/1/2024</u>
Superseded SPA ID	ND-19-0017		
	System-Derived		

The state covers the Medically Needy Children under Age 18 eligibility group in accordance with the following provisions:

A. Characteristics

Individuals qualifying under this eligibility group must meet the following criteria:

1. Are under age 18.
2. Would qualify as categorically needy, except for income.
3. Are not otherwise eligible for categorically needy coverage under the state plan.
4. Have income at or below the medically needy income level and resources at or below the medically needy resource level.

Medically Needy Children under Age 18

MEDICAID | Medicaid State Plan | Eligibility | ND2023MS0004O | ND-23-0034

Package Header

Package ID ND2023MS0004O
Submission Type Official
Approval Date 02/02/2024
Superseded SPA ID ND-19-0017
System-Derived

SPA ID ND-23-0034
Initial Submission Date 12/19/2023
Effective Date 1/1/2024

B. Financial Methodologies

1. The financial methodology used is:

- a. AFDC methodologies. Please refer as necessary to Non-MAGI Methodologies, completed by the state.
- b. MAGI-like methodologies. Please refer as necessary to Non-MAGI Methodologies, completed by the state.

2. Less restrictive methodologies are used in calculating countable income.

- Yes
- No

The less restrictive income methodologies are:

- The difference between one income standard and another is disregarded.
 - Between the following percentages of the FPL: **FPL 90.00%**
 - Between the medically needy income limit and a percentage of the FPL:
 - Between the SSI Federal Benefit Rate and:
 - Between other income standards:

General income disregard:

Name of disregard:	Description:
Guardian or Conservator	The legally appointed guardian or conservator may be allowed to retain 5 percent of a recipient's monthly benefits as reimbursement for services. The remainder of the recipient's monthly benefit shall be considered available to the Medical Assistance Unit.

A specified amount of unearned income is disregarded.

Amount: \$25.00

Description of disregard: The first \$25 of unearned income from rental of rooms, apartments, or other property from each unit is exempt to defray any associated expenses.

Census Bureau wages are disregarded.

Description of disregard: All wages paid by the Census Bureau for temporary employment related to census activities are excluded.

Interest is disregarded.

Description of disregard: Dividend and interest income from liquid assets is disregarded as income.

Dividends are disregarded.

Description of disregard: Dividend and interest income from liquid assets is disregarded as income.

Training allowances and expenses are disregarded.

Description of disregard: For each individual who is not an aged, blind, or disabled recipient within a family who is employed or in training, deduct the \$30 standard work/ training expense allowance.

A specified type of income is disregarded:

Name of income type:	Description:
Income In-Kind	Income in-kind is to be excluded except that income in-kind which is in lieu of wages is considered earned income.
Extra Checks of Earned or Unearned Income	Extra checks of earned or unearned income received from a regularly recurring income source are disregarded as income. Bonus checks, or checks for any other reason, are not considered extra checks. The last check received in the month is considered the extra check.
Child Care Costs	Allow reasonable child care costs necessary for employment or training to be deducted from income.
Payroll Deductions and Union Dues	Gross earnings for employed individuals who are not aged, blind, or disabled applicants or recipients are reduced by mandatory payroll deductions and union dues actually withheld or actually paid or \$90 whichever is greater.
Child Support	The First \$50 per month of current child support, received on behalf of children in the Medicaid unit, will be disregarded from each budget unit that is budgeted with a separate income level.
Adult Dependent Care Expenses	Reasonable adult dependent care expenses incurred for any incapacitated or disabled adult in the Medicaid unit are allowed as a deduction from income so a caretaker or spouse can work or attend training.
Car Safety Seat	The cost to purchase or rent a car safety seat for a child through age 10 is allowed as a deduction if a seat is not otherwise reasonably available.
Subsidized Guardianship Payments	Disregard subsidized guardianship payments for children.
Child and Adult Food Program	Disregard payments from the Child and Adult Food Program for meals and snacks to licensed families who provide daycare in their home.
Military Personnel Additional Pay	Additional pay received by military personnel as a result of deployment to a combat zone is disregarded as income.
TANF Cash Grant	Disregard TANF cash grant as income.

