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State/Territory Name: New Mexico

State Plan Amendment (SPA) #: 13-10

This file contains the following documents in the order listed:

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

DEPARTMENT OF HEALTH & HUMAN SERVICES
Centers for Medicare & Medicaid Services
Dallas Regional Office
1301 Young Street, Suite 833
Dallas, Texas 75202



DIVISION OF MEDICAID & CHILDREN'S HEALTH - REGION VI

October 25, 2013

Our Reference: SPA-NM-13-10

Ms. Julie Weinberg, Director
New Mexico Human Services Department
Medical Assistance Division
Post Office Box 2348- ARK
Santa Fe, New Mexico 87504-2348

Dear Ms. Weinberg:

We have reviewed the State's proposed amendment to the New Mexico State Plan submitted under Transmittal Number 13-10, dated August 2, 2013. This state plan amendment makes technical changes to reflect its current coverage of optional targeted low-income children under section 1902(a)(10)(A)(ii)(XIV) of the Act.

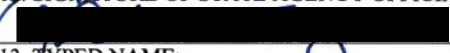
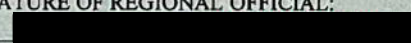
Based on the information submitted, we have approved the amendment for incorporation into the official New Mexico State Plan with an effective date change of July 1, 2013. A copy of the CMS-179 and approved plan pages are enclosed with this letter.

If you have any questions, please contact Suzette Seng at (214) 767-6478.

Sincerely,



Bill Brooks
Associate Regional Administrator

TRANSMITTAL AND NOTICE OF APPROVAL OF STATE PLAN MATERIAL FOR: HEALTH CARE FINANCING ADMINISTRATION		1. TRANSMITTAL NUMBER: 13-10	2. STATE New Mexico
		3. PROGRAM IDENTIFICATION: TITLE XIX OF THE SOCIAL SECURITY ACT (MEDICAID)	
TO: REGIONAL ADMINISTRATOR HEALTH CARE FINANCING ADMINISTRATION DEPARTMENT OF HEALTH AND HUMAN SERVICES		4. PROPOSED EFFECTIVE DATE July 1, 2013	
5. TYPE OF PLAN MATERIAL (Check One): <input type="checkbox"/> NEW STATE PLAN <input type="checkbox"/> AMENDMENT TO BE CONSIDERED AS NEW PLAN <input checked="" type="checkbox"/> AMENDMENT COMPLETE BLOCKS 6 THRU 10 IF THIS IS AN AMENDMENT (Separate Transmittal for each amendment)			
6. FEDERAL STATUTE/REGULATION CITATION: MORE LIBERAL METHODS OF TREATING INCOME UNDER SECTION 1902(a)(10)(A)(ii)(XXI) OF THE ACT,		7. FEDERAL BUDGET IMPACT: a. FFY 2011 \$0 b. FFY 2012 \$0	
8. PAGE NUMBER OF THE PLAN SECTION OR ATTACHMENT: Attachment 2.2-A Page 23b 23c Supplement 1 to Attachment 2.2-A page 1 Supplement 8a to Attachment 2.6 -A Page 3 Supplement 8a to Attachment 2.6 -A Page 3a		9. PAGE NUMBER OF THE SUPERSEDED PLAN SECTION OR ATTACHMENT (If Applicable): Attachment 2.2-A Page 23b 23cm TN 93-13 Supplement 1 to Attachment 2.2-A page 1 TN 09-04 Supplement 8a to Attachment 2.6 -A Page 3, TN 04-05 Supplement 8a to Attachment 2.6 -A Page 3a, TN 13-04	
10. SUBJECT OF AMENDMENT: Amend our New Mexico State Plan Attachment 2.2-A Page 23b by replacing "under age 19" with "under age 6", Supplement 1 to Attachment 2.2-A page 1 by adding a new classification of uninsured children under age 19 who meet the definition of "optional targeted low-income child", Supplement 8a, Attachment 2.6-A page 3 in order to update children's earned income as disregarded in paragraph 4. Update Supplement 8a, Attachment 2.6-A page 3a by renumbering paragraph 4 to 5, which specifies children's ages for parents earned income disregards and child care disregards in the new paragraph 5 that is our current practice. We also are renumbering the remaining paragraphs 6-10.			
11. GOVERNOR'S REVIEW (Check One): <input type="checkbox"/> GOVERNOR'S OFFICE REPORTED NO <input type="checkbox"/> COMMENTS OF GOVERNOR'S OFFICE ENCLOSED <input type="checkbox"/> NO REPLY RECEIVED WITHIN 45 DAYS OF SUBMITTAL COMMENT <input checked="" type="checkbox"/> OTHER, AS SPECIFIED: Authority Delegated to the Medical Director			
12. SIGNATURE OF STATE AGENCY OFFICIAL: 		16. RETURN TO: Julie B. Weinberg, Director Medical Assistance Division P.O. Box 2348 - ARK 2025 S. Pacheco St. Santa Fe, NM 87504-2348	
13. TYPED NAME: Julie B. Weinberg			
14. TITLE: Director			
15. DATE SUBMITTED: August 2, 2013			
FOR REGIONAL OFFICE USE ONLY			
17. DATE RECEIVED: 2 August, 2013		18. DATE APPROVED: 25 October, 2013	
PLAN APPROVED - ONE COPY ATTACHED			
19. EFFECTIVE DATE OF APPROVED MATERIAL: 1 July, 2013		20. SIGNATURE OF REGIONAL OFFICIAL: 	
21. TYPED NAME: Bill Brooks		22. TITLE: Associate Regional Administrator Div of Medicaid & Children's Health	
23. REMARKS:			

