

## **Table of Contents**

**State/Territory Name: IN**

**State Plan Amendment (SPA) #: 13-012**

This file contains the following documents in the order listed:

- 1) Approval Letter
- 2) CMS 179 Form/Summary Form (with 179-like data)
- 3) Approved SPA Pages

May 30, 2014

Mr. Joseph Moser, Director of Medicaid  
Indiana Office of Medicaid Policy and Planning  
402 West Washington Street, Room W382  
Indianapolis, Indiana 46204

ATTN: Amber Swartzell

Dear Mr. Moser:

Enclosed for your records is an approved copy of the following State Plan Amendment (SPA).

Transmittal #13-012:

- Completes the State conversion from a 209(b) to 1634 status;
- Adopts optional Aged, Blind, and Disabled category to 100% of FPL; and
- Implements income disregards for the Medicare Savings Program to increase Qualified Medicare Beneficiary (QMB) to 150% of FPL, Specified Low Income Medicare Beneficiary (SLMB) to 170% of FPL, and Qualified Individuals (QI) to 185% of FPL.

Effective Date: June 1, 2014

If you have any questions, please have a member of your staff contact Elizabeth Lewis at (312) 353-1756 or by email at [elizabeth.lewis@cms.hhs.gov](mailto:elizabeth.lewis@cms.hhs.gov).

Sincerely,

/s/ Alan Freund, Acting ARA

Verlon Johnson  
Associate Regional Administrator  
Division of Medicaid and Children's Health Operations

Enclosure

<b>TRANSMITTAL AND NOTICE OF APPROVAL OF STATE PLAN MATERIAL</b>	1. TRANSMITTAL NUMBER: IN 13-012	2. STATE Indiana
	3. PROGRAM IDENTIFICATION: TITLE XIX OF THE SOCIAL SECURITY ACT (MEDICAID)	
FOR: HEALTH CARE FINANCING ADMINISTRATION	4. PROPOSED EFFECTIVE DATE <del>April 1<sup>st</sup>, 2014</del> June 1, 2014 per 5/15/14	
TO: REGIONAL ADMINISTRATOR HEALTH CARE FINANCING ADMINISTRATION DEPARTMENT OF HEALTH AND HUMAN SERVICES	5. TYPE OF PLAN MATERIAL (Check One): RAL response from state	

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: Sections 1634 and 1902 (r) (2) of the Act, 1902(a)(11)(X) and 1902 (m)(1) and (3), 1905 (p) (1), 1902 (m) (4)	7. FEDERAL BUDGET IMPACT: a. FFY14 (\$15,700) (thousands) b. FFY15 (\$34,700) (thousands)
8. PAGE NUMBER OF THE PLAN SECTION OR ATTACHMENT: 2.5, 2.2-A pgs. 6, 6a, 6d, 6e, 8, 9, 9a, 9b2, 15, 16, 16a, 17, 18, 18a, 22, 2.6-A pgs. 6a, 7a, 8, 9, 10, 11, 12, 12e, 12g, 12i, 12k, 16a, 17, 18, 20a, 21a, 23, 26, Supplement 1 to Attachment 2.6A pgs. 5, 6 & 7, Supplement 2 to Attachment 2.6-A, pg 6, Supplement 4 to Attachment 2.6-A, Supplement 5 to Attachment 2.6-A, Supplement 7 to Attachment 2.6-A, Supplement 8 to Attachment 2.6-A, Supplement 8a to Attachment 2.6-A, Supplement 8b to Attachment 2.6-A, Supplement 3 to Attachment 3.1-A, pgs 2-4. Supplement 6 to Attachment 2.6-A, Supplement 1 to Attachment 2.6-A, page 5. per 5/22/14 email from state	9. PAGE NUMBER OF THE SUPERSEDED PLAN SECTION OR ATTACHMENT (If Applicable): 2.5, 2.2-A pgs. 6, 6a, 6d, 6e, 8, 9, 9a, 9b2, 15, 16, 16a, 17, 18, 18a, 22, 2.6-A pgs. 6a, 7a, 8, 9, 10, 11, 12, 12e, 12g, 12i, 12k, 16a, 17, 18, 20a, 21a, 23, 26, Supplement 1 to Attachment 2.6A pgs. 5, 6 & 7, Supplement 2 to Attachment 2.6-A, pg 6, Supplement 4 to Attachment 2.6-A, Supplement 5 to Attachment 2.6-A, Supplement 7 to Attachment 2.6-A, Supplement 8 to Attachment 2.6-A, Supplement 8a to Attachment 2.6-A, Supplement 8b to Attachment 2.6-A, Supplement 3 to Attachment 3.1-A, pgs 2-4. Supplement 1 to Attachment 2.6-A, page 5. per 5/22/14 email from state
10. SUBJECT OF AMENDMENT: Conversion to from 209(b) to 1634 status, adoption of optional ABD category to 100% FPL, and implementation of income disregards for the Medicare Savings Program to increase QMB to 150% FPL, SLMB to 170% FPL, and QI to 185% FPL.	

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  
**Indiana's Medicaid State Plan does not require the Governor's review. See Section 7.4 of the State Plan**

12. SIGNATURE OF STATE AGENCY OFFICIAL: 	16. RETURN TO: Joseph Moser Medicaid Director Indiana Office of Medicaid Policy and Planning 402 West Washington Street, Room W382 Indianapolis, IN 46204 ATTN: Amber Swartzell, State Plan Coordinator
13. TYPED NAME: Joseph Moser	
14. TITLE: Medicaid Director	
15. DATE SUBMITTED: 12/18/2013	

FOR REGIONAL OFFICE USE ONLY	
17. DATE RECEIVED 12/18/2013	18. DATE APPROVED 6/30/14
PLAN APPROVED - ONE COPY ATTACHED	
19. EFFECTIVE DATE OF APPROVED MATERIAL June 1, 2014	20. SIGNATURE OF REGIONAL OFFICIAL AS
21. TYPED NAME Alan Freund	22. TITLE Acting Associate Regional Administrator
23. REMARKS	

State of Indiana

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Citation(s)

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42 CFR

2.5 Disability

435.121

435.540(b)

435.541

All of the requirements of 435.540 and 435.541 are met.  
The State uses the same definition of disability used under  
the SSI program.

\*Agency that determines eligibility for coverage

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TN No. 13-012

Approval Date 5/30/14

Effective Date June 1, 2014

Supersedes

TN. No: 91-22

COVERAGE AND CONDITIONS OF ELIGIBILITY

Citation (s) \_\_\_\_\_ Groups Covered \_\_\_\_\_

A. Mandatory Coverage – Categorically Needy and Other Required Special Groups  
(Continued)

1902 (e) (4)  
of the Act

12. A child born to a woman who is eligible for and receiving Medicaid as categorically needy on the date of the child's birth. The child is deemed eligible for one year from the birth as long as the mother remains eligible or would remain eligible if still pregnant and the child remains in the same household as the mother.

45 CFR 435.120

13. Aged, Blind, and Disabled Individuals Receiving Cash Assistance

x a. Individuals receiving SSI.

This includes beneficiaries' eligible spouses and persons receiving SSI benefits pending a final determination of blindness or disability or pending disposal of excess resources under an agreement with the Social Security Administration; and beginning January 1, 1981, persons receiving SSI under section 1619(a) of the Act or considered to be receiving SSI under section 1619 (b) of the Act.