3. Less restrictive methodologies are used in calculating countable resources.

- Yes
 No

The less restrictive resource methodologies are:

- A specified type of resource is disregarded:

Name of resource type:	Description:
Salability of "Contractual Rights to Receive Payment"	<p>An applicant/recipient may rebut the presumption of the salability of "contractual rights to receive payment" by showing the following.</p> <p>a. That his interest in the contract was advertised for sale in a newspaper whose circulation area includes the area where the real property relating to the contract is located. This advertisement must be published successively for two weeks if the newspaper is a weekly and for one week if it is a daily.</p> <p>b. The sworn statement of the applicant/ recipient that no offers were received which equaled or exceeded the minimum price. If all offers were below the minimum price, the property is determined to be not saleable; any offer received that is equal to or in excess of the minimum price will establish that the property is saleable and the seller has the right to accept any of the offers. Rebuttals must be made immediately prior to each redetermination of eligibility for the property to continue to be treated as unsaleable.</p>
Effective Date of Eligibility	<p>Effective Date of Eligibility - An individual is considered resource eligible for the full month if he/she attains resource eligibility on any day of the month, without regard to whether the individual was resource eligible on the first moment of the first day of the month.</p>
Life Estate	<p>Effective July 1, 1996 the value of a life estate will be excluded in determining if the available assets of an applicant or recipient exceed the asset limit.</p>
Employee Benefit Annuity	<p>The value of an employee benefit annuity that is an individual retirement annuity or is an annuity that was purchased with the proceeds from an individual retirement account (IRA), a Roth IRA, a simplified employee pension, an employer or employee association retirement account, or an employer simple retirement account, as described in § 408 of the Internal Revenue Code of 1986 is excluded.</p>
State Tax Refunds	<p>State tax refunds and refundable tax credits are excluded as resources for nine months beginning after the month of receipt.</p>
Real or Personal Property	<p>Real or personal property which is not saleable without working an undue hardship may be considered unavailable in determining Medical Assistance eligibility. Property which has been, in good faith, offered for sale, and for which no offer has been received which equals or exceeds</p>

Name of resource type:	Description:
Value of Mineral Acres	<p>75% of the reasonable market value, will normally be treated as not saleable without working an undue hardship. A good faith offer to sell real property would normally include advertisements and listings with real estate agents or local dealers in real estate. The reasonable market value of real property may be established by appraisal or by any other method which is likely to produce an accurate valuation. Valuations established for real estate tax purposes shall not be used. A good faith offer to sell personal property would normally include advertisements, listing with real estate agents or local dealers. The reasonable market value of personal property may be established by appraisals or by any other method which is likely to produce an accurate valuation.</p> <p>The value of mineral acres are excluded in determining if the available assets of an applicant or recipient exceed the asset limit.</p>

- A beneficiary of a "qualified state long-term care insurance partnership" policy (partnership policy), as defined in section 1917(b)(1)(C) of the Social Security Act and 45 CFR 144.200 et seq., is provided a resource disregard, equal to the amount of the insurance benefit payments made to or on behalf of the individual from the partnership policy.

Medically Needy Children under Age 18

MEDICAID | Medicaid State Plan | Eligibility | ND2023MS00040 | ND-23-0034

Package Header

Package ID	ND2023MS00040	SPA ID	ND-23-0034
Submission Type	Official	Initial Submission Date	12/19/2023
Approval Date	02/02/2024	Effective Date	1/1/2024
Superseded SPA ID	ND-19-0017		
	System-Derived		

C. Income Standard Used

The income standard used for this group is described in the Medically Needy Income Level RU.

D. Resource Standard Used

The resource standard used for this group is described in the Medically Needy Resource Level RU.

E. Spenddown

The state allows individuals to deduct incurred medical and remedial expenses (spend down) to become eligible under this group. Spenddown is defined in the Handling of Excess Income (Spenddown) RU.

