

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

1. TRANSMITTAL NUMBER:
09-003

2. STATE
Montana

FOR: HEALTH CARE FINANCING ADMINISTRATION

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
October 1, 2008

5. TYPE OF PLAN MATERIAL (Check One):

NEW STATE PLAN AMENDMENT TO BE CONSIDERED AS NEW PLAN AMENDMENT

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

6. FEDERAL STATUTE/REGULATION CITATION:
1902(a)(10)(A)(i)(III); 1902(a)(10)(A)(i)(IV); 1902(a)(10)(A)(i)(VI);
1902(a)(10)(A)(i)(VII); 1905 (p); 1902(a)(10)(A)(ii)(I);
1902(a)(10)(A)(ii)(II); 1902(a)(10)(A)(ii)(III); 1902(a)(10)(A)(ii)(IV);
1902(a)(10)(A)(ii)(IX); 1902(a)(10)(A)(ii)(XVII); and
1902(a)(10)(C)(i)(III)

7. FEDERAL BUDGET IMPACT:
a. FFY 2009 \$n/a
b. FFY 2010 \$n/a

8. PAGE NUMBER OF THE PLAN SECTION OR ATTACHMENT:

Supplement 8a to Attachment 2.6-A, page 3
Supplement 12a to Attachment 2.6-A, page 2
Attachment 2.2-A, page 14

9. PAGE NUMBER OF THE SUPERSEDED PLAN SECTION
OR ATTACHMENT (If Applicable):

New
Supplement 12a to Attachment 2.6-A, page 2
Attachment 2.2-A, page 14

10. SUBJECT OF AMENDMENT:

Amendment to exclude all wages from temporary employment related to census activities. No fiscal impact is anticipated as this amendment continues the previous census income exclusion that was specific to Census 2000. These amendments are to exclude temporary census-related wages for Census 2010 and all future decennial census activities.

11. GOVERNOR'S REVIEW (Check One):

GOVERNOR'S OFFICE REPORTED NO COMMENT OTHER, AS SPECIFIED:
 COMMENTS OF GOVERNOR'S OFFICE ENCLOSED
 NO REPLY RECEIVED WITHIN 45 DAYS OF SUBMITTAL

12. SIGNATURE OF STATE AGENCY OFFICIAL:

13. TYPED NAME: Mary E. Dalton

14. TITLE: State Medicaid Director

15. DATE SUBMITTED: 8/26/2009

16. RETURN TO:

Montana Dept. of Public Health and Human Services
Mary E. Dalton
State Medicaid Director
Attn: Jo Thompson
PO Box 4210
Helena, MT 59604

FOR REGIONAL OFFICE USE ONLY

17. DATE RECEIVED:
Original 12/30/08 - Revised 8/26/09

18. DATE APPROVED: 9/2/09

PLAN APPROVED - ONE COPY ATTACHED

19. EFFECTIVE DATE OF APPROVED MATERIAL:

10/1/08

20. SIGNATURE OF REGIONAL OFFICIAL:

21. TYPED NAME:
Richard C. Allen

22. TITLE:
Associate Regional Administrator

23. REMARKS:

DEPARTMENT OF HEALTH & HUMAN SERVICES
Centers for Medicare & Medicaid Services
1600 Broadway, Suite 700
Denver, CO 80202-4967



Region VIII

September 2, 2009

Mary Dalton, Medicaid & Health Services Manager
Montana Department of Health & Human Services
Health Policy & Services Division
111 North Sanders, Room 301
PO Box 4210
Helena, MT 59604

Re: SPA 09-003

Dear Ms Dalton:

Please be advised CMS has approved Montana State Amendment 09-003, "amendment to exclude all wages from temporary employment related to census activities". This state plan amendment is approved with an effective date of October 1, 2008.

We appreciate the cooperation extended by your staff in the review and approval of this state plan amendment.

If you have any questions regarding this State Plan Amendment please contact Diana Maiden at 303-844-7114.