- x Aged
- x Blind
- x Disabled



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Agency*	Citation(s)	Groups Covered
		A. <u>Mandatory Coverage – Categorically Needy and Other Required Special Groups (Continued)</u>
	1619 (b) (3) of the Act	___ The State applies more restrictive eligibility for Medicaid than under SSI and under 42 CFR 435.121. Individuals who qualify for benefits under section 1619 (a) of the Act or individuals described above who meet the eligibility requirements for SSI benefits under section 1619 (b) (1) of the Act and who met the State's more restrictive requirements in the month before the month they qualified for SSI under section 1619 (a) or met the requirements of section 1619 (b) (1) of the Act are covered. Eligibility for these individuals continues as long as they continue to qualify for benefits under section 1619(a) of the Act or meet the SSI requirements under section 1619 (b)(1) of the Act.

\*Agency that determines eligibility for coverage

TN No. 13-012

Approval Date 5/30/14 Effective Date June 1, 2014

Supersedes

TN. No: 06-006

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Agency*	Citation(s)	Groups Covered
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A. Mandatory Coverage – Categorically Needy and Other Required Special Groups  
(Continued)

1634 (c) of the Act	15. Except in States that apply more restrictive eligibility requirements for Medicaid than under SSI, blind or disabled individuals who—	
	a. Are at least 18 years of age;	
	b. Lose SSI eligibility because they become entitled to OASDI child’s benefits under Section 202 (d) of the Act or an increase in these benefits based on their disability. Medicaid eligibility for these individuals continues for as long as they would be eligible for SSI, absent their OASDI eligibility.	
	c. ___ The State applies more restrictive eligibility requirements than those under SSI, and part or all of the amount of the OASDI benefit that caused SSI/SSP ineligibility and subsequent increases are deducted when determining the amount of countable income for categorically needy eligibility.	
	d. ___ The State applies more restrictive requirements than those under SSI, and none of the OASDI benefit is deducted in determining the amount of countable income for categorically needy eligibility.	
42 CFR 435.122	16. Except in States that apply more restrictive eligibility requirements for Medicaid than under SSI, individuals who are ineligible for SSI or optional State supplements (If the agency provides Medicaid under §435.230), because of requirements that do not apply under title XIX of the act.	
42 CFR 435.130	17. Individuals receiving mandatory state supplements.	

\*Agency that determines eligibility for coverage

TN No. 13-012  
 Supersedes  
 TN. NO 06-006

Approval Date 5/30/14

Effective Date June 1, 2014

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Agency*	Citation(s)	Groups Covered
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A. Mandatory Coverage – Categorically Needy and Other Required Special Groups  
(Continued)

42 CFR 435.135

22. Individuals who—

- a. Are becoming OASDI and were receiving SSI/SSP but became ineligible for SSI/SSP after April 1977; and
- b. Would still be eligible for SSI or SSP if cost-of-living increases in OASDI paid under section 215(i) of the Act received after the last month for which the individual was eligible for and received SSI/SSP and OASDI, concurrently, were deducted from income.
  - Not applicable with respect to individuals receiving only SSP because the State either does not make such payments or does not provide Medicaid to SSP-only recipients.
  - Not applicable because the State applies more restrictive eligibility requirements than those under SSI.
  - The State applies more restrictive eligibility requirements than those under SSI and the amount of increase that caused SSI/SSP ineligibility and subsequent increases are deducted when determining the amount of countable income for categorically needy eligibility.

\*Agency that determines eligibility for coverage.

TN No. 13-012  
Supersedes  
TN. No. 06-006

Approval Date 5/30/14

Effective Date June 1, 2014

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Agency*	Citation(s)	Groups Covered
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A. Mandatory Coverage – Categorically Needy and Other Required Special Groups  
(Continued)

1634 of the  
Act

23. Disabled widows and widowers who would be eligible for SSI or SSP except for the increase in their OASDI benefits as a result of the elimination of the reduction factor required by section 134 Pub. L. 98-21 and who are deemed, for purposes of title XIX, to be SSI beneficiaries or SSP beneficiaries for individuals who would be eligible for SSP only, under section 1634 (b) of the Act.

— Not applicable with respect to individuals receiving only SSP because the State either does not make these payments or does not provide Medicaid to SSP-only recipients.

— The State applies more restrictive eligibility standards than those under SSI and considers these individuals to have income equaling the SSI Federal benefit rate, or the SSP benefit rate for individuals who would be eligible for SSP only, when determining countable income for Medicaid categorically needy eligibility.

\*Agency that determines eligibility for coverage.

COVERAGE AND CONDITIONS OF ELIGIBILITY

Citation (s) \_\_\_\_\_ Groups Covered \_\_\_\_\_

1634(d) of the Act      A.      Mandatory Coverage – Categorically Needy and Other Required Special Groups (Continued)

24.      Disabled widows, disabled widowers, and disabled unmarried divorced spouses who had been married to the insured individual for a period of at least ten years before the divorce became effective, who have attained the age of 50, who are receiving title II income lost eligibility for SSI or SSP which they received in the month prior to the month in which they began to receive title II payments, who would be eligible for SSI or SSP if the amount of the title II benefit were not counted as income, and who are not entitled to Medicare Part A.

\_\_\_\_\_ The State applies more restrictive eligibility requirements for its blind or disabled than those of the SSI program.

X In determining eligibility as categorically needy, the State disregards the amount of the title II benefits identified in §1634(d)(1)(A) in determining the income of the individual, but does not disregard any more of this income than would reduce the individual’s income to the SSI income standard.

\_\_\_\_\_ In determining eligibility as categorically needy, the State disregards only part of the amount of the benefits identified in §1634(d)(1)(A) in determining the income of the individual, which amount would not reduce the individual’s income below the SSI income standard. The amount of these benefits to disregard is specified in Supplement 4 to Attachment 2.6-A.

\_\_\_\_\_ In determining as categorically needy, the State chooses not to deduct any of the benefit identified in §1634(d)(1)(A) in determining the income of the individual.

TN No. 13-012  
Supersedes  
TN No. 92-03

Approval Date 5/30/14

Effective Date June 1, 2014

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Agency*	Citation(s)	Groups Covered
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A. Mandatory Coverage – Categorically Needy and Other Required Special Groups  
(Continued)

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|------------------------|-----|--|
| 1634 (e) of<br>the Act | 28. | <ul style="list-style-type: none"> <li data-bbox="526 725 1391 868">_____ a. Each person to whom SSI benefits by reason of disability are not payable for any month solely by reason of clause (i) or (v) of section 1611 (e) (3) (A) shall be treated, for purposes of title XIX, as receiving SSI benefits for the month.</li> <li data-bbox="526 910 1391 976">_____ b. The State applies more restrictive eligibility standards than those under SSL.</li> </ul> |
|------------------------|-----|--|

Individuals whose eligibility for SSI benefits are based solely on disability who are not payable for any months solely by reason of clause (i) or (v) of section 1611 (e) (3) (A), and who continue to meet the more restrictive requirements for Medicaid eligibility under the State plan, are eligible for Medicaid as categorically needy.

\*Agency that determines eligibility for coverage.

TN No. 13-012  
 Supersedes  
 TN. No. 95-008

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Agency*	Citation(s)	Groups Covered
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B. Optional Groups Other Than the Medically Needy  
(Continued)

The supplement varies in income standard by political subdivisions according to cost-of-living differences.

Yes.

No.