Medically Needy Children under Age 18

MEDICAID | Medicaid State Plan | Eligibility | ND2023MS0004O | ND-23-0034

Package Header

Package ID	ND2023MS0004O	SPA ID	ND-23-0034
Submission Type	Official	Initial Submission Date	12/19/2023
Approval Date	02/02/2024	Effective Date	1/1/2024
Superseded SPA ID	ND-19-0017		
	System-Derived		

F. Additional Information (optional)

Medically Needy Children under Age 18

MEDICAID | Medicaid State Plan | Eligibility | ND2023MS00040 | ND-23-0034

Package Header

Package ID	ND2023MS00040	SPA ID	ND-23-0034
Submission Type	Official	Initial Submission Date	12/19/2023
Approval Date	02/02/2024	Effective Date	1/1/2024
Superseded SPA ID	ND-19-0017		
	System-Derived		

PRA Disclosure Statement: Centers for Medicare & Medicaid Services (CMS) collects this mandatory information in accordance with (42 U.S.C. 1396a) and (42 CFR 430.12); which sets forth the authority for the submittal and collection of state plans and plan amendment information in a format defined by CMS for the purpose of improving the state application and federal review processes, improve federal program management of Medicaid programs and Children's Health Insurance Program, and to standardize Medicaid program data which covers basic requirements, and individualized content that reflects the characteristics of the particular state's program. The information will be used to monitor and analyze performance metrics related to the Medicaid and Children's Health Insurance Program in efforts to boost program integrity efforts, improve performance and accountability across the programs. Under the Privacy Act of 1974 any personally identifying information obtained will be kept private to the extent of the law. According to the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number. The valid OMB control number for this information collection is 0938-1188. The time required to complete this information collection is estimated to range from 1 hour to 80 hours per response (see below), including the time to review instructions, search existing data resources, gather the data needed, and complete and review the information collection. If you have comments concerning the accuracy of the time estimate(s) or suggestions for improving this form, please write to: CMS, 7500 Security Boulevard, Attn: PRA Reports Clearance Officer, Mail Stop C4-26-05, Baltimore, Maryland 21244-1850.

This view was generated on 2/2/2024 3:37 PM EST

ND - Submission Package - ND2023MS0004O - (ND-23-0034) - Eligibility

[Summary](#) [Reviewable Units](#) [Versions](#) [Correspondence Log](#) [Analyst Notes](#) [Approval Letter](#) [Transaction Logs](#) [News](#) [Related Actions](#)

Medicaid State Plan Eligibility

Eligibility Groups - Medically Needy

Medically Needy Reasonable Classifications of Individuals under Age 21

MEDICAID | Medicaid State Plan | Eligibility | ND2023MS0004O | ND-23-0034

One or more reasonable classifications of individuals under age 21 who do not qualify as categorically needy.

CMS-10434 OMB 0938-1188

Package Header

Package ID	ND2023MS0004O	SPA ID	ND-23-0034
Submission Type	Official	Initial Submission Date	12/19/2023
Approval Date	02/02/2024	Effective Date	<u>1/1/2024</u>
Superseded SPA ID	ND-19-0017		
	System-Derived		

The state covers the optional Medically Needy Reasonable Classifications of Individuals under Age 21 eligibility group in accordance with the following provisions:

A. Characteristics

Individuals qualifying under this eligibility group must meet the following criteria:

1. Are under age 21, or a lower age, as specified in section C.
2. Would not qualify under the Medically Needy Children under Age 18 eligibility group (42 CFR 435.301)
3. Are not otherwise eligible for categorically needy coverage under the state plan.
4. Have income at or below the medically needy income level and resources at or below the medically needy resource level.

