

# Implementation Guide: Medicaid State Plan Eligibility Medically Needy Pregnant Women

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# Medically Needy Pregnant Women

## POLICY CITATION

**Statute:** 1902(a)(10)(C)(ii)(II)

**Regulations:** 42 C.F.R. §435.301(b)(1)(i) and (iv), 42 C.F.R. §436.301(b)(1)(i) and (iv)

## BACKGROUND

### Overview

This reviewable unit (RU) describes the medically needy eligibility group for pregnant women. It provides the criteria under which individuals may be covered under this group and the financial methodology used to determine eligibility.

The medically needy option allows states to provide Medicaid to individuals and families who have incomes and/or countable resources exceeding the categorically needy eligibility standards (i.e., standards for the mandatory eligibility groups and the optional eligibility groups elected by the state, excluding the medically needy). While covering the medically needy is an option for states, a state that elects to cover the medically needy must cover the three mandatory medically needy groups and may extend coverage to one or more of the optional medically needy groups.

<b>Mandatory Medically Needy Groups</b>
Pregnant women
Children under age 18
Protected medically needy individuals who were eligible in 1973
<b>Optional Medically Needy Groups</b>
Reasonable classifications of individuals under age 21
Parents and other caretaker relatives
Populations based on age, blindness, or disability

States have significant flexibility regarding the income standard and the resource standard applied to the medically needy, as well as the coverage offered to medically needy individuals. A unique feature of medically needy eligibility is that individuals who would be Medicaid eligible, but for income in excess of the eligibility standard, may reduce their countable income by the amount of their (and their family members’) incurred medical and remedial care expenses. This process is known as “spending down” excess income, or just as “spenddown.” Additional information on the spenddown can be found in the implementation guide that accompanies the **Handling of Excess Income (Spenddown) RU**.

## **Characteristics**

The Medically Needy Pregnant Women group is a medically needy group established by section 1902(a)(10)(C)(ii)(II) of the Social Security Act (the Act). Specifically, medically needy pregnant women are individuals who:

- Are pregnant or post-partum;
- Would qualify under the Pregnant Women eligibility group, except for income;
- Are not eligible for either a mandatory or optional categorically needy eligibility group; and
- Have income and resources below the medically needy levels established by the state.

For Medicaid eligibility purposes, a pregnant woman is defined at 42 C.F.R. §435.4 as “a woman during pregnancy and the post-partum period, which begins on the date the pregnancy ends, extends 60 days, and then ends on the last day of the month in which the 60-day period ends.” A woman may be determined eligible for the Medically Needy Pregnant Women group at any point in time during which she meets the definition of a pregnant woman.

An individual is not eligible for medically needy coverage if that individual is eligible for and enrolled in a mandatory or optional categorically needy eligibility group. However, as described at 42 C.F.R. §435.911, individuals who meet the requirements for coverage in a MAGI-based categorically needy eligibility group and who also meet the requirements for coverage under an optional eligibility group such as a medically needy group, may choose to enroll in the optional eligibility group. Once an individual is determined eligible as medically needy, the individual is no longer eligible for Medicaid based on MAGI, unless her circumstances change.

## **Financial Eligibility**

When choosing to cover the medically needy, states establish a single medically needy income level (MNIL) and a single medically needy resource level that apply to all beneficiaries, including those in the Medically Needy Pregnant Women group. These standards are described in the **Medically Needy Income Level RU** and the **Medically Needy Resource Level RU**, and more information can be found in the implementation guides accompanying these RUs.

Financial eligibility for medically needy pregnant women is determined using one of two financial methodologies. States may use the AFDC methodologies in effect in their state as of July 16, 1996. Or in lieu of the AFDC methodologies, states may use a MAGI-like methodology, under which states may use the same income counting rules applied to MAGI-based populations, subject to the deeming rules described in 42 C.F.R. §§435.602 and 436.602. A separate RU, **Non-MAGI Methodologies**, describes these methodologies, and more information about the methodologies can be found in the implementation guide accompanying that RU.

**Options: Less Restrictive Methodologies.** A single MNIL and a single resource level apply across all medically needy groups; however states may apply less restrictive income and resource methodologies under section 1902(r)(2) of the Act to establish a different effective income and/or resource standard for medically needy pregnant women (regardless of the financial methodology chosen to determine eligibility). These less restrictive methodologies can be

applied to the Medically Needy Pregnant Women group without applying them to any other medically needy groups.