The standards for optional State supplementary payments are listed in Supplement 6 of ATTACHMENT 2.6-A.

\*Agency that determines eligibility for coverage.

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TN No. 13-012  
Supersedes  
TN. No. 06-006

Approval Date 5/30/14

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Agency*	Citation(s)	Groups Covered
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B. Optional Groups Other Than the Medically Needy  
(Continued)

42 CFR 435.230  
435.121  
1902 (a) (10)  
(A) (ii) (XI)  
of the Act

[ ] 11. Section 1902 (f) States and SSI criteria States without agreements under section 1616 or 1634 of the Act.

The following groups of individuals who receive a State supplementary payment under an approved optional State supplementary payment program that meets the following conditions. The supplement is—

- a. Based on need and paid in cash on a regular basis.
- b. Equal to the difference between the individual's countable income and the income standard used to determine eligibility for the supplement.
- c. Available to all individuals in each classification and available on a Statewide basis.
- d. Paid to one or more of the classifications of individuals listed below, who would be eligible for SSI except for the level of their income.

- \_\_\_ (1) All aged individuals.
- \_\_\_ (2) All blind individuals.
- \_\_\_ (3) All disabled individuals.

\*Agency that determines eligibility for coverage.

TN No. 13-012  
Supersedes  
TN. No. 06-006

Approval Date 5/30/14

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Agency*	Citation(s)	Groups Covered
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B. Optional Groups Other Than the Medically Needy  
(Continued)

42 CFR 435.230

- \_\_\_ (4) Aged individuals in domiciliary facilities or other group living arrangements as defined under SSI.
- \_\_\_ (5) Blind individuals in domiciliary facilities or other group living arrangements as defined by SSI.
- \_\_\_ (6) Disabled individuals in domiciliary facilities or other group living arrangements as defined by SSI.
- \_\_\_ (7) Individuals receiving a Federally administered optional State supplement that meets the conditions specified in 42 CFR 435.230.
- \_\_\_ (8) Individuals receiving a State administered optional State supplement that meets the conditions specified in 42 CFR 435.230.
- \_\_\_ (9) Individuals in additional classifications approved by the Secretary as follows:

\*Agency that determines eligibility for coverage.

TN No. 13-012

Approval Date 5/30/14

Effective Date June 1, 2014

Supersedes

TN No. 06-006

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Agency*	Citation(s)	Groups Covered
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B. Optional Groups Other Than the Medically Needy  
(Continued)

The supplement varies in income standard by political subdivisions according to cost-of-living differences.

\_\_\_ Yes.

\_\_\_ No.

The standards for optional State supplementary payments are listed in Supplement 6 of ATTACHMENT 2.6-A.

\*Agency that determines eligibility for coverage.

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TN No. 13-012

Approval Date 5/30/14

Effective Date June 1, 2014

Supersedes

TN. No. 06-006

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Agency*	Citation(s)	Groups Covered
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B. Optional Groups Other Than the Medically Needy  
(Continued)

[ x ] 16. Individuals—

1902(a)(10)(ii)(X)  
and 1902 (m)  
(1) and (3)  
of the Act

a. Who are 65 years of age or older or who are disabled as determined under section 1614 (a) (2) of the Act. Both aged and disabled individuals are covered under this eligibility group.

b. Whose income does not exceed the income level (established at an amount up to 100 percent of the Federal income poverty level, specified in Supplement 1 to ATTACHMENT 2.6-A for a family of the same size; and

c. Whose resources do not exceed the maximum amount allowed under SSI; under the State's more restrictive financial criteria; or under the State's medically needy program as specified in ATTACHMENT 2.6-A.

\*Agency that determines eligibility for coverage

TN No. 13-012

Approval Date 5/30/14

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Supersedes

TN. No. 06-006

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Citation(s)	Condition or Requirement
<u>x</u>	<u>Supplement 2 to ATTACHMENT 2.6-A</u> specifies the resource levels for mandatory and optional categorically needy poverty level related groups, and for medically needy groups.
	<u>Supplement 7 to ATTACHMENT 2.6-A</u> specifies the income levels for categorically needy aged, blind, and disabled persons who are covered under requirements more restrictive than SSI.
	<u>Supplement 4 to ATTACHMENT 2.6-A</u> specifies the methods for determining income eligibility used by States that have more restrictive methods than SSI, permitted under Section 1902 (f) of the Act.
	<u>Supplement 5 to ATTACHMENT 2.6-A</u> specifies the methods for determining resource eligibility used by States that have more restrictive methods than SSI, permitted under section 1902 (f) of the Act.
<u>x</u>	<u>Supplement 8a to ATTACHMENT 2.6-A</u> specifies the methods for determining income eligibility used by States that are more liberal than the methods of the cash assistance programs, permitted under section 1902 (r) (2) of the Act.
<u>x</u>	<u>Supplement 8b to ATTACHMENT 2.6-A</u> specifies the methods for determining resource eligibility used by States that are more liberal than the methods of the cash assistance programs, permitted under section 1902 (r) (2) of the Act.
	<u>Supplement 14 to ATTACHMENT 2.6-A</u> specifies income levels used by States for determining eligibility of Tuberculosis-infected individuals whose eligibility is determined under §1902 (z) (1) of the Act.

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STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT

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ELIGIBILITY CONDITIONS AND REQUIREMENTS

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Citation(s)

Condition or Requirement

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42 CFR 435.721  
435.831, and  
1902 (m) (1) (B) (m) (4)  
and 1902 (r) (2)  
of the Act

b. Aged individuals. In determining countable income for aged individuals, including aged individuals with incomes up to the the Federal poverty level described in section (1902) (m) (1) of the Act, the following methods are used:

The methods of the SSI program only.

The methods of the SSI program and/or any more liberal methods described in Supplement 8a to ATTACHMENT 2.6-A.

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TN No. 13-012

Approval Date 5/30/14

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Supersedes

TN. No. 92-03

Citation(s)

Condition or requirement

For individuals other than optional State supplement recipients, more restrictive methods than SSI, applied under the provisions of section 1902 (f) of the Act, as specified in Supplement 4 to ATTACHMENT 2.6-A; and any more liberal methods described in Supplement 8a to ATTACHMENT 2.6-A.

For institutional couples, the methods specified under section 1611 (e) (5) of the Act.

For optional State supplement recipients under § 435.230, income methods more liberal than SSI, as specified in Supplement 8a to ATTACHMENT 2.6-A.

For optional State supplement recipients in Section 1902 (f) States and SSI criteria States without section 1616 or 1634 agreements—

\_\_\_ SSI methods only.

\_\_\_ SSI methods and/or any more liberal methods than SSI described in Supplement 8a to ATTACHMENT 2.6-A.

\_\_\_ Methods more restrictive and/or more liberal than SSI. More restrictive methods are described in Supplement 4 to ATTACHMENT 2.6-A and more liberal methods are described in Supplement 8a to ATTACHMENT 2.6-A.

In determining relative financial responsibility, the agency considers only the income of spouses living in the same household as available to spouses.