Medically Needy Reasonable Classifications of Individuals under Age 21

MEDICAID | Medicaid State Plan | Eligibility | ND2023MS00040 | ND-23-0034

Package Header

Package ID	ND2023MS00040	SPA ID	ND-23-0034
Submission Type	Official	Initial Submission Date	12/19/2023
Approval Date	02/02/2024	Effective Date	1/1/2024
Superseded SPA ID	ND-19-0017		
	System-Derived		

B. Individuals Covered

The state covers the following populations:

- 1. All children under a specified age limit:
 - i. Under age 21
 - ii. Under age 20
 - iii. Under age 19
- 2. Reasonable classifications of children

Medically Needy Reasonable Classifications of Individuals under Age 21

MEDICAID | Medicaid State Plan | Eligibility | ND2023MS00040 | ND-23-0034

Package Header

Package ID	ND2023MS00040	SPA ID	ND-23-0034
Submission Type	Official	Initial Submission Date	12/19/2023
Approval Date	02/02/2024	Effective Date	1/1/2024
Superseded SPA ID	ND-19-0017		
	System-Derived		

C. Financial Methodologies

1. The state uses the same financial methodology for all individuals covered.

- Yes
 No

2. The financial methodology used is:

- a. AFDC methodologies. Please refer as necessary to Non-MAGI Methodologies, completed by the state.
 b. MAGI-like methodologies. Please refer as necessary to Non-MAGI Methodologies, completed by the state.

3. Less restrictive methodologies are used in calculating countable income.

- Yes
 No

The less restrictive income methodologies are:

- The difference between one income standard and another is disregarded.
- Between the following percentages of the FPL: **FPL 90.00%**
 - Between the medically needy income limit and a percentage of the FPL:
 - Between the SSI Federal Benefit Rate and:
 - Between other income standards:

- General income disregard:

Name of disregard:	Description:
Guardian or Conservator	The legally appointed guardian or conservator may be allowed to retain 5 percent of a recipient's monthly benefits as reimbursement for services. The remainder of the recipient's monthly benefit shall be considered available to the Medical Assistance Unit.

- A specified amount of unearned income is disregarded.

Amount: \$25.00

Description of disregard: The first \$25 of unearned income from rental of rooms, apartments, or other property from each unit is exempt to defray any associated expenses.

- Census Bureau wages are disregarded.

Description of disregard: All wages paid by the Census Bureau for temporary employment related to census activities are excluded.

- Interest is disregarded.

Description of disregard: Dividend and interest income from liquid assets is disregarded as income.

- Dividends are disregarded.

Description of disregard: Dividend and interest income from liquid assets is disregarded as income.

- Training allowances and expenses are disregarded.

Description of disregard: For each individual who is not an aged, blind, or disabled recipient within a family who is employed or in training, deduct the \$30 standard work/ training expense allowance.

- A specified type of income is disregarded:

Name of income type:	Description:
Income In-Kind	Income in-kind is to be excluded except that income in-kind which is in lieu of wages is considered earned income.
Extra Checks of Earned or Unearned Income	Extra checks of earned or unearned income received from a regularly recurring income source are disregarded as income. Bonus checks, or checks for any other reason, are not considered extra checks. The last check received in the month is considered the extra check.
Child Care Costs	Allow reasonable child care costs necessary for employment or training to be deducted from income.
Payroll Deductions and Union Dues	Gross earnings for employed individuals who are not aged, blind, or disabled applicants or recipients are reduced by mandatory payroll deductions and union dues actually withheld or actually paid or \$90 whichever is greater.
Child Support	The First \$50 per month of current child support, received on behalf of children in the Medicaid unit, will be disregarded from each budget unit that is budgeted with a separate income level.
Adult Dependent Care Expenses	Reasonable adult dependent care expenses incurred for any incapacitated or disabled adult in the Medicaid unit are allowed as a deduction from income so a caretaker or spouse can work or attend training.
Car Safety Seat	The cost to purchase or rent a car safety seat for a child through age 10 is allowed as a deduction if a seat is not otherwise reasonably available.
Subsidized Guardianship Payments	Disregard subsidized guardianship payments for children.
Child and Adult Food Program	Disregard payments from the Child and Adult Food Program for meals and snacks to licensed families who provide daycare in their home.
Military Personnel Additional Pay	Additional pay received by military personnel as a result of deployment to a combat zone is disregarded as income.
TANF Cash Grant	Disregard TANF cash grant as income.

