

**TRANSMITTAL AND NOTICE OF APPROVAL OF
STATE PLAN MATERIAL**

FOR: CENTERS FOR MEDICARE & MEDICAID SERVICES

TO: REGIONAL ADMINISTRATOR
CENTERS FOR MEDICARE & MEDICAID SERVICES
DEPARTMENT OF HEALTH AND HUMAN SERVICES

5. TYPE OF PLAN MATERIAL (Check One)

NEW STATE PLAN

AMENDMENT TO BE CONSIDERED AS A NEW PLAN

AMENDMENT

COMPLETE BLOCKS 6 THRU 10 IF THIS IS AN AMENDMENT (Separate transmittal for each amendment)

6. FEDERAL STATUTE/REGULATION CITATION
**Children's Health Insurance Program Reauthorization Act
of 2009, Pub. L. 111-3, section 214 (2009)**

8. PAGE NUMBER OF THE PLAN SECTION OR ATTACHMENT

Page 2, Attachment 2.6-A
Page 2a, Attachment 2.6-A
Page 2b, Attachment 2.6-A
Page 3, Attachment 2.6-A

10. SUBJECT OF AMENDMENT

Addition of language regarding optional group to cover legal immigrant pregnant women

11. GOVERNOR'S REVIEW (Check One)

GOVERNOR'S OFFICE REPORTED NO COMMENT

OTHER, AS SPECIFIED

Governor's letter dated 11 February 2011

COMMENTS OF GOVERNOR'S OFFICE ENCLOSED
NO REPLY RECEIVED WITHIN 45 DAYS OF SUBMITTAL

12. SIGNATURE OF STATE AGENCY OFFICIAL

13. TYPED NAME

Susan E. Birch

14. TITLE

Executive Director

15. DATE SUBMITTED

16. RETURN TO

Colorado Department of Health Care Policy and Financing
1570 Grant Street
Denver, CO 80203-1818

Attn: Barbara Prehmus

17. DATE RECEIVED

3/31/11

FOR REGIONAL OFFICE USE ONLY

18. DATE APPROVED

6/16/11

19. EFFECTIVE DATE OF APPROVED MATERIAL

3/31/11

PLAN APPROVED - ONE COPY ATTACHED

20. SIGNATURE OF REGIONAL OFFICIAL

21. TYPED NAME

Richard C. Allen

22. TITLE

ARA, DMICHO

23. REMARKS

Revision: HCFA-PM-91-4
AUGUST 1991

(MB)

ATTACHMENT 2.6-A
Page 2
OMB No.: 0938-

State COLORADO

<u>Citation(s)</u>	<u>Condition or Requirement</u>
	b. For the medically needy, meets the non-financial eligibility conditions of 42 CFR Part 435.
1905(p) of the Act	c. For financially eligible qualified Medicare beneficiaries covered under section 1902(a)(10)(E)(i) of the Act, meets the non-financial criteria of section 1905(p) of thi Act.
1905(s) of the Act	d. For financially eligible qualified disabled and working individuals covered under section 1902(a)(10)(E)(ii) of the Act, meets the non-financial criteria of section 1905(s).
42 CFR 435.406	3. Is residing in the United States and-- a. Is a citizen or national of the United States; b. Is a qualified alien (QA) as defined in section 431 of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (PRWORA) as amended, and the QA's eligibility is required by section 402(b) of PRWORA as amended, and is not prohibited by section 403 of PRWORA as amended; c. Is a qualified alien subject to the 5-year bar as described in section 403 of PRWORA, so that eligibility is limited to treatment of an emergency medical condition as defined in section 401 of PRWORA; d. Is a non-qualified alien, so that eligibility is limited to treatment of an emergency medical condition as defined in section 401 of PRWORA;

TN No: 11-011
Supersedes
TN No. 09-036

Approval Date 6/16/11

Effective Date 1/1/11

HCFA ID: 7985E

State COLORADO

<u>Citation(s)</u>	<u>Condition or Requirement</u>
e.	<p>Is a qualified alien (QA) whose eligibility is authorized under section 402(b) of PRWORA as amended, and is not prohibited by section 403 of PRWORA as amended.</p> <p><u>X</u> State covers all authorized QAs. ___ State does not cover authorized QAs.</p>
f.	<p>State elects CHIPRA option to provide full Medicaid coverage to otherwise eligible pregnant women as specified below who are aliens lawfully residing in the United States; including the following:</p> <ul style="list-style-type: none">(1) A qualified alien as defined in section 431 of PRWORA (8 U.S.C. §1641);(2) An alien in nonimmigrant status who has not violated the terms of the status under which he or she was admitted or to which he or she has changed after admission;(3) An alien who has been paroled into the United States pursuant to section 212(d)(5) of the Immigration and Nationality Act (INA) (8 U.S.C. §1182(d)(5)) for less than 1 year, except for an alien paroled for prosecution, for deferred inspection or pending removal proceedings;(4) An alien who belongs to one of the following classes:<ul style="list-style-type: none">(i) Aliens currently in temporary resident status pursuant to section 210 or 245A of the INA (8 U.S.C. §§1160 or 1255a, respectively);(ii) Aliens currently under Temporary Protected Status (TPS) pursuant to section 244 of the INA (8 U.S.C. §1254a), and pending applicants for TPS who have been granted employment authorization;(iii) Aliens who have been granted employment authorization under 8 CFR 274a.12(c)(9), (10), (16), (18), (20), (22), or (24);(iv) Family Unity beneficiaries pursuant to section 301 of Pub. L. 101-649, as amended;(v) Aliens currently under Deferred Enforced Departure (DED) pursuant to a decision made by the President;(vi) Aliens currently in deferred action status; or(vii) Aliens whose visa petition has been approved and who have a pending application for adjustment of status;

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<u>Citation(s)</u>	<u>Condition or Requirement</u>
(5)	A pending applicant for asylum under section 208(a) of the INA (8 U.S.C. § 1158) or for withholding of removal under section 241(b)(3) of the INA (8 U.S.C. § 1231) or under the Convention Against Torture who has been granted employment authorization, and such an applicant under the age of 14 who has had an application pending for at least 180 days;
(6)	An alien who has been granted withholding of removal under the Convention Against Torture;
(7)	A child who has a pending application for Special Immigrant Juvenile status as described in section 101(a)(27)(J) of the INA (8 U.S.C. § 1101(a)(27)(J));
(8)	An alien who is lawfully present in the Commonwealth of the Northern Mariana Islands under 48 U.S.C. § 1806(e); or
(9)	An alien who is lawfully present in American Samoa under the immigration laws of American Samoa.

Elected for pregnant women.
 Elected for children.

g. The State provides assurance that for an individual whom it enrolls in Medicaid under the CHIPRA section 214 option, it has verified, at the time of the individual's initial eligibility determination and at the time of the eligibility redetermination, that the individual continues to be lawfully residing in the United States. The State must first attempt to verify this status using information provided at the time of initial application. If the State cannot do so from the information readily available, it must require the individual to provide documentation or further evidence to verify satisfactory immigration status in the same manner as it would for anyone else claiming satisfactory immigration status under section 1137(d) of the Act.

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Citation(s)	Condition or Requirement
42 CFR 435.403 1902(b) of the Act	4. Is a resident of the State, regardless of whether or not the individual maintains the residence permanently or maintains it at a fixed address. // State has interstate residency agreement with the following States: // State has open agreement(a). // Not applicable; no residency requirement.

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