TN No. 13-012

Approval Date 5/30/14

Effective Date June 1, 2014

Supersedes

TN. No. 91-22

Citation(s)	Condition or Requirement
42 CFR 435.721 435.831, and 1902 (m) (1) (B) (m) (4) and 1902 (r) (2) of the Act	<p>c. <u>Blind individuals.</u> In determining countable income for blind individuals, the following methods are used:</p> <p><input type="checkbox"/> The methods of the SSI program only.</p> <p><input checked="" type="checkbox"/> SSI methods and/or any more liberal methods described in <u>Supplement 8a to ATTACHMENT 2.6-A.</u></p> <p><input type="checkbox"/> For individuals other than optional State supplement recipients, more restrictive methods than SSI, applied under the provisions of section 1902 (f) of the Act, as specified in <u>Supplement 4 to ATTACHMENT 2.6-A,</u> and any more liberal methods described in <u>Supplement 8a to Attachment 2.6-A.</u></p> <p><input type="checkbox"/> For institutional couples, the methods specified under section 1611 (e) (5) of the Act.</p> <p><input type="checkbox"/> For optional State supplement recipients under § 435.230, income methods more liberal than SSI, as specified in <u>Supplement 8 to ATTACHMENT 2.6-A.</u></p> <p><input type="checkbox"/> For optional State supplement recipients in section 1902 (f) States and SSI criteria States without section 1616 or 1634 agreements—</p> <p><input type="checkbox"/> SSI methods only.</p> <p><input type="checkbox"/> SSI methods and/or any more liberal methods than SSI described in Supplement 8a to ATTACHMENT 2.6-A</p> <p><input type="checkbox"/> Methods more restrictive and/or more liberal than SSI. More restrictive methods are described in <u>Supplement 4 to ATTACHMENT 2.6-A</u> and more liberal methods are described in <u>Supplement 8a to ATTACHMENT 2.6-A.</u></p>

Citation(s)

Condition or Requirement

42 CFR 435.721  
435.831, and  
1902 (m) (1) (B) (m) (4)  
and 1902 (r) (2) of the Act

In determining relative responsibility, the agency considers only the income of spouses living in the same household as available to spouses and the income of parents as available to children living with parents until the children become 21.

d. Disabled individuals. In determining countable income for disabled individuals, including individuals with income up to the Federal poverty level described in section 1902 (m) of the Act, the following methods are used:

- The methods of the SSI program.
- SSI methods and/or any more liberal methods described in Supplement 8a to ATTACHMENT 2.6-A.
- For institutional couples: the methods specified under section 1611 (e) (5) of the Act.
- For optional State supplement recipients under §435.230, income methods more liberal than SSI, as specified in Supplement 8a to ATTACHMENT 2.6-A.
- For individuals other than optional State supplement recipients (except aged and disabled individuals described in section 1903 (m) (1) of the Act): more restrictive methods than SSI, applied under the provisions of section 1902 (f) of the Act, as specified in Supplement 4 to ATTACHMENT 2.6-A; and any more liberal methods described in Supplement 8a to ATTACHMENT 2.6-A.

TN No. 13-012  
Supersedes  
TN No. 91-22

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Citation(s)	Condition or Requirement
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\_\_\_ For optional State supplement recipients in section 1902(f) States and SSI criteria States without section 1616 or 1634 agreements—

\_\_\_ SSI methods only

\_\_\_ SSI methods and/or any more liberal methods than SSI described in Supplement 8a to ATTACHMENT 2.6-A

\_\_\_ Methods more restrictive and/or more liberal than SSI, except for aged and disabled individuals described in section 1902 (m) (1) of the Act. More restrictive methods are described in Supplement 4 to ATTACHMENT 2.6-A and more liberal methods are specified in Supplement 8a to ATTACHMENT 2.6-A.

In determining relative financial responsibility, the agency considers only the income of spouses living in the same household as available to spouse and the income of parents as available to children living with parents until the children become 21.

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TN No. 13-012

Supersedes

TN. No. 91-22

Approval Date 5/30/14

Effective Date June 1, 2014

STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT

ELIGIBILITY CONDITIONS AND REQUIREMENTS

Citation(s)	Condition or Requirement
1902 (e) (6) of the Act	<p>(2) In determining relative financial responsibility, the agency considers only the income of spouses living in the same household as available to spouses and the income of parents as available to children living with parents until the children become 21.</p> <p>(3) The agency continues to treat women eligible under the provisions of sections 1902 (a) (10) of the Act as eligible, without regard to any changes in income of the family of which she is a member, for the 60-day period after her pregnancy ends and any remaining days in the month on which the 60<sup>th</sup> day falls.</p>
1905 (p) (1), 1902 (m) (4), and 1902 (r) (2) of the Act	<p>f. <u>Qualified Medicare beneficiaries</u>. In determining countable income for qualified Medicare beneficiaries covered under section 1902 (a) (10) (E) (i) of the Act, the following methods are used:</p> <p><input type="checkbox"/> The methods of the SSI program only.</p> <p><input checked="" type="checkbox"/> SSI methods and/or any more liberal methods than SSI described in <u>Supplement 8a to ATTACHMENT 2.6-A</u>.</p> <p><input type="checkbox"/> For institutional couples, the methods specified under section 1611 (e) (5) of the Act.</p>

TN No. 13-012  
Supersedes  
TN. No. 92-03

Approval Date 5/30/14

Effective Date June 1, 2014

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Citation(s)	Condition or Requirement
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1902 (a) (10) (A)  
(ii) (XV) of the Act (cont).

Income Methodologies

In determining whether an individual meets the income standard described above, the agency uses the following methodologies:

- The income methodologies of the SSI program.
- The agency uses methodologies for treatment of income that are more restrictive than the SSI program. These more restrictive methodologies are described in Supplement 4 to Attachment 2.6-A.
- The agency uses more liberal income methodologies than the SSI program. More liberal income methodologies are described in Supplement 8a to Attachment 2.6-A.

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TN No. 13-012  
Supersedes  
TN. No. 02-003

Approval Date 5/30/14

Effective Date June 1, 2014

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Citation(s)	Condition or Requirement
1902 (a) (10) (A) (ii) (XV) of the Act (cont).	<p><input type="checkbox"/> The agency does not disregard funds in retirement accounts.</p> <p><input checked="" type="checkbox"/> The agency uses resource methodologies in addition to any indicated above that are more liberal than those used by the SSI program. More liberal resource methodologies are described in Supplement 8b to Attachment 2.6-A.</p> <p><input type="checkbox"/> The agency uses the resource methodologies of the SSI program.</p> <p><input type="checkbox"/> The agency uses methodologies for treatment of resources that are more restrictive than the SSI program. These more restrictive methodologies are described in Supplement 5 to Attachment 2.6-A.</p>

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Citation(s)

Condition or Requirement

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1902 (a) (10) (A)  
(ii) (XVI) of the Act (cont).

Income Methodologies

In determining whether an individual meets the income standard described above, the agency uses the following methodologies:

- The income methodologies of the SSI program.
- The agency uses methodologies for treatment of income that are more restrictive than the SSI program. These more restrictive methodologies are described in Supplement 4 to Attachment 2.6-A.
- The agency uses more liberal income methodologies than the SSI program. More liberal income methodologies are described in Supplement 8a to Attachment 2.6-A.

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TN No. 13-012  
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Citation(s)	Condition or Requirement
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1902 (a) (10) (A)  
(ii) (XVI) of the Act (cont).

The agency does not disregard retirement accounts.

The agency uses resource methodologies in addition to any indicated above that are more liberal than those used by the SSI program. More liberal resource methodologies are described in Supplement 8b to Attachment 2.6-A.

The agency uses the resource methodologies of the SSI program.