4. Less restrictive methodologies are used in calculating countable resources.

- Yes
 No

The less restrictive resource methodologies are:

- A specified type of resource is disregarded:

Name of resource type:	Description:
Life Estate	Effective July 1, 1996 the value of a life estate will be excluded in determining if the available assets of an applicant or recipient exceed the asset limit.
Employee Benefit Annuity	The value of an employee benefit annuity that is an individual retirement annuity or is an annuity that was purchased with the proceeds from an individual retirement account (IRA), a Roth IRA, a simplified employee pension, an employer or employee association retirement account, or an employer simple retirement account, as described in § 408 of the Internal Revenue Code of 1986 is excluded.
State Tax Refunds	State tax refunds and refundable tax credits are excluded as resources for nine months beginning after the month of receipt.
Real or Personal Property	Real or personal property which is not saleable without working an undue hardship may be considered unavailable in determining Medical Assistance eligibility. Property which has been, in good faith, offered for sale, and for which no offer has been received which equals or exceeds 75% of the reasonable market value, will normally be treated as not saleable without working an undue hardship. A good faith offer to sell real property would normally include advertisements and listings with real estate agents or local dealers in real estate. The reasonable market value of real property may be established by appraisal or by any other method which is likely to produce an accurate valuation. Valuations established for real estate tax purposes shall not be used. A good faith offer to sell personal property would normally include advertisements, listing with real estate agents or local dealers. The reasonable market value of personal property may be established by appraisals or by any other method which is likely to produce an accurate valuation.
Value of Mineral Acres	The value of mineral acres are excluded in determining if the available assets of an applicant or recipient exceed the asset limit.
Salability of "Contractual Rights to Receive Payment"	An applicant/recipient may rebut the presumption of the salability of "contractual rights to receive payment" by showing the following. a. That his interest in the contract was advertised for sale in a newspaper whose circulation area includes the area where the real property relating to the contract is located. This advertisement must be published successively for two

<p>Name of resource type:</p>	<p>Description:</p> <p>weeks if the newspaper is a weekly and for one week if it is a daily.</p> <p>b.The sworn statement of the applicant/ recipient that no offers were received which equaled or exceeded the minimum price. If all offers were below the minimum price, the property is determined to be not saleable; any offer received that is equal to or in excess of the minimum price will establish that the property is saleable and the seller has the right to accept any of the offers. Rebuttals must be made immediately prior to each redetermination of eligibility for the property to continue to be treated as unsalable.</p>
<p>Effective Date of Eligibility</p>	<p>Effective Date of Eligibility - An individual is considered resource eligible for the full month if he/she attains resource eligibility on any day of the month, without regard to whether the individual was resource eligible on the first moment of the first day of the month.</p>

A beneficiary of a "qualified state long-term care insurance partnership" policy (partnership policy), as defined in section 1917(b)(1)(C) of the Social Security Act and 45 CFR 144.200 et seq., is provided a resource disregard, equal to the amount of the insurance benefit payments made to or on behalf of the individual from the partnership policy.

Medically Needy Reasonable Classifications of Individuals under Age 21

MEDICAID | Medicaid State Plan | Eligibility | ND2023MS00040 | ND-23-0034

Package Header

Package ID	ND2023MS00040	SPA ID	ND-23-0034
Submission Type	Official	Initial Submission Date	12/19/2023
Approval Date	02/02/2024	Effective Date	1/1/2024
Superseded SPA ID	ND-19-0017		
	System-Derived		

D. Income Standard Used

The income standard used for this group is described in the Medically Needy Income Level RU.

E. Resource Standard Used

The resource standard used for this group is described in the Medically Needy Resource Level RU.

F. Spenddown

The state allows individuals to deduct incurred medical and remedial expenses (spend down) to become eligible under this group. Spenddown is defined in the Handling of Excess Income (Spenddown) RU.