Additional information on less restrictive income and resource counting methodologies can be found in the implementation guides that accompany the **Less Restrictive Income Methodologies under 1902(r)(2)** screen and the **Less Restrictive Resource Methodologies under 1902(r)(2)** screen.

## REVIEWABLE UNIT DEPENDENCIES

Many RUs in MACPro are dependent upon other RUs. Each time a primary RU is changed, there could be an effect on other, secondary RUs which are dependent on the primary. For example, in the **Mandatory Eligibility Groups** RU, there is a question as to whether the state covers the Adult Group. If **Yes** is selected, and if a box is checked to include the Adult Group in the submission package, then the **Adult Group** RU will be included by the system in the package and the user can navigate to it to complete it. If **No** is selected, the **Adult Group** RU will not be included in the package. In this example, the **Mandatory Eligibility Groups** RU is the **Primary RU** and the **Adult Group** RU is the **Secondary RU**. The **Adult Group** RU is considered to be dependent on selections made in the **Mandatory Eligibility Groups** RU.

Whenever a change in a primary RU may affect a secondary RU, you either need to revise the secondary RU (if it is already in the package) or add the secondary RU to the package so that it can be updated in the same submission package as the primary RU.

The following table explains the dependent relationships for the **Medically Needy Pregnant Women** RU:

Primary RU	Secondary RU	Nature of Dependency	Actions Needed
Medically Needy Income Level	Medically Needy Pregnant Women	Unless the <b>Medically Needy Income Level</b> RU (primary) has either been approved in MACPro or is included, completed and validated in the submission package, the <b>Medically Needy Pregnant Women</b> RU (secondary) cannot be displayed.	If the secondary RU will not display because the primary RU is neither approved in MACPro nor included in the package: <ul style="list-style-type: none"> <li>• Add the primary RU to the package, complete it and validate it.</li> <li>• Alternatively, remove the secondary RU from the package.</li> </ul>
Medically Needy Income Level	Medically Needy Pregnant Women	The <b>Medically Needy Income Level</b> RU (primary) must be approved or included in the same package in order for the user to view the MNIL for the <b>Medically Needy Pregnant Women</b> RU (secondary).	Click on the <b>View...</b> link to see the most current version of the MNIL. <ul style="list-style-type: none"> <li>• If the primary RU has been included in the package, that version will display.</li> <li>• If the primary RU has not been included in the package, the latest approved version will display.</li> </ul>

Primary RU	Secondary RU	Nature of Dependency	Actions Needed
Medically Needy Resource Level	Medically Needy Pregnant Women	Unless the <b>Medically Needy Resource Level</b> RU (primary) has either been approved in MACPro or is included, completed and validated in the submission package, the <b>Medically Needy Pregnant Women</b> RU (secondary) cannot be displayed.	If the secondary RU will not display because the primary RU is neither approved in MACPro nor included in the package: <ul style="list-style-type: none"> <li>• Add the primary RU to the package, complete it and validate it.</li> <li>• Alternatively, remove the secondary RU from the package.</li> </ul>
Medically Needy Resource Level	Medically Needy Pregnant Women	The <b>Medically Needy Resource Level</b> RU (primary) must be approved or included in the same package in order for the user to view the medically needy resource level for the <b>Medically Needy Pregnant Women</b> RU (secondary).	Click on the <i>View...</i> link to see the most current version of the medically needy resource level. <ul style="list-style-type: none"> <li>• If the primary RU has been included in the package, that version will display.</li> <li>• If the primary RU has not been included in the package, the latest approved version will display.</li> </ul>
Handling of Excess Income (Spenddown)	Medically Needy Pregnant Women	Unless the <b>Handling of Excess Income (Spenddown)</b> RU (primary) has either been approved in MACPro or is included, completed and validated in the submission package, the <b>Medically Needy Pregnant Women</b> RU (secondary) cannot be displayed.	If the secondary RU will not display because the primary RU is neither approved in MACPro nor included in the package: <ul style="list-style-type: none"> <li>• Add the primary RU to the package, complete it and validate it.</li> <li>• Alternatively, remove the secondary RU from the package.</li> </ul>
Handling of Excess Income (Spenddown)	Medically Needy Pregnant Women	The <b>Handling of Excess Income (Spenddown)</b> RU (primary) must be approved or included in the same package in order for the user to view it from the <b>Medically Needy Pregnant Women</b> RU (secondary).	Click on the <i>View...</i> link to see the most current version of the primary RU. <ul style="list-style-type: none"> <li>• If the primary RU has been included in the package, that version will display.</li> <li>• If the primary RU has not been included in the package, the latest approved version will display.</li> </ul>

## INSTRUCTIONS

### A. Characteristics

There are four statements (A.1. through A.4.) describing the characteristics of this eligibility group.