The agency uses methodologies for treatment of resources that are more restrictive than the SSI program. These more restrictive methodologies are described in Supplement 5 to Attachment 2.6-A.

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Citation(s)

Condition or Requirement

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5. Methods for Determining Resources

1902 (a) (10) (A),  
1902 (a) (10) (C),  
1902 (m) (1) (B)  
and (C), and  
1902 (r) of the Act

b. Aged individuals. For aged individuals, the agency uses the following method for treatment of resources:

The methods of the SSI program.

SSI methods and/or any more liberal methods described in Supplement 8b to ATTACHMENT 2.6-A.

Methods that are more restrictive (except for individuals described in section 1902 (m) (1) of the Act) and/or more liberal than those of the SSI program. Supplement 5 to ATTACHMENT 2.6-A describes the more restrictive methods and Supplement 8b to ATTACHMENT 2.6-A specifies the more liberal methods.

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Citation(s)	Condition or Requirement
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1902 (a) (10) (A),  
 1902 (a) (10) (C),  
 1902 (m) (1) (B)  
 and  
 1902 (r) of the Act

c. Blind individuals. For blind individuals, the agency uses the following method for treatment of resources:

- The methods of the SSI program.
- SSI methods and/or any more liberal methods described in Supplement 8b to ATTACHMENT 2.6-A.
- Methods that are more restrictive (except for individuals described in section 1902 (m) (1) of the Act) and/or more liberal than those of the SSI program. Supplement 5 to ATTACHMENT 2.6-A describes the more restrictive methods and Supplement 8b to ATTACHMENT 2.6-A specifies the more liberal methods.

In determining relative financial responsibility, the agency considers only the resources of spouses living in the same household as available to spouses and the resources of parents as available to children living with parents until the children become 21.

Citation(s)	Condition or Requirement
<p>1902 (a) (10) (A), 1902 (a) (10) (C), 1902 (m) (1) (B) and (C), and 1902 (r) (2) of the Act</p>	<p>d. <u>Disabled individuals, including individuals covered under section 1902(a) (10) (A) (ii) (X) of the Act.</u> The agency uses the following method for the treatment of resources:</p> <p><input type="checkbox"/> The methods of the SSI program.</p> <p><input checked="" type="checkbox"/> SSI methods and/or any more liberal methods described in <u>Supplement 8b to ATTACHMENT 2.6-A.</u></p> <p><input type="checkbox"/> Methods that are more restrictive (except for individuals described in section 1902 (m) (1) of the Act) and/or more liberal than those of the SSI program. <u>Supplement 5 to ATTACHMENT 2.6-A</u> describes the more restrictive methods and <u>Supplement 8b to ATTACHMENT 2.6-A</u> specifies the more liberal methods.</p> <p>In determining relative financial responsibility, the agency considers only the resources of spouses living in the same household as available to spouses and the resources of parents as available to children living with parents until the children become 21.</p>
<p>1902 (1) (3) and 1902 (r) (2) of the Act</p>	<p>e. <u>Poverty-level pregnant women covered under sections 1902 (a) (10) (A) (i) (IV) and 1902 (a) (10) (A) (ii) (IX) (A) of the Act.</u> The agency uses the following methods in the treatment of resources:</p> <p><input type="checkbox"/> The methods of the SSI program only.</p> <p><input type="checkbox"/> The methods of the SSI program and/or any more liberal methods described in <u>Supplement 5a or Supplement 8b to ATTACHMENT 2.6-A.</u></p>

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Citation(s)	Condition or Requirement
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1902 (a) (10) (E) (iii)  
of the Act

k. Specified low-income Medicare beneficiaries covered under section 1902 (a) (10) (E) (iii) of the Act---

The agency uses the same method as in 5.h. of ATTACHMENT 2.6-A

6. Resource Standard-Categorically Needy

a. 1902 (f) States (except as specified under items 6.c. and d. below) for aged, blind, and disabled individuals

\_\_\_ Same as SSI resource standards.

\_\_\_ More restrictive.

The resource standards for other individuals are the same as those in the related cash assistance program.

b. Non-1902 (f) States (except as specified under items 6.c. and d. below)

The resource standards for other individuals are the same as those in the related cash assistance program.

Supplement 8 to ATTACHMENT 2.6.-A specifies for 1902 (f) States the categorically needy resource levels for all covered categorically needy groups.

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Citation(s)

Condition or Requirement

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1902 (m) (1) (C)  
and (m) (2) (B)  
of the Act

e. For aged and disabled individuals described in section 1902 (m) (1) of the Act who are covered under section 1902 (a) (10) (A) (ii) (X) of the Act, the resource standard is:

Same as the SSI resource standard.

Same as the medically needy resource standards, which are higher than the SSI resource standards (if the State covers the medically needy).

Supplement 2 to ATTACHMENT 2.6-A specifies the resource levels for these individuals.

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TN No. 13-012

Approval Date 5/30/14

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Supersedes

TN. No. 91-22

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Citation(s)

Condition or Requirement

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1902 (u) of the Act

10. Excess Resources

- a. Categorically Needy, Qualified Medicare Beneficiaries, Qualified Disabled and Working Individuals, and Specified Low-Income Medicare Beneficiaries

Any excess resources make the individual ineligible.

- b. Categorically Needy Only

This State has a section 1634 agreement with SSA. Receipt of SSI is provided for individuals while disposing of excess resources.

- c. Medically Needy

Any excess resources make the individual ineligible.

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TN No. 13-012

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Supersedes

TN. No. 93-017

Citation(s)	Condition or Requirement
1902 (a) (18) and 1902 (f) of the Act	<p>12. Pre-OBRA 93 Transfer of Resources - Categorically and Medically Needy, Qualified Medicare Beneficiaries, and Qualified Disabled and Working Individuals.</p> <p>The agency complies with the provisions of section 1917 of the Act with respect to the transfer of resources.</p> <p>Disposal of resources at less than fair market value affects eligibility for certain services as detailed in <u>Supplement 9 to Attachment 2.6-A.</u></p>
1917 (c)	<p>13. Transfer of Assets—All eligibility groups</p> <p>The agency complies with the provisions of section 1917 (c) of the Act, as enacted by OBRA 93, with regard to the transfer of assets.</p> <p>Disposal of assets at less than fair market value affects eligibility for certain services as detailed in <u>Supplement 9 (a) to ATTACHMENT 2.6-A,</u> except in instances where the agency determines that the transfer rules would work an undue hardship.</p>
1917 (d)	<p>14. Treatment of Trusts—All eligibility groups</p> <p>The agency complies with the provisions of section 1917 (d) of the Act, as amended by OBRA 93, with regard to trusts.</p> <p><u>    </u> The agency uses more restrictive methodologies under section 1902 (f) of the Act, and applies those methodologies in dealing with trusts.</p> <p><u>  x  </u> The agency meets the requirements in section 1917 (d) (4) (B) of the Act for use of <u>Miller</u> trusts.</p> <p>The agency does not count the funds in a trust in any instance where the agency determines that the transfer would work an undue hardship, as described in <u>Supplement 10 to ATTACHMENT 2.6-A.</u></p>

STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT

INCOME ELIGIBILITY LEVELS (Continued)

The levels for determining income eligibility for groups of aged and disabled individuals under the provisions of section 1902(m)(4) of the Act are as follows:

Based on 100 percent of the official Federal income poverty line.