Medically Needy Reasonable Classifications of Individuals under Age 21

MEDICAID | Medicaid State Plan | Eligibility | ND2023MS0004O | ND-23-0034

Package Header

Package ID	ND2023MS0004O	SPA ID	ND-23-0034
Submission Type	Official	Initial Submission Date	12/19/2023
Approval Date	02/02/2024	Effective Date	1/1/2024
Superseded SPA ID	ND-19-0017		
	System-Derived		

G. Additional Information (optional)

PRA Disclosure Statement: Centers for Medicare & Medicaid Services (CMS) collects this mandatory information in accordance with (42 U.S.C. 1396a) and (42 CFR 430.12); which sets forth the authority for the submittal and collection of state plans and plan amendment information in a format defined by CMS for the purpose of improving the state application and federal review processes, improve federal program management of Medicaid programs and Children's Health Insurance Program, and to standardize Medicaid program data which covers basic requirements, and individualized content that reflects the characteristics of the particular state's program. The information will be used to monitor and analyze performance metrics related to the Medicaid and Children's Health Insurance Program in efforts to boost program integrity efforts, improve performance and accountability across the programs. Under the Privacy Act of 1974 any personally identifying information obtained will be kept private to the extent of the law. According to the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number. The valid OMB control number for this information collection is 0938-1188. The time required to complete this information collection is estimated to range from 1 hour to 80 hours per response (see below), including the time to review instructions, search existing data resources, gather the data needed, and complete and review the information collection. If you have comments concerning the accuracy of the time estimate(s) or suggestions for improving this form, please write to: CMS, 7500 Security Boulevard, Attn: PRA Reports Clearance Officer, Mail Stop C4-26-05, Baltimore, Maryland 21244-1850.

This view was generated on 2/2/2024 3:38 PM EST

ND - Submission Package - ND2023MS0004O - (ND-23-0034) - Eligibility

Summary Reviewable Units Versions Correspondence Log Analyst Notes Approval Letter Transaction Logs News **Related Actions**

Medicaid State Plan Eligibility

Eligibility Groups - Medically Needy

Medically Needy Parents and Other Caretaker Relatives

MEDICAID | Medicaid State Plan | Eligibility | ND2023MS0004O | ND-23-0034

Parents and other caretaker relatives of dependent children who do not qualify as categorically needy.

CMS-10434 OMB 0938-1188

Package Header

Package ID	ND2023MS0004O	SPA ID	ND-23-0034
Submission Type	Official	Initial Submission Date	12/19/2023
Approval Date	02/02/2024	Effective Date	<u>1/1/2024</u>
Superseded SPA ID	ND-19-0017		
	System-Derived		

The state covers the optional Medically Needy Parents and Other Caretaker Relatives eligibility group in accordance with the following provisions:

A. Characteristics

Individuals qualifying under this eligibility group must meet the following criteria:

1. Meet the definition of parent or caretaker relative, as described in the mandatory Parents and Other Caretaker Relatives eligibility group.
2. Are not otherwise eligible for categorically needy coverage under the state plan.
3. Have income at or below the medically needy income level and resources at or below the medically needy resource level.

Medically Needy Parents and Other Caretaker Relatives

MEDICAID | Medicaid State Plan | Eligibility | ND2023MS00040 | ND-23-0034

Package Header

Package ID ND2023MS00040
Submission Type Official
Approval Date 02/02/2024
Superseded SPA ID ND-19-0017
System-Derived

SPA ID ND-23-0034
Initial Submission Date 12/19/2023
Effective Date 1/1/2024

B. Financial Methodologies

1. The financial methodology used is:

- a. AFDC methodologies. Please refer as necessary to Non-MAGI Methodologies, completed by the state.
- b. MAGI-like methodologies. Please refer as necessary to Non-MAGI Methodologies, completed by the state.

2. Less restrictive methodologies are used in calculating countable income.

- Yes
- No

The less restrictive income methodologies are:

- The difference between one income standard and another is disregarded.
 - Between the following percentages of the FPL:
FPL 90.00%
 - Between the medically needy income limit and a percentage of the FPL:
 - Between the SSI Federal Benefit Rate and:
 - Between other income standards:

- General income disregard:

Name of disregard:	Description:
Guardian or Conservator	The legally appointed guardian or conservator may be allowed to retain 5 percent of a recipient's monthly benefits as reimbursement for services. The remainder of the recipient's monthly benefit shall be considered available to the Medical Assistance Unit.