Sincerely,

/s/

Richard C. Allen
Associate Regional Administrator
Division for Medicaid and Children's Health Operations

Cc: Duane Preshinger
Jo Thompson

State: Montana

Agency* Citation(s)

Groups Covered

B. Optional Groups Other Than the Medically Needy
(continued)

1902(a)(10)(A)(ii)(VIII) of the Act

8. A child for whom there is in effect a State adoption assistance agreement (other than under title IV-E of the Act), who, as determined by the State adoption agency, cannot be placed for adoption without medical assistance because the child has special needs for medical or rehabilitative care, and who before execution of the agreement—

- a. Was eligible for Medicaid under the State's approved Medicaid plan; or
- b. Would have been eligible for Medicaid if the standards and methodologies of the title IV-E foster care program were applied rather than the AFDC standards and methodologies.

The State covers individuals under the age of —

X 21
___ 20
___ 19
___ 18

The State does not consider income or resources for this population.

STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT

STATE: MONTANA

ELIGIBILITY UNDER SECTION 1931 OF THE ACT

2. One vehicle is excluded regardless of value. Additional vehicles are excluded if income producing (equity value of all remaining vehicles is counted).
3. Cash value of any life insurance policy is excluded from resources.
4. The first \$200 of each earner's earned income, plus 25% of each earner's remaining earned income, plus dependent care expenses up to \$200 per month per dependent is excluded without time limitation.
5. Earned or unearned income of an individual who is legally obligated to pay child support to non-household members is excluded to the extent the income is used to pay that support.
6. Earned income of a dependent child who is attending school is excluded.
7. All grants, loans and scholarships directly related to the individual attending an institution of higher education/training are excluded as income and resources.
8. Gifts of \$50 or less per month per family member are excluded from income.
9. All wages paid by the Census Bureau for temporary employment related to decennial Census activities are excluded.

The income and/or resource methodologies that the less restrictive methodologies replace are as follows:

1. \$1000 of resources were excluded.
2. Up to \$1500 equity value of one vehicle was excluded. Equity value in excess of \$1500 was applied to the allowable resource standard. Equity value of all other vehicles was counted.
3. Cash value of life insurance counted toward the allowable resource standard.
4. \$90 standard work expense, plus \$30 and 1/3*, plus dependent care (up to \$175 per month per child for children over age two, and \$200 per month per child for children under age two.) *1/3 disregard allowed for only 4 consecutive months, then not available again until the family has gone 12 consecutive months without an AFDC grant. The \$30 disregard continued for 8 months beyond the initial 4 consecutive months. These were allowed only if specific tests were passed.
5. Previously this income was countable.
6. Earned income of a dependent child who was a full or part-time student, but was not a full-time employee was excluded.
7. Title IV grants were excluded for undergraduates. Other grants minus expenses directly related to attending the educational institution (i.e., fees, books, tuition, etc.) were

STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT

STATE: MONTANA

LESS RESTRICTIVE METHODS OF TREATING INCOME
UNDER SECTION 1902(r)(2) OF THE ACT

- X For all eligibility groups not subject to limitations on payment explained in section 1903(f) of the Act*: All wages paid by the Census Bureau for temporary employment related to decennial census activities are excluded as income.

These groups include those in sections 1902(a)(10)(A)(i)(III); 1902(a)(10)(A)(i)(IV); 1902(a)(10)(A)(i)(VI); 1902(a)(10)(A)(i)(VII); 1905 (p); 1902(a)(10)(A)(ii)(I); 1902(a)(10)(A)(ii)(II); 1902(a)(10)(A)(ii)(III); 1902(a)(10)(A)(ii)(IV); 1902(a)(10)(A)(ii)(IX); 1902(a)(10)(A)(ii)(XVII); and 1902(a)(10)(C)(i)(III) of the Act.

TN 09-003

Supersedes TN NEW Approval Date: 9/2/09 Effective Date 10/01/08