<u>Family Size</u>	<u>Income Level</u>
<u>1</u>	<u>\$11,670</u>
<u>2</u>	<u>\$15,730</u>
<u>3</u>	<u>\$</u>
<u>4</u>	<u>\$</u>
<u>5</u>	<u>\$</u>

If an individual receives a title II benefit, any amount attributable to the most recent increase in the monthly insurance benefit as a result of a title II COLA is not counted as income during a "transition period" beginning with January, when the title II benefit for December is received, and ending with the last day of the month following the month of publication of the revised annual Federal poverty level.

For individuals with title II income, the revised poverty levels are not effective until the first day of the month following the end of the transition period.

For individuals not receiving title II income, the revised poverty levels are effective no later than the beginning of the month following the date of publication.

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STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT

INCOME ELIGIBILITY LEVELS (Continued)

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OPTIONAL CATEGORICALLY NEEDY GROUP OF INSTITUTIONALIZED  
INDIVIDUALS UNDER A SPECIAL INCOME LEVEL (SECTION 1902(A)(10)(A)(II)(V))

Single individual	\$2,163
Married couple	\$3,246

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STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT

INCOME ELIGIBILITY LEVELS (Continued)

C. QUALIFIED MEDICARE BENEFICIARIES WITH INCOMES RELATED TO THE  
FEDERAL POVERTY LEVEL

The levels for determining income eligibility for groups of qualified Medicare beneficiaries under the provisions of section 1905 (p) (2) (A) of the Act are as follows:

1. NON-SECTION 1902(f) STATES

a. Based on the following percent of the official Federal income poverty level:

Eff. Jan, 1, 1989: [ ] 85 percent [ ] \_\_\_ percent (no more than 100)

Eff. Jan, 1, 1989: [ ] 90 percent [ ] \_\_\_ percent (no more than 100)

Eff. Jan. 1, 1991: 100 percent

Eff. Jan 1, 1992: 100 percent

b. Levels:

<u>Family Size</u>	<u>Income Levels</u>
<u>1</u>	<u>\$11,670</u>
<u>2</u>	<u>\$15,730</u>

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Supersedes  
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STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT

INCOME ELIGIBILITY LEVELS (Continued)

C. QUALIFIED MEDICARE BENEFICIARIES WITH INCOMES RELATED TO THE FEDERAL POVERTY LEVEL

1. SECTION 1902 (f) STATES WHICH AS OF JANUARY 1, 1987 USED INCOME STANDARDS MORE RESTRICTIVE THAN SSI

a. Based on the following percent of the official Federal income poverty level:

Eff. Jan, 1, 1989: \_\_ 80 percent

Eff. Jan, 1, 1989: \_\_ 85 percent

Eff. Jan. 1, 1991: \_\_ 95 percent

Eff. Jan 1, 1992: 100 percent

b. Levels:

Family Size

Income Levels

1

2

3

4

5

6

7

TN No. 13-012

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Supersedes

TN. No. 96-003

STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT

4. Aged and Disabled Individuals

Same as SSI resource levels.

More restrictive than SSI levels and are as follows:

<u>Family Size</u>	<u>Resource Level</u>
<u>1</u>	_____
<u>2</u>	_____
<u>3</u>	_____
<u>4</u>	_____
<u>5</u>	_____

Same as medically needy resource levels (applicable only if State has a medically needy program).

STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT

METHODS FOR TREATMENT OF INCOME THAT DIFFER FROM THOSE OF THE SSI  
PROGRAM

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(Section 1902(f) more restrictive methods and criteria and State supplement criteria in SSI criteria States without section 1634 agreements and in section 1902(f) States. Use to reflect more liberal methods only if you limit to State supplement recipients. DO NOT USE this supplement to reflect more liberal policies that you elect under the authority of section 1902(r)(2) of the Act. Use Supplement 8a for section 1902(r)(2) methods.)

State of Indiana

SUPPLEMENT 5 TO ATTACHMENT 2.6-A

Page 1

STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT

MORE RESTRICTIVE METHODS OF TREATING RESOURCES THAN THOSE OF THE  
SSI PROGRAM- SECTION 1902(f) STATES ONLY

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TN No. 13-012

Approval Date 5/30/14

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Supersedes

TN. No. 95-010

STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT

Standards for Optional State Supplementary Payments

Payment Category (Reasonable Classification)	Administered by		Income Level			Income Disregards Employed
	Federal	State	Net			
			Gross Individual	Couple	Individual	
(1) Aged, Blind and Disabled Individuals in Domiciliary Facilities	(2)	X	(3) 3 Times Maximum SSI/FBR	3 Times Maximum SSI/FBR	(4) \$1,501.06* (Amount Set by FSSA each year)	(5) First \$52 for personal needs allowance.  A monthly maximum one-third the amount of state and local income tax liability until paid.  For sheltered workshop participants & persons whose employment is part of a habilitation plan, disregard from gross income: 1) \$16; and 2) transportation expenses; and 3) payroll taxes; and 4) ½ of the remainder after item 1,2,3 are subtracted.

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TN No. 85-8

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STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT

Standards for Optional State Supplementary Payments

Payment Category (Reasonable Classification)	Administered by		Income Level			Income Disregards Employed	
	Federal	State	Net				
			Gross	Individual	Couple		Couple
Supplemental Security Income cash recipients with \$30 federal benefits rate		X	Individual \$22	Couple \$44	Individual \$22	Couple \$44	For sheltered workshop participants & persons whose employment is part of a habilitation plan, disregard from gross income: 1) \$16; and 2) transportation expenses; and 3) payroll taxes; and 4) ½ of the remainder after item 1,2,3 are subtracted.

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State of Indiana

SUPPLEMENT 7 TO ATTACHMENT 2.6-A

Page 1

STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT

INCOME LEVELS FOR 1902(f) STATES—CATEGORICALLY NEEDY WHO ARE  
COVERED UNDER REQUIREMENTS MORE RESTRICTIVE THAN SSI SECTION

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TN. No. 02-001

State of Indiana

SUPPLEMENT 8 TO ATTACHMENT 2.6-A

Page 1

STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT  
RESOURCE STANDARDS FOR 1902(f) STATES—CATEGORICALLY NEEDY

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TN. No. 91-22

## STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT

MORE LIBERAL METHODS OF TREATING INCOME  
UNDER SECTION 1902(r)(2) OF THE ACT\*     Section 1902(f) State  X   Non-section 1902(f) State

1. For the groups covered by Section 1902(a)(10)(E) of the Social Security Act:

The value of in-kind support and maintenance is disregarded. [Effective 4/1/98]

For Qualified Medicare Beneficiaries (QMB), 1902 (a) (10) (E) (i), disregard income in the amount of the difference between 100% of the Federal Poverty Level and 150% of the Federal Poverty Level. [Effective 6/1/14]

For Specified Low-Income Beneficiaries (SLMB), 1902(a) (10) (E) (iii), disregard income in the amount of the difference between 150% of the Federal Poverty Level and 170% of the Federal Poverty Level. [Effective 6/1/14]

For Qualifying Individuals (QI), 1902(a)(10) (E) (iv), disregard income in the amount of the difference between 170% of the Federal Poverty Level and 185% of the Federal Poverty Level. [Effective 6/1/14]

2. For the groups covered by Section 1902(a)(10)(A)(ii)(XXII) who are eligible for home and community-based services under the needs based criteria established 1915(i)(1)(A) and have income that does not exceed 150% of the FPL:

Disregard income in the amount of the difference between 150% of the Federal Poverty Level and 300% of the Federal Poverty Level. [Effective 6/1/14]

3. For groups covered under 1902(a)(10)(A)(ii)(X) of the Act: [Effective 6/1/2014]

A child allocation is deducted for each child of the applicant's or the applicant's spouse living in the household. The allocation is equal to the difference between the Supplement Security Income federal benefit rate for a couple and a single individual. For the unmarried applicant, an allocation is made for each child of the applicant's living in the applicant's household and is deducted first from the applicant's unearned income, and then, if there is a remainder, from the applicant's earned income.

