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State Name: West Virginia

State Plan Amendment (SPA) #: 10-03

This file contains the following documents in the order listed:

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

DEPARTMENT OF HEALTH & HUMAN SERVICES
Centers for Medicare & Medicaid Services
150 S. Independence Mall West
Suite 216, The Public Ledger Building
Philadelphia, Pennsylvania 19106-3499



Region III/Division of Medicaid and Children's Health Operations

NOV 16 2010

Ms. Nancy V. Atkins
Commissioner
Bureau for Medical Services
Department of Health and Human Resources
350 Capitol Street, Suite 251
Charleston, West Virginia 25301-3706

Dear Ms. Atkins:

We are pleased to inform you of the approval of West Virginia's Medicaid State Plan Amendment (SPA) 10-03. This SPA increases the resource standards for dual eligibles under the Medicare Savings Programs in accordance with Section 212 of the Medicare Improvements for Patients and Provider Act (MIPPA) of 2008. The effective date of this SPA is July 1, 2010.

Enclosed is a copy of the approved SPA and the signed CMS-179 form. If you have any questions, please contact Donna Fischer of my staff at (215) 861-4221.

Sincerely,

/S/

Ted Gallagher
Associate Regional Administrator

Enclosures

TRANSMITTAL AND NOTICE OF APPROVAL OF STATE PLAN MATERIAL FOR: HEALTH CARE FINANCING ADMINISTRATION		1. TRANSMITTAL NUMBER: 1 0 - 0 3	2. STATE: West Virginia
		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, 2010	
5. TYPE OF PLAN MATERIAL (Check One) <input type="checkbox"/> NEW STATE PLAN <input checked="" type="checkbox"/> AMENDMENT TO BE CONSIDERED AS NEW PLAN <input checked="" type="checkbox"/> AMENDMENT			
COMPLETE BLOCKS 8 THRU 10 IF THIS IS AN AMENDMENT (Separate Transmittal for each amendment)			
6. FEDERAL STATUTE/REGULATION CITATION: 1902(a)(1)(A)(i)-(v); 42 CFR 400.41(a)(1)(i)-(v)		7. FEDERAL BUDGET IMPACT: a. FFY 2010 \$ nominal b. FFY 2011 \$ nominal	
8. PAGE NUMBER OF THE PLAN SECTION OR ATTACHMENT: Attachment 2.2-A, page 9b, 9b1, 9b2 Attachment 2.6-A, page 22 and 22a		9. PAGE NUMBER OF THE SUPERSEDED PLAN SECTION OR ATTACHMENT (If Applicable). Attachment 2.2-A, page 9b, 9b1, 9b2 Attachment 2.6-A, page 22 and 22a	
10. SUBJECT OF AMENDMENT: This plan amendment provides that the resource standards for these groups, Qualified Medicare Beneficiaries, Specified Low-Income Medicare Beneficiaries and Qualifying Individuals will be three times the resource standard for the SSI program and will increase annually based on the increase in the CPI-U.			
11. GOVERNOR'S REVIEW (Check One): <input type="checkbox"/> GOVERNOR'S OFFICE REPORTED NO COMMENT <input type="checkbox"/> OTHER, AS SPECIFIED: <input checked="" type="checkbox"/> COMMENTS OF GOVERNOR'S OFFICE ENCLOSED <input type="checkbox"/> NO REPLY RECEIVED WITHIN 45 DAYS OF SUBMITTAL			
12. SIGNATURE OF STATE AGENCY OFFICIAL: /S/		16 RETURN TO: Bureau for Medical Services 350 Capitol Street Room 251 Charleston West Virginia 25301	
13. TYPED NAME: Nancy V. Atkins, RN, MSN, NP-BC			
14. TITLE: Commissioner			
15. DATE SUBMITTED: 8-17-10			
FOR REGIONAL OFFICE USE ONLY			
17. DATE RECEIVED 8/18/10		18. DATE APPROVED NOV 16 2010	
PLAN APPROVED - ONE COPY ATTACHED			
19. EFFECTIVE DATE OF APPROVED MATERIAL: July 1, 2010		20. SIGNATURE OF REGIONAL OFFICIAL: /S/	
21. TYPED NAME: TED GALLAGHER		22. TITLE: ASSOCIATE REGIONAL ADMINISTRATOR, DHCHO	
23. REMARKS:			

STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT

State: West Virginia

Attachment 2.2-A

Page 9b

AGENCY	CITATION(S)	GROUPS COVERED
		A. Mandatory Coverage – Categorically Needy and Other Required Special Groups (Continued)
	1902 (a)(10)(E)(i), 1905(p) and 1860D-14(a)(3)(D) of the Act	25. Qualified Medicare Beneficiaries <ul style="list-style-type: none"> a. Who are entitled to hospital insurance benefits under Medicare Part A, (but not pursuant to an enrollment under section 1818A of the Act); b. Whose income does not exceed 100 percent of the Federal poverty level; and c. Whose resources do not exceed three times the SSI resource limit, adjusted annually by the increase in the consumer price index. <p>(Medical assistance for this group is limited to Medicare cost-sharing as defined in item 3.2 of this plan.)</p>
	1902(a)(10)(E)(ii), 1905 (p)(3)(A)(i), 1905(p) and 1860D-14(a)(3)(D) Of the Act	26. Qualified Disabled and Working Individuals <ul style="list-style-type: none"> a. Who are entitled to hospital insurance benefits under Medicare Part A under section 1818A of the Act; b. Whose income does not exceed 200 percent of the Federal poverty level; and

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Attachment 2.2-A

Page 9b1

AGENCY	CITATION(S)	GROUPS COVERED
		<p>A. Mandatory Coverage – Categorically Needy and Other Required Special Groups (Continued)</p> <p>c. Whose resources do not exceed two times the SSI resource limit.</p> <p>d. Who are not otherwise eligible for medical assistance under Title XIX of the Act.</p> <p>(Medical assistance for this group is limited to Medicare Part A premiums under section 1818A of the Act.)</p>
	1902 (a)(10)(E)(iii), 1905 (p)(3)(A)(ii), and 1806D-14(a)(3)(D) Of the Act	<p>27. Specified Low-Income Medicare Beneficiaries</p> <p>a. Who are entitled to hospital insurance benefits under Medicare Part A (but not pursuant to an enrollment under section 1818A of the Act);</p> <p>b. Whose income is greater than 100 percent but less than 120 percent of the Federal poverty level; and</p> <p>c. Whose resources do not exceed three times the SSI resource limit, adjusted annually by the increase in the consumer price index.</p> <p>(Medical assistance for this group is limited to Medicare Part B premiums under section 1839 of the Act.)</p>
		<p>28. Each person to whom SSI benefits by reason of disability are not payable for any month solely by reason of clause (i) of (v) of Section 1611(e)(3)(A) shall be treated, for purposes of Title XIX, as receiving SSI benefits for the month</p>

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Attachment 2.2-A

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AGENCY	CITATION(S)	GROUPS COVERED
	1902 (a)(10)(E)(iv) and 1905 (p)(3)(A)(ii) and 1860D-14(a)(3)(D) of the Act	<p>A. Mandatory Coverage – Categorically Needy and Other Required Special Groups (Continued)</p> <p>29. Qualifying Individuals</p> <p>a. Who are entitled to hospital insurance benefits under Medicare Part A (but not pursuant to an enrollment under section 1818A of the Act);</p> <p>b. Whose income is at least 120 percent but less than 135 percent of the Federal poverty level;</p> <p>c. whose resources do not exceed three times the SSI resource limit, adjusted annually by the increase in the consumer price index.</p>

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Attachment 2.6-A

Page 22

CITATION(S)

CONDITION or REQUIREMENT

1902 (a)(10)(C)(i) of the Act

7. Resource Standard – Medically Needy

- a. Resource standards are based on family size.
- b. A single standard is employed in determining resource eligibility for all groups.
- c. In 1902(f) states, the resource standards are more restrictive than in 7.b. above for:

- Aged
- Blind
- Disabled

Supplement 2 to Attachment 2.6-A specifies the resource standards for all covered medically needy groups. If the agency chooses more restrictive levels under 7.c., Supplement 2 to Attachment 2.6-A so indicates.

1902(a)(10)(E),
1905(p)(1)(D), 1905(p)(2)(B)
And 1860D-14(a)(3)(D) of the Act

8. Resource Standard – Qualified Medicare Beneficiaries, Specified Low-Income Medicare Beneficiaries and Qualifying Individuals.

For Qualified Medicare Beneficiaries covered under section 1902(a)(10)(E)(i) of the Act, Specified Low-Income Medicare Beneficiaries covered under section 1902(a)(10)(E)(iii) of the Act, and Qualifying Individuals covered under 1902(a)(10)(E)(iv) of the Act, the resource standard is three times the SSI resource limit, adjusted annually since 1996 by the increase in the consumer price index.

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Attachment 2.6-A

Page 22a

CITATION(S)

CONDITION or REQUIREMENT

1902(a)(10)(E)(ii), 1905(s)
And 1860D-14(a)(3)(D) of the Act

9. Resource Standard – Qualified Disabled and Working Individuals.

For qualified disabled and working individuals covered under section 1902(a)(10)(E)(ii) of the Act, the resource standard for an individual or a couple (in the case of an individual with a spouse) is two times the SSI resource limit.

1902(u) of the Act

10. For COBRA continuation beneficiaries, the resource standard is:

Twice the SSI resource standard for an individual.

More restrictive standard as applied under section 1902(f) of the Act as described in Supplement 8 to Attachment 2.6-A.

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