USE OF THE ALTERNATIVE SINGLE STREAMLINED APPLICATION

() Paper Application (X) Online Application

TRANSMITTAL NUMBER:

13-10

STATE:

New Mexico

The plan makes technical changes to reflect its current coverage of optional targeted low-income children under section 1902(a)(10)(A)(ii)(XIV) of the Act.

Citation

Groups Covered

State: New Mexico
Date Received: 8/2/13
Date Approved: 10/25/13
Date Effective: 7/1/13
Transmittal #: NM 13-10

The State covers:

All children described above who are under age 19 (18, 19) with family income at or below 235 percent of the Federal poverty level.

X

The following reasonable classifications of children described above who are under age 6 with family income at or below 235 percent of the percent of the Federal poverty level:

(ADD NARRATIVE DESCRIPTION(S) OF THE REASONABLE CLASSIFICATION(S) AND THE PERCENT OF THE FEDERAL POVERTY LEVEL USED TO ESTABLISH ELIGIBILITY FOR EACH CLASSIFICATION.)

1902(e)(12) of the Act

X

21.

A child under age 19 (not to exceed age 19) who has been determined eligible is deemed to be eligible for a total of 12 months (not to exceed 12 months) regardless of changes in the circumstances other than attainment of the maximum age stated above.

1920 A of the Act

X

22.

Children under age 19 who are determined by a “qualified entity” as defined in 1920A(b)(3)(A) based on preliminary information, to meet the highest applicable income criteria specified in this plan.

The presumptive period begins on the day that the determination is made. If an application for Medicaid is filed on the child’s behalf by the last day of the month following the month in which the determination of presumptive eligibility was made, the presumptive eligibility period ends on the day the State agency makes a determination of eligibility based on that application. If an application is not filed on the child’s behalf by the last day of the month following the month the determination of presumptive eligibility was made, the presumptive period ends on that last day.

TN No. 13-10
Supersedes:
TN No. 93-13

Approval Date 10/25/13 Effective Date 7/1/13

HCFA ID: 7982E

STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT

State: New Mexico

REASONABLE CLASSIFICATIONS OF INDIVIDUALS UNDER
THE AGE OF 21, 20, 19, AND 18

The New Mexico Medicaid program covers children for whom the State of New Mexico through the Children, Youth and Families Department (CYFD) has financial responsibility and who are in substance care living arrangements but not under the care and control of a public institution. According to the terms of a Memorandum of Understanding between the secretaries of HSD and CYFD, CYFD is responsible for determining Medicaid eligibility and issuing identification cards to these children.

For purposes of this provision, "substitute care living arrangements" include placement in residential and non-residential treatment facilities in instances where medical treatment is required, placement in foster care, or adoption placement.