Amount: \$25.00

- A specified amount of unearned income is disregarded.

Description of disregard: The first \$25 of unearned income from rental of rooms, apartments, or other property from each unit is exempt to defray any associated expenses.

- Census Bureau wages are disregarded.

Description of disregard: All wages paid by the Census Bureau for temporary employment related to census activities are excluded.

- Interest is disregarded.

Description of disregard: Dividend and interest income from liquid assets is disregarded as income.

- Dividends are disregarded.

Description of disregard: Dividend and interest income from liquid assets is disregarded as income.

- Training allowances and expenses are disregarded.

Description of disregard: For each individual who is not an aged, blind, or disabled recipient within a family who is employed or in training, deduct the \$30 standard work/ training expense allowance.

- A specified type of income is disregarded:

Name of income type:	Description:
Income In-Kind	Income in-kind is to be excluded except that income in-kind which is in lieu of wages is considered earned income.
Extra Checks of Earned or Unearned Income	Extra checks of earned or unearned income received from a regularly recurring income source are disregarded as income. Bonus checks, or checks for any other reason, are not considered extra checks. The last check received in the month is considered the extra check.
Child Care Costs	Allow reasonable child care costs necessary for employment or training to be deducted from income.
Payroll Deductions and Union Dues	Gross earnings for employed individuals who are not aged, blind, or disabled applicants or recipients are reduced by mandatory payroll deductions and union dues actually withheld or actually paid or \$90 whichever is greater.
Child Support	The First \$50 per month of current child support, received on behalf of children in the Medicaid unit, will be disregarded from each budget unit that is budgeted with a separate income level.
Adult Dependent Care Expenses	Reasonable adult dependent care expenses incurred for any incapacitated or disabled adult in the Medicaid unit are allowed as a deduction from income so a caretaker or spouse can work or attend training.
Car Safety Seat	The cost to purchase or rent a car safety seat for a child through age 10 is allowed as a deduction if a seat is not otherwise reasonably available.
Subsidized Guardianship Payments	Disregard subsidized guardianship payments for children.
Child and Adult Food Program	Disregard payments from the Child and Adult Food Program for meals and snacks to licensed families who provide daycare in their home.
Military Personnel Additional Pay	Additional pay received by military personnel as a result of deployment to a combat zone is disregarded as income.
TANF Cash Grant	Disregard TANF cash grant as income.

3. Less restrictive methodologies are used in calculating countable resources.

- Yes
 No

The less restrictive resource methodologies are:

- A specified type of resource is disregarded:

Name of resource type:	Description:
Salability of "Contractual Rights to Receive Payment"	<p>An applicant/recipient may rebut the presumption of the salability of "contractual rights to receive payment" by showing the following.</p> <p>a. That his interest in the contract was advertised for sale in a newspaper whose circulation area includes the area where the real property relating to the contract is located. This advertisement must be published successively for two weeks if the newspaper is a weekly and for one week if it is a daily.</p> <p>b. The sworn statement of the applicant/ recipient that no offers were received which equaled or exceeded the minimum price. If all offers were below the minimum price, the property is determined to be not saleable; any offer received that is equal to or in excess of the minimum price will establish that the property is saleable and the seller has the right to accept any of the offers. Rebuttals must be made immediately prior to each redetermination of eligibility for the property to continue to be treated as unsaleable.</p>
Effective Date of Eligibility	<p>Effective Date of Eligibility - An individual is considered resource eligible for the full month if he/she attains resource eligibility on any day of the month, without regard to whether the individual was resource eligible on the first moment of the first day of the month.</p>
Life Estate	<p>Effective July 1, 1996 the value of a life estate will be excluded in determining if the available assets of an applicant or recipient exceed the asset limit.</p>
Employee Benefit Annuity	<p>The value of an employee benefit annuity that is an individual retirement annuity or is an annuity that was purchased with the proceeds from an individual retirement account (IRA), a Roth IRA, a simplified employee pension, an employer or employee association retirement account, or an employer simple retirement account, as described in § 408 of the Internal Revenue Code of 1986 is excluded.</p>
State Tax Refunds	<p>State tax refunds and refundable tax credits are excluded as resources for nine months beginning after the month of receipt.</p>
Real or Personal Property	<p>Real or personal property which is not saleable without working an undue hardship may be considered unavailable in determining Medical Assistance eligibility. Property which has been, in good faith, offered for sale, and for which no offer has been received which equals or exceeds</p>

