

Table of Contents

State/Territory Name: New Mexico

State Plan Amendment (SPA) #: 12-03

This file contains the following documents in the order listed:

- 1) Approval Letter
- 2) CMS 179 Form
- 3) Approved SPA Pages

DEPARTMENT OF HEALTH & HUMAN SERVICES
Centers for Medicare & Medicaid Services
Dallas Regional Office
1301 Young Street, Suite 833
Dallas, Texas 75202



DIVISION OF MEDICAID & CHILDREN'S HEALTH - REGION VI

February 1, 2013

Our Reference: SPA-NM-12-03

Ms. Julie Weinberg, Director
New Mexico Human Services Department
Medical Assistance Division
Post Office Box 2348- ARK
Santa Fe, New Mexico 87504-2348

Dear Ms. Weinberg:

We have reviewed the proposed amendment to your Medicaid State Plan submitted under Transmittal Number 12-03. This state plan amendment corrects income disregards used for Section 1931 Medicaid eligibility.

Transmittal Number 12-03 is approved with an effective date of April 1, 2012 as requested. A copy of the HCFA-179, Transmittal No. 12-03 dated June 11, 2012 is enclosed along with the approved plan pages.

If you have any questions, please contact Suzette Seng at (214) 767-6478.

Sincerely,

A black rectangular box redacting the signature of Bill Brooks.

Bill Brooks
Associate Regional Administrator
Division of Medicaid and Children's Health

Enclosure

TRANSMITTAL AND NOTICE OF APPROVAL OF STATE PLAN MATERIAL		1. TRANSMITTAL NUMBER: 12-03	2. STATE New Mexico
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 April 1, 2012	
5. TYPE OF PLAN MATERIAL (Check One): <input type="checkbox"/> NEW STATE PLAN <input type="checkbox"/> AMENDMENT TO BE CONSIDERED AS NEW PLAN <input checked="" type="checkbox"/> AMENDMENT			
COMPLETE BLOCKS 6 THRU 10 IF THIS IS AN AMENDMENT (Separate Transmittal for each amendment)			
6. FEDERAL STATUTE/REGULATION CITATION: Section 1931 of the Act 42 CFR 435 subpart G		7. FEDERAL BUDGET IMPACT: a. FFY 2011 \$0 b. FFY 2012 \$0	
8. PAGE NUMBER OF THE PLAN SECTION OR ATTACHMENT: SUPPLEMENT 12 TO ATTACHMENT 2.6-A Page 1 SUPPLEMENT 12 TO ATTACHMENT 2.6-A Page 2 SUPPLEMENT 12 TO ATTACHMENT 2.6-A Page 3 SUPPLEMENT 12 TO ATTACHMENT 2.6-A Page 2a		9. PAGE NUMBER OF THE SUPERSEDED PLAN SECTION OR ATTACHMENT (If Applicable): SUPPLEMENT 12 TO ATTACHMENT 2.6-A Page 1, TN 04-05 SUPPLEMENT 12 TO ATTACHMENT 2.6-A Page 2, TN 08-01 SUPPLEMENT 12 TO ATTACHMENT 2.6-A Page 3, TN 04-05 SUPPLEMENT 12 TO ATTACHMENT 2.6-A Page 2a, TN 10-05	
10. SUBJECT OF AMENDMENT: Updates income methodologies used for Section 1931 Medicaid eligibility.			
11. GOVERNOR'S REVIEW (Check One): <input checked="" type="checkbox"/> GOVERNOR'S OFFICE REPORTED NO COMMENT <input checked="" type="checkbox"/> OTHER, AS SPECIFIED: <input type="checkbox"/> COMMENTS OF GOVERNOR'S OFFICE ENCLOSED <input type="checkbox"/> NO REPLY RECEIVED WITHIN 45 DAYS OF SUBMITTAL			
12. [REDACTED] CIAL:	16. RETURN TO: Julie B. Weinberg, Director Medical Assistance Division P.O. Box 2348 - ARK 2025 S. Pacheco St. Santa Fe, NM 87504-2348		
13. TYPED NAME: Julie B. Weinberg			
14. TITLE: Director			
15. DATE SUBMITTED: June 11, 2012			
FOR REGIONAL OFFICE USE ONLY			
17. DATE RECEIVED: 11 June, 2012	18. DATE APPROVED: 1 February, 2013		
PLAN APPROVED - ONE COPY ATTACHED			
19. EFFECTIVE DATE OF APPROVED MATERIAL: 1 April, 2012	20. SIGNATURE: [REDACTED]		
21. TYPED NAME: Bill Brooks	22. TITLE: Associate Regional Administrator Division of Medicaid and children's Health		
23. REMARKS:			

Revision: CMS-PM-

SUPPLEMENT 12 TO ATTACHMENT 2.6-A

Page 1

OMB No.:

STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT

State/Territory: NEW MEXICO

ELIGIBILITY UNDER SECTION 1931 OF THE ACT

The State covers low-income families and children under section 1931 of the Act.