42 CFR 435.222 X Uninsured children under age 19 who meet the definition of "optional targeted low-income child" at 42 CFR 435.4

State: New Mexico
Date Received: 8/2/13
Date Approved: 10/25/13
Date Effective: 7/1/13
Transmittal #: NM 13-10

TN No. 13-10

Supersedes

TN No. 09-04

Approval Date 10/25/13

Effective Date 7/1/13

STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT

State: New Mexico

MORE LIBERAL METHODS OF TREATING INCOME
UNDER SECTION 1902(r)(2) OF THE ACT*

// Section 1902(f) State /X/ Non-Section 1902(f) State

1. For children identified under provisions of 1902 (a)(10)(A)(i)(VI), 1902 (1)(1)(C) of the Act, disregard from the countable income of the assistance unit the difference between 185% of the federal poverty guidelines, as revised annually in the Federal Register, and 133% of the federal poverty level guidelines for the size of the assistance unit involved.
2. For children born after September 30, 1983, as described in 1902 (a)(10)(A)(i)(VII), 1902 (1)(1)(D) disregard from the countable income of the assistance unit the difference between 185% of the federal poverty guidelines, as revised annually in the Federal Register, and 100% of the federal poverty guidelines for the size of the assistance unit involved.
3. For dependent children under age 1 under 1902(a)(10)(A)(i)(IV) or 1902(a)(10)(A)(ii)(XIV), children aged 1-5 under 1902(a)(10)(A)(i)(VI) or 1902(a)(10)(A)(ii)(XIV), and children aged 6-18 under 1902(a)(10)(A)(i)(VII) or 42 CFR 435.222 the state will disregard all earned income from the countable income calculations.

*More liberal methods may not result in exceeding gross income limitations under section 1903(f).

State: New Mexico
Date Received: 8/2/13
Date Approved: 10/25/13
Date Effective: 7/1/13
Transmittal #: NM 13-10

TN No. 13-10
Supersedes _____ Approval Date 10/25/13 Effective Date 7/1/13
TN No. 04-05 HCFA ID: 7985E

STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT

State NEW MEXICO

MORE LIBERAL METHODS OF TREATING INCOME
UNDER SECTION 1902 (r)(2) OF THE ACT

Section 1902 (f) state

Non-section 1902 (f) state

4. The following applies to children under age 1 under 1902(a)(10)(A)(i)(IV) or 1902(a)(10)(A)(ii)(XIV) and children aged 1-5 under 1902(a)(10)(A)(i)(VI) or 1902(a)(10)(A)(ii)(XIV) of the statute:

An earned income disregard of seven hundred-fifty (\$750) dollars will be applied to the gross earned income of the parent(s).

The dependent care deduction will be greater of the actual care costs or three hundred-seventy-five (375) dollars per household whichever is greater.

5. For Working Disabled Individuals Medicaid group, an amount equal to the current SSI FBR is disregarded for purposes of the second step in the income eligibility determination process (i.e. the individual must meet SSI income criteria when the individual's earnings are disregarded).

6. For Working Disabled Individuals Medicaid group, work- related expenses for the disabled and for the blind will be deducted after the "1/2 of the remainder of the earnings" deduction is applied.

7. The following applies to Pregnant Women covered under provisions of section 1902(a)(10)(A)(ii)(IX) of the Act: An amount of income equal to the difference between 185% and 235% FPL for the appropriate household size will be disregarded from income calculations.

8. The following applies to Family Planning covered under provisions of section 1902(a)(10)(A)(ii)(XXI) of the Act: An amount of income equal to the difference between 185% and 235% FPL for the appropriate household size will be disregarded from income calculations.

9. For eligible groups; 1902 (a)(10)(A)(i)(IV), 1902 (a)(10)(A)(i)(VI) and 1902 (a)(10)(A)(i)(VII): All wages paid by the Census Bureau for temporary employment related to Census activities are excluded.

TN No. 13-10

Supersedes

TN No. 13-04

Approval Date 10/25/13 Effective Date 7/1/13

State: New Mexico
Date Received: 8/2/13
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