Name of resource type:	Description:
Value of Mineral Acres	<p>75% of the reasonable market value, will normally be treated as not saleable without working an undue hardship. A good faith offer to sell real property would normally include advertisements and listings with real estate agents or local dealers in real estate. The reasonable market value of real property may be established by appraisal or by any other method which is likely to produce an accurate valuation. Valuations established for real estate tax purposes shall not be used. A good faith offer to sell personal property would normally include advertisements, listing with real estate agents or local dealers. The reasonable market value of personal property may be established by appraisals or by any other method which is likely to produce an accurate valuation.</p> <p>The value of mineral acres are excluded in determining if the available assets of an applicant or recipient exceed the asset limit.</p>

- A beneficiary of a "qualified state long-term care insurance partnership" policy (partnership policy), as defined in section 1917(b)(1)(C) of the Social Security Act and 45 CFR 144.200 et seq., is provided a resource disregard, equal to the amount of the insurance benefit payments made to or on behalf of the individual from the partnership policy.

Medically Needy Parents and Other Caretaker Relatives

MEDICAID | Medicaid State Plan | Eligibility | ND2023MS00040 | ND-23-0034

Package Header

Package ID	ND2023MS00040	SPA ID	ND-23-0034
Submission Type	Official	Initial Submission Date	12/19/2023
Approval Date	02/02/2024	Effective Date	1/1/2024
Superseded SPA ID	ND-19-0017		
	System-Derived		

C. Income Standard Used

The income standard used for this group is described in the Medically Needy Income Level RU.

D. Resource Standard Used

The resource standard used for this group is described in the Medically Needy Resource Level RU.

E. Spenddown

The state allows individuals to deduct incurred medical and remedial expenses (spend down) to become eligible under this group. Spenddown is defined in the Handling of Excess Income (Spenddown) RU.

Medically Needy Parents and Other Caretaker Relatives

MEDICAID | Medicaid State Plan | Eligibility | ND2023MS00040 | ND-23-0034

Package Header

Package ID	ND2023MS00040	SPA ID	ND-23-0034
Submission Type	Official	Initial Submission Date	12/19/2023
Approval Date	02/02/2024	Effective Date	1/1/2024
Superseded SPA ID	ND-19-0017		
	System-Derived		

F. Additional Information (optional)

PRA Disclosure Statement: Centers for Medicare & Medicaid Services (CMS) collects this mandatory information in accordance with (42 U.S.C. 1396a) and (42 CFR 430.12); which sets forth the authority for the submittal and collection of state plans and plan amendment information in a format defined by CMS for the purpose of improving the state application and federal review processes, improve federal program management of Medicaid programs and Children's Health Insurance Program, and to standardize Medicaid program data which covers basic requirements, and individualized content that reflects the characteristics of the particular state's program. The information will be used to monitor and analyze performance metrics related to the Medicaid and Children's Health Insurance Program in efforts to boost program integrity efforts, improve performance and accountability across the programs. Under the Privacy Act of 1974 any personally identifying information obtained will be kept private to the extent of the law. According to the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number. The valid OMB control number for this information collection is 0938-1188. The time required to complete this information collection is estimated to range from 1 hour to 80 hours per response (see below), including the time to review instructions, search existing data resources, gather the data needed, and complete and review the information collection. If you have comments concerning the accuracy of the time estimate(s) or suggestions for improving this form, please write to: CMS, 7500 Security Boulevard, Attn: PRA Reports Clearance Officer, Mail Stop C4-26-05, Baltimore, Maryland 21244-1850.

This view was generated on 2/2/2024 3:39 PM EST