The following groups were included in the AFDC State Plan effective July 16, 1996:

X Pregnant women in the 3rd trimester of their pregnancy with no other eligible children.

X Children age 18 who are full-time students in a secondary school or the equivalent level of vocational or technical training.

— In determining eligibility for Medicaid, the agency uses the AFDC standards and methodologies in effect as of July 16, 1996 without modification.

X In determining eligibility for Medicaid, the agency uses the AFDC standards and methodologies in effect as of July 16, 1996 with the following modifications.

— The agency applies lower income standards which are no lower than the AFDC standards in effect on May 1, 1988, as follows:

— The agency applies higher income standards than those in effect as of July 16, 1996, increased by no more than the percentage increases in the CPI-U since July 16, 1996, as follows:

— The agency applies higher resource standards than those in effect as of July 16, 1996, increased by no more than the percentage increases in the CPI-U since July 16, 1996, as follows:

TN No.

Supersedes

TN No. 04-05

Approval Date 2-1-13

Effective Date 4-1-12

SUPERSEDES: TN- 04-05

STATE <u>New Mexico</u>	A
DATE REC'D <u>6-11-12</u>	
DATE APPV'D <u>2-1-13</u>	
DATE EFF <u>4-1-12</u>	
NOFA 179 <u>12-03</u>	

Revision: CMS-PM-

SUPPLEMENT 12 TO ATTACHMENT 2.6-A

Page 2

OMB No.:

STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT

State/Territory: NEW MEXICO

ELIGIBILITY UNDER SECTION 1931 OF THE ACT (Continued)

- X The agency uses less restrictive income and/or resource methodologies than those in effect as of July 16, 1996, as follows:
- The agency uses TANF income methodologies and disregards the difference between the AFDC income standards as of July 16, 1996 and the current TANF income standards to determine eligibility under Section 1931 of the Act. New Mexico adopted the TANF methodology.
 - The state disregards wages from the Census Bureau for temporary employment related to Census activities.
 - Resource determination methodology allows for exclusion of all resources.

SUPERSEDES: TN- 08-01

STATE <u>New Mexico</u>	A
DATE REG'D <u>6-11-12</u>	
DATE APPV'D <u>2-1-13</u>	
DATE EFF <u>4-1-12</u>	
HCFA 179 <u>12-03</u>	

TN No.

Supersedes

TN No. 08-01

Approval Date 2-1-13 Effective Date 4-1-12

Revision:
CMS-PM-

SUPPLEMENT 12 TO ATTACHMENT 2.6-A

Page 2a
OMB No.:

STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT

State/Territory: NEW MEXICO

ELIGIBILITY UNDER SECTION 1931 OF THE ACT (Continued)

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

- Earned Income disregards are the first \$90 and an additional \$30 and 1/3 of the remainder, if certain criteria are met, for a time-limited period of time.
- Excludable resources include the first \$1,500 liquid resources, \$2000 in non-liquid resources, and total value of at least one vehicle, and in some parts of the state additional vehicles.

SUPERSEDES: TN- 10-05

STATE <u>New Mexico</u>	A
DATE REG'D <u>6-11-12</u>	
DATE APPV'D <u>2-1-13</u>	
DATE EFF <u>4-1-12</u>	
HCFA 179 <u>12-03</u>	

TN No.
Supersedes
TN No. 10-05

Approval Date 2-1-13 Effective Date 4-1-12

Revision: CMS-PM-

SUPPLEMENT 12 TO ATTACHMENT 2.6-A

Page 3

OMB No.:

STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT

State/Territory: NEW MEXICO

ELIGIBILITY UNDER SECTION 1931 OF THE ACT (Continued)

- ☒ The agency terminates medical assistance (except for pregnant women and children described in section 1902(l) of the Act) for individuals who fail to meet Temporary Assistance for Needy Families (TANF) work requirements.

Unemployed Parent

For the purpose of determining whether a child is deprived on the basis of the unemployment of a parent, the agency:

☐ Uses the standard of measuring unemployment which was in the AFDC State plan in effect on July 16, 1996.

☐ Uses the following more liberal standard to measure unemployment:

- ☒ The agency continues to apply the following waivers of provisions of part A of title IV of the Act in effect as of July 16, 1996, or submitted prior to August 22, 1996 and approved by the Secretary on or before July 1, 1997:

- ☒ Waiver under sections 402(a)(41) and 407 of the Act allows the State to provide benefits to families in which the principal earner works 100 or more hours per month.

Waiver of 402 (a) (41) is as follows:

- The 100 hour rule for unemployed parents is waived. Thus, eligibility for 1931 Medicaid may exist regardless of the absence or presence of 'deprivation' criteria.

☐ Other:

TN No.

Supersedes

TN No. 04-05

Approval Date 2-1-13

Effective Date 4-1-12

SUPERSEDES: TN- 04-05

STATE <u>New Mexico</u>	A
DATE REG'D <u>6-11-12</u>	
DATE APPV'D <u>2-1-13</u>	
DATE EFF <u>4-1-12</u>	
HCFA 179 <u>12-03</u>	