### B. Financial Methodologies

- At **B.1.**, select one of the two options to indicate the financial methodology used for this group. A separate reviewable unit (RU), **Non-MAGI Methodologies**, describes the Non-MAGI methodologies used by the state.

If you wish to view the approved methodologies, select the *View approved version of Non-MAGI Methodologies* link.

- The RU will appear if there is an approved version in the MACPro system.
- If there is no approved version of the RU in MACPro, a screen will appear with the following message: “There is no approved version of this reviewable unit in MACPro available to display.”
- Select the *Medically Needy Pregnant Women* link to return to the **Medically Needy Pregnant Women** RU.
- At **B.2.**, indicate *Yes* or *No*, if less restrictive methodologies are used in calculating countable income.
  - If *Yes* is selected, select the *Add/Modify Less Restrictive Methodologies* button.
    - When you have completed these screens, the less restrictive methodologies selected will be inserted into the **Medically Needy Pregnant Women** RU. (See the implementation guides, **Less Restrictive Income Methodologies – Selection** and **Less Restrictive Income Methodologies** for how to complete these screens.)
- At **B.3.**, indicate *Yes* or *No*, if less restrictive methodologies are used in calculating countable resources.
  - If *Yes* is selected, select the *Add/Modify Less Restrictive Methodologies* button.
    - When you have completed these screens, the less restrictive methodologies selected will be inserted into the **Medically Needy Pregnant Women** RU. (See the implementation guides, **Less Restrictive Resource Methodologies – Selection** and **Less Restrictive Resource Methodologies** for how to complete these screens.)

### C. Income Standard

There is a statement that the income standard for this group is described in the **Medically Needy Income Level** RU.

If you wish to view the **Medically Needy Income Level** RU:

- If the **Medically Needy Income Level** RU is included in this submission package, select the *View current version of Medically Needy Income Level* link to view the version included in this package.
- If the **Medically Needy Income Level** RU is not included in the package, select the *View approved version of Medically Needy Income Level* link to view the approved version.
- The appropriate **Medically Needy Income Level** RU will appear for viewing.
- Select the *Medically Needy Pregnant Women* link to return to the **Medically Needy Pregnant Women** RU.

#### **D. Resource Standard**

There is a statement that the resource standard for this group is described in the **Medically Needy Resource Level** RU.

If you wish to view the **Medically Needy Resource Level** RU:

- If the **Medically Needy Resource Level** RU is included in this submission package, select the *View current version of Medically Needy Resource Level* link to view the version included in this package.
- If the **Medically Needy Resource Level** RU is not included in the package, select the *View approved version of Medically Needy Resource Level* link to view the approved version.
- The appropriate **Medically Needy Resource Level** RU will appear for viewing.
- Select the *Medically Needy Pregnant Women* link to return to the **Medically Needy Pregnant Women** RU.

#### **E. Spenddown**

There is a statement regarding the deduction of incurred medical and remedial expenses (spend down) to become eligible under this group. Spenddown is defined in the **Handling of Excess Income (Spenddown)** RU.

If you wish to view the **Handling of Excess Income (Spenddown)** RU:

- If the **Handling of Excess Income (Spenddown)** RU is included in this submission package, select the *View current version of Handling of Excess Income (Spenddown)* link to view the version included in this package.
- If the **Handling of Excess Income (Spenddown)** RU is not included in the package, select the *View approved version of Handling of Excess Income (Spenddown)* link to view the approved version.
- The appropriate **Handling of Excess Income (Spenddown)** RU will appear for viewing.
- Select the *Medically Needy Pregnant Women* link to return to the **Medically Needy Pregnant Women** RU.

#### **F. Additional Information (Optional)**

Except in limited circumstances, this field remains blank. Please consult with CMS before adding any additional information concerning this RU.



## **REVIEW CRITERIA**

*The less restrictive methodologies entered must be sufficiently clear, detailed and complete to permit the reviewer to determine that the state's description meets applicable federal statutory, regulatory and policy requirements.*