*For the married applicant:*

An allocation is made for each child of the applicant's living in the applicant's household is deducted from the applicant's and applicant's spouses combined unearned income. If there is a remainder, it is deducted from the applicant's and applicant's spouse's earned income.

If a married applicant has stepchildren living in the home, the spouse's income must first be allocated to meet the needs of the spouse's own biological or adoptive dependent children and who are living with the couple and are not dependent children of the applicant. This is done before combining the applicant's spouse's income with the spouse's income, whether the applicant's spouse has unearned or earned income. This allocation for an applicant's step-child is done first from the applicant's spouse's unearned income if the spouse has both earned and unearned income.

*For the applicant child:*

An allocation is made from the parent(s)' income to any dependent children that is a sibling of the applicant child living in the household. The allocation is first made from combined unearned income of the each parent living with the applicant child. If there is a remainder, it is deducted from the combined earned income of each parent living with the applicant child.

4. For children covered under 1902(a)(10)(a)(i)(VI) and 1902(l)(1)(C):

Disregard income in the amount of the difference between 133% and 150% of the Federal Poverty Level for the family size involved, as revised annually in the Federal Register.  
[Effective 7/1/98]

5. For children covered under 1902(a)(10)(A)(i)(VII) and 1902(l)(1)(D):

Disregard income in the amount of the difference between 100% and 150% of the Federal Poverty Level for the family size involved, as revised annually in the Federal Register.  
[Effective 7/1/98]

6. For the groups covered by Section 1902(a)(10)(A)(ii)(XV) and 1902(a)(10)(A)(ii)(XVI):

- Parental income is exempt.
  - The income of the spouse of the applicant/recipient is exempt in the eligibility determination.
- [Effective 7/1/02]

7. For pregnant women and infants covered under Section 1902(a)(10)(A)(i)(IV) and Section 1902(l)(1)(A) and 1902(1) (1) (B)::

Disregard income in the amount of the difference between 150% and 200% of the Federal Poverty Level for the family size involved, as revised annually in the Federal Register.

\*More liberal income methods may not result in exceeding gross income limitation under Section 1903(f).

8. All wages paid by the Census Bureau for temporary employment related to Census activities are excluded for the following groups:

- Qualified children and pregnant women under 1902(a)(10)(A)(i)(III).
- Poverty level pregnant women and infants under 1902(a)(10)(A)(i)(IV).
- Poverty level children aged 1 up to age 6 under 1902 (a)(10)(A)(i)(VI).
- Poverty level children aged 6 up to age 19 under 1902 (a)(10)(A)(i)(VII).
- Optional categorically needy groups under 1902 (a) (10) (A) (ii) as listed below:
  - Optional aged and disabled poverty level category under 1902(a)(10)(A)(ii)(X)
  - Independent foster care adolescents under 1902(a)(10)(A)(ii)(XVII)
  - Certain classifications of children covered under 1902(a)(10)(A)(ii)(I) as approved in Supplement 1 to Attachment 2.2-A;
  - Disabled workers under 1902(a)(10)(A)(ii)(XV)

*NOTE: The Special Income Level Group under 1902(a)(10)(A)(ii)(V), the Individuals Who Would be Eligible if In an Institution Group under 1902 (a) (10) (A) (ii) (VI) and the Hospice Group under 1902 (a) (10) (A) (ii) (VII) cannot be included in this disregard.*

- Medically Needy under 1902(a)(10)(C)(i)(III).
- All aged, blind, or disabled groups in 209 (b) states under 1902(f).
- QMBs, SLMBs, and QI's under 1905(p).

\*More liberal methods may not result in exceeding gross income limitation under Section 1903(f)

STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT  
MORE LIBERAL METHODS OF TREATING RESOURCES  
UNDER SECTION 1902 (r) (2) of the Act

       Section 1902(f) State

  X   Non-section 1902(f) State

I. CONSIDERATION OF REAL PROPERTY AND LIFE INTEREST IN REAL PROPERTY

Eligibility groups covered:

[8-1-89, SPA 89-3]

Aged, Blind, and Disabled 1902(a)(10)(ii)(X) and 1902(m)(1) and (3) of the Act

Qualified Medicare Beneficiary—Section 1902 (A)(10)(E) of the Social Security Act.

Specified Low-Income Medicare Beneficiary—Section 1902 (a)(10)(E)(iii) and 1905 (p)(3)(A)(ii)

[SPA 02-003]

Workers with Disabilities—Sections 1902 (a)(10)(A)(ii)(XV) and 1902 (a)(10)(A)(ii)(XVI) of the Social Security Act.

A. Non-Exempt real property (including equity value) which would otherwise render an applicant/recipient ineligible is excluded from eligibility purposes if the applicant/recipient signs an agreement to sell or rent property and offers the property for sale or rent at current market value within 30 days of notification of eligibility in case of an applicant and 30 days from the signing of agreements by recipients.

B. Income-producing property is exempt if the income is greater than the expenses of ownership.

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STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT

II. Consideration of Resources Invested in Qualified Term Care Insurance

Eligibility Groups covered:

Aged, Blind, and Disabled 1902(a)(10)(ii)(X) and 1902(m)(1) and (3) of the Act

Qualified Medicare Beneficiary-Section 1902 (a) (10) (E) of the Social Security Act

- A. A resource disregard in the amount specified in Item B below is given to an individual who has purchased a qualified long term care insurance policy as defined in Indiana Code 12-15-39.6, or a long term care insurance policy issued in another state including both original partnership states that have entered into a reciprocal agreement with Indiana pursuant to Indiana Code 12-15-39.6-13 and Section 1917(b)(1)(c) of the Social Security Act and New Partnership States authorized under Section 6021 of Public Law 109-171, if such long term Care insurance policy is covered under the reciprocity agreement and has used such policy to pay long term care services in a setting other than an acute wing of a hospital.

Effective April 1, 2009, Indiana shall accept all of the reciprocity standards promulgated pursuant to Section 6021(b) of Public Law 109-171 with respect to all other states agreeing to participate under such reciprocity standards.

If an individual is entitled to a resource disregard under this provision, the individual's resources that are subject to the disregard are also disregarded in determining the eligibility of the individual's spouse or minor child, if the individual's resources would otherwise be considered in determining eligibility for the spouse or child. In determining eligibility for the spouse or child, the disregard applies to the following:

- (1) All resources in the sole name of the individual;
- (2) All ownership interest in resources held jointly with someone other than the Medicaid applicant; and
- (3) Fifty percent (50%) of all resources jointly held with the Medicaid applicant.

B. The amount of the disregard is equal to the following:

- (1) For individuals who purchase less than the State set dollar amount\* of qualified insurance policy benefits, the amount of the disregard is equal to the amount of payments made under the insurance policy.
- (2) For individuals who purchase the State Set dollar amount\* or more of qualified insurance policy benefits, the amount of the disregard is equal to all of the individual's resources once the insurance policy benefits have been exhausted.

