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State/Territory Name: Georgia

State Plan Amendment (SPA) #: GA-25-0042

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DEPARTMENT OF HEALTH & HUMAN SERVICES
Centers for Medicare & Medicaid Services
7500 Security Boulevard, Mail Stop S2-01-16
Baltimore, MD 21244-1850



Children and Adults Health Programs Group

April 23, 2026

Stefanie Ashlaw
Director, PeachCare for Kids
State of Georgia, Department of Community Health
2 Martin Luther King Jr. Drive, SE
19th Floor, East Tower
Atlanta, GA 30334

Dear Director Ashlaw:

Your title XXI Children's Health Insurance Program (CHIP) State Plan Amendment (SPA) GA-25-0042, submitted June 24, 2025, with additional information received on April 22, 2026, has been approved. The effective date for this SPA is January 1, 2025.

Through GA-25-0042, Georgia demonstrates compliance with section 5121 of the Consolidated Appropriations Act, 2023 (CAA, 2023) by transitioning eligible children who are enrolled in CHIP to Medicaid when they become incarcerated. The state will provide pre-release services to eligible juveniles under the Medicaid state plan.

We note that the state is in the process of establishing a new category within PeachCare for Kids which will permit incarcerated youth to remain in CHIP to receive pre-release services through the CHIP state plan, instead of transitioning eligible children to Medicaid. The state should inform the Centers for Medicare and Medicaid Services (CMS) when these updates are complete. Georgia will need to submit a CHIP SPA that includes an updated CS31 template to demonstrate compliance with section 5121 of CAA, 2023 provisions in CHIP.

Your Project Officer is Joshua Bougie. He is available to answer your questions concerning this amendment and other CHIP-related matters and can be reached at Joshua.Bougie@cms.hhs.gov.

If you have additional questions, please contact Mary Beth Hance, Director, Division of State Coverage Programs, at (410) 786-4299. We look forward to continuing to work with you and your staff.

Sincerely,
/Signed by Jessica Stephens/

Jessica Stephens
Acting Director

Section 1:

State of Georgia State Plan Amendment number: GA-25-0042

This State Plan Amendment will update the following sections:

1.4 Provide the effective (date costs begin to be incurred) and implementation (date services begin to be provided) dates for this SPA (42 CFR 457.65). A SPA may only have one effective date, but provisions within the SPA may have different implementation dates that must be after the effective date.

Original Plan Effective Date: September 1, 1998

Implementation Date: November 1, 1998

SPA number: GA-25-0042

Purpose of SPA: To amend Georgia's Title XXI Children's Health Insurance Program (CHIP) State Plan Amendment (SPA) to include CS-31 assuring that the state's treatment of inmates of a public institution complies with sections 2102(d) and 2110(b)(7) of the Social Security Act.

Proposed effective date: 01/01/2025

Proposed implementation date: 01/01/2025



CHIP Eligibility

State Name:

OMB Control Number: 0938-1148

Transmittal Number: GA - 25 - 0042

Incarcerated CHIP Beneficiaries **CS31**

2102(d) and 2110(b)(7) of the SSA

Targeted Low-Income Children Who Become Incarcerated

The state assures that it does not terminate eligibility for children enrolled in a separate CHIP because the child is an inmate of a public institution.

States may either suspend CHIP coverage or continue to provide CHIP state plan (or waiver of such plan) services otherwise not covered by the carceral facility to children who are incarcerated. States that elect to suspend CHIP coverage for the duration of a child's incarceration may implement a benefits or eligibility suspension.

The state elects to suspend CHIP coverage for the duration of a child's incarceration

If yes, then check an option below:

- Benefits suspension
- Eligibility suspension

The state assures that it redetermines eligibility for any child prior to their release if it has been longer than 12 months since the child's last redetermination and restores coverage for child health assistance to eligible children upon their release.

Within the 30 days prior to release (or within one week of release, or as soon as practicable after release), the state assures that it provides eligible children with any screenings, diagnostic services, or case management services that would otherwise be available to children under the CHIP state plan (or waiver of such plan).

Additional information regarding implementation of mandatory provisions of section 5121 of the Consolidated Appropriations Act, 2023 (CAA, 2023), including providing screenings, diagnostic services, or case management services:

When a child becomes incarcerated, their eligibility is redetermined based on a household size of one (1) and are moved to Medicaid if found eligible.

The state will maintain clear documentation in its internal operational plan indicating which carceral facility/

Under section 5122 of the CAA, 2023, states may consider otherwise eligible children who are inmates pending disposition of charges as eligible for CHIP and provide all services covered under the CHIP state plan.

The state elects to provide all CHIP state plan benefits (or waiver of such plan) to eligible children who are inmates pending disposition of charges.

PRA Disclosure Statement

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 0938-1148. The time required to complete this information collection is estimated to average 50 hours per response, 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.



CHIP Eligibility

Children Determined Eligible for CHIP While Incarcerated

Generally, children who apply for CHIP when they are in a carceral facility are not eligible because of the eligibility exclusion for inmates of a public institution under section 2110(b) of the Act. However, section 2110(b)(7) of the Act provides an exception to this eligibility exclusion for children who are within 30 days prior to their release.

- The state assures that they will process any application submitted on behalf of a child and make an eligibility determination for child health assistance upon their release from the institution.
- Children who apply and are found eligible within 30 days prior to their release will be provided screening and diagnostic services, and case management services that are otherwise available under the CHIP state plan (or waiver of such plan).

PRA Disclosure Statement

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