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Supersedes

TN No. 09-005

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STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT

- (3) For individuals who purchase a long term care insurance policy in another state and such policy is covered under a reciprocal agreement defined in Item A above, the amount of the disregard is equal to the amount of payments made under the insurance policy.
  
- C. The phrase "State set dollar amount" used in Item B above is equal to \$305,603 in calendar year 2014 and increases by 5% compounded each calendar year, rounded to the nearest one dollar (i.e. year 2015 = 320,883; year 2016 = \$336,927; year 2017 = \$353,773)
  
- D. Such disregard is in effect for the lifetime of the individual who has purchased the long term care insurance policy and used the policy to pay for long term care services.
  
- E. Resources disregarded under this provision are not subject to recovery of medical payments made on behalf of the individual.

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TN No. 09-005

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STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT  
MORE LIBERAL METHODS OF TREATING RESOURCES  
UNDER SECTION 1902 (r) (2) of the Act

     Section 1902(f) State

  X   Non-section 1902(f) State

III. CONSIDERATION OF IRREVOCABLE TRUSTS, FUNERAL AGREEMENTS, AND LIFE INSURANCE POLICIES FOR FUNERAL AND BURIAL EXPENSES

[4/1/14; SPA 13-012] Eligibility groups covered:

Aged, Blind, and Disabled 1902(a)(10)(ii)(X) and 1902(m)(1) and (3) of the Act

- A. One (1) irrevocable trust that has a value of not more than ten thousand dollars (\$10,000), exclusive of interest, and is established for the sole purpose of providing money for the burial of the applicant or recipient is exempt.
  - (1) The entire amount of an irrevocable funeral trust or escrow established under Indiana state law, Ind. Code § 30-2-13 is exempt.
- B. An irrevocable prepaid funeral agreement having a value of not more than ten thousand dollars (\$10,000) is exempt.
- C. A life insurance policy with a face value of not more than ten thousand dollars (\$10,000) to which provision is made to pay not more than ten thousand dollars (\$10,000) toward the applicant or recipient's funeral expenses is exempt.

An applicant or recipient who owns resources described by A, B, or C and the total value of those resources is more than ten thousand dollars (\$10,000), the value of those resources that is more than ten thousand dollars (\$10,000) is not considered an exempt resource in determining the applicant's or recipient's eligibility for Medicaid.

IV. WORK INCENTIVE METHODOLOGIES

Eligibility groups covered:

Workers with Disabilities- Sections 1902 (a) (10) (A) (ii) (XV) and 1902 (a)(10)(A)(ii)(XVI) of the Social Security Act.

- A. Resources of the parents of applicants/recipients are exempt.
- B. Up to \$20,000 of funds owned by the applicant/recipient that are approved by the central office of the Division of Family and Children as an "independence and self-sufficiency account" are exempt. Funds set aside for this purpose must be for the intention of purchasing goods or services that will increase or maintain the individual's employability.
- C. All retirement accounts owned by the applicant/recipient and spouse are exempt.

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STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT

Regular Post Eligibility

1. x SSI State. The State is using the post-eligibility rules at 42 CFR 435.726. Payment for PACE services is reduced by the amount remaining after deducting the following amounts from the PACE enrollee's income.

(A). Sec. 435.726-States which do not use more restrictive eligibility requirements than SSI.

1. Allowances for the needs of the:

(A.) Individual (check one)

1. x The following standard included under the State plan, (check one):

(a)    SSI

(b)    Medically Needy

(c) x The special income level for the institutionalized

(d)    Percent of the Federal Poverty Level: %

(e)    Other (specify): \_\_\_\_\_

2.    The following dollar amount: \$ \_\_\_\_\_

Note: If this amount changes, this item will be revised.

3.    The following formula is used to determine the needs allowance:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Note: If the amount protected for PACE enrollees in item 1 is equal to, or greater than the maximum amount of income a PACE enrollee may have and be eligible under PACE, enter N/A in items 2 and 3.

(B.) Spouse only (check one):

1.    SST Standard

2.    Optional State Supplement Standard

3.    Medically Needy Income Standard

4.    The following dollar amount: \$ \_\_\_\_\_

Note: If this amount changes, this item will be revised.

5.    The following percentage of the following standard that is not greater than the standards above:    % of    standard.

6.    The amount is determined using the following formula:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

7. x Not applicable (N/A)

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STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT

(C.) Family (check one):

- 1.  AFDC need standard
- 2.  Medically needy income standard

The amount specified below cannot exceed the higher of the need standard for a family of the same size used to determine eligibility under the State's approved AFDC plan or the medically needy income standard established under 435.811 for a family of the same size.

- 3.  The following dollar amount: \$ \_\_\_\_\_  
Note: If this amount changes, this item will be revised.
- 4.  The following percentage of the following standard that is not greater than the standards above: \_\_\_\_\_% of \_\_\_\_\_ standard.
- 5.  The amount is determined using the following formula:  
\_\_\_\_\_
- 6.  Other
- 7.  Not applicable (N/ A)

(2). Medical and remedial care expenses in 42 CFR 435.726.

**Regular Post Eligibility**

2.  209(b) State, a State that is using more restrictive eligibility requirements than SSI. The State is using the post-eligibility rules at 42 CFR 435.735. Payment for PACE services is reduced by the amount remaining after deducting the following amounts from the PACE enrollee's income.

(a) 42 CFR 435.735--States using more restrictive requirements than SSI.

1. Allowances for the needs of the:

(A.) Individual (check one)

- 1. The following standard included under the State plan (check one):
  - (a)  SSI
  - (b)  Medically Needy
  - (c)  The special income level for the institutionalized
  - (d)  Percent of the Federal Poverty Level: %
  - (e)  Other (specify): \_\_\_\_\_
- 2.  The following dollar amount: \$ \_\_\_\_\_  
Note: If this amount changes, this item will be revised.
- 3.  The following formula is used to determine the needs allowance.

Note: If the amount protected for PACE enrollees in item 1 is **equal to, or greater than** the maximum amount of income a PACE enrollee may have and be eligible under PACE, **enter N/A.in items 2 and 3.**

(B.) Spouse only (check one):

1.  The following standard under 42 CFR435.121:  
\_\_\_\_\_

2.  The Medically needy income standard:  
\_\_\_\_\_

3.  Thee following dollar amount: \$ \_\_\_\_\_

Note: If this amount changes, this item will be revised.

4.  The following percentage of the following standard that is not.greater than the standards above: \_\_\_\_\_% of \_\_\_\_\_ standard.

5.  The amount is determined using the following formula:  
\_\_\_\_\_

6.  Not applicable (N/A)

(C.) Family (check one):

1.  AFDC need standard

2.  Medically needy income standard

The amount specified below cannot exceed the higher of the need standard for a family of the same size used to determine eligibility under the State's approved AFDC plan or the medically needy income standard established under 435.811 for a family of the same size.

3.  The following dollar amount: \$ \_\_\_\_\_

Note: If this amount changes, this item will be revised.

4.  The following percentage of the following standard that is not greater than the standards above: \_\_\_\_\_% of \_\_\_\_\_ standard.

5.  The amount is determined using the following formula:

6.  Other

7.  Not applicable (N/A)

(b) Medical and remedial care expenses specified ill 42 CFR 435.735.