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State/Territory Name: Puerto Rico

State Plan Amendment (SPA) #: 13-005-A

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
Jacob K. Javits Federal Building
26 Federal Plaza
Room 37-100
New York, New York 10278-0063



December 24, 2014

Ricardo A. Colon Padilla, CPA
Medicaid Director
Puerto Rico Medicaid Program
Puerto Rico Department of Health
P.O. Box 70184
San Juan, Puerto Rico 70184

Dear Mr. Colon Padilla:

Enclosed is an approved copy of Puerto Rico's State Plan Amendment 13-005-A, which was submitted to CMS on December 26, 2013. This SPA incorporates the establishment of the Puerto Rico Poverty Level (PRPL) for all non-ABD (Aged, Blind, and Disabled) coverage groups, and expansion of the income threshold to 133% of PRPL for various 1902(r) groups into Puerto Rico's state plan in accordance with the Affordable Care Act.

Please be informed this SPA was approved on December 24, 2014 with an effective date of December 31, 2013.

We are enclosing the CMS 179 and the amended plan pages (Attachment 2.2-A, page 23c; Attachment 2.2-A, page 23e; Attachment 2.2-A, page 6a; Attachment 2.6-A, Supplement 8a, page 2; and Attachment 2.6-A, Supplement 12, page 1).

Congratulations to you and your staff for your hard work and strong collaboration. If you have any questions, please contact Patricia Ryan at 212-616-2436 or Patricia.Ryan@cms.hhs.gov.

Sincerely,

/s/

Michael Melendez
Associate Regional Administrator
Division of Medicaid and Children's Health

Enclosures

DEPARTMENT OF HEALTH AND HUMAN SERVICES
CENTERS FOR MEDICARE & MEDICAID SERVICES

FORM APPROVED
OMB No. 0938-0193

TRANSMITTAL AND NOTICE OF APPROVAL OF STATE PLAN MATERIAL FOR: CENTER FOR MEDICARE & MEDICAID SERVICES		1. TRANSMITTAL NUMBER PR-13-005-A	2. STATE PUERTO RICO
		3. PROGRAM IDENTIFICATION: TITLE XIX OF THE SOCIAL SECURITY ACT (MEDICAID)	
TO: REGIONAL ADMINISTRATOR CENTERS FOR MEDICARE & MEDICAID SERVICES DEPARTMENT OF HEALTH AND HUMAN SERVICES		4. PROPOSED EFFECTIVE DATE DECEMBER 31, 2013	
5. TYPE OF PLAN MATERIAL (Check One)			
☐ NEW STATE PLAN ☐ AMENDMENT TO 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 SECTION 1902 OF THE SOCIAL SECURITY ACT		7. FEDERAL BUDGET IMPACT	
		a. FFY 2014 (3 quarters) \$ 77,653,600.00	
		b. FFY 2015 \$ 108,715,040.00	
8. PAGE NUMBER OF THE PLAN SECTION OR ATTACHMENT Attachment 2.2-A, page 23c Attachment 2.2-A, page 23e Attachment 2.2-A, page 6a Attachment 2.6-A, Supplement 8a, page 2, effective 12/31/13 Attachment 2.6-A, Supplement 12, page 1, effective 12/31/13		9. PAGE NUMBER OF THE SUPERSEDED PLAN SECTION OR ATTACHMENT (If Applicable) Replace Attachment 2.2-A, page 23c Replace Attachment 2.2-A, page 23e Replace Attachment 2.2-A, page 6a New Page, effective 12/31/13 New Page, effective 12/31/13	
10. SUBJECT OF AMENDMENT ESTABLISHMENT OF PUERTO RICO POVERTY LEVEL (PRPL) FOR ALL NON-ABD (AGED, BLIND, AND DISABLED) COVERAGE GROUPS, EXPANSION OF INCOME THRESHOLD TO 133% OF PRPL FOR R(2) GROUPS			
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		16. RETURN TO PUERTO RICO MEDICAID PROGRAM PUERTO RICO DEPARTMENT OF HEALTH PO BOX 70184 SAN JUAN PR 00936-8184	
13. TYPE NAME RICARDO A. COLÓN-PADILLA, CPA			
14. TITLE EXECUTIVE DIRECTOR			
15. DATE SUBMITTED DECEMBER 26, 2013			
FOR REGIONAL OFFICE USE ONLY			
17. DATE RECEIVED		18. DATE APPROVED DECEMBER 24, 2014	
PLAN APPROVED - ONE COPY ATTACHED			
19. EFFECTIVE DATE OF APPROVED MATERIAL DECEMBER 31, 2013		20. SIGNATURE OF REGIONAL OFFICIAL /s/	
21. TYPED NAME MICHAEL MELENDEZ		22. TITLE ASSOCIATE REGIONAL ADMINISTRATOR DIVISION OF MEDICAID AND CHILDREN'S HEALTH	
23. REMARKS			

STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT
STATE / TERRITORY: COMMONWEALTH OF PUERTO RICO

COVERAGE AND CONDITIONS OF ELIGIBILITY

Citation (s)

Groups Covered

- f. have family income at or below:
200 percent of the Federal poverty level for the size family
involved, as revised annually in the Federal Register or

A percentage of the Federal poverty level, which is in excess of
the "Medicaid applicable income level" (as defined in §2110 (b)
(4) of the Act) but no more than 50 percentage points.

1902(a)(10)(A)(ii)(XIV)
42 CFR 436.229

The State covers:

- ☒ All children described above who are under age 19 (18, 19)
with family income at or below 200% of the PRPL (see
Attachment 2.2-A, page 23e).
- ☐ The following reasonable classification of children described
above who are under age ____ (18,19) with family income at
or below the percent of the Federal poverty level specified
for the classification:

Transmittal No.: 13-005

Effective Date: December 31, 2013

Supersedes TN No.: 98-001

Approval Date: DECEMBER 24, 2014

STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT
STATE / TERRITORY: COMMONWEALTH OF PUERTO RICO

COVERAGE AND CONDITIONS OF ELIGIBILITY

Family Size	Puerto Rico Poverty Level (PRPL) in dollars *	133% of PRPL *	266% of PRPL *
1	\$413.53	\$550.00	\$1,100
2	\$488.72	\$650.00	\$1,300
3	\$563.91	\$750.00	\$1,500
4	\$639.10	\$850.00	\$1,700
5	\$714.29	\$950.00	\$1,900
6	\$789.47	\$1,050.00	\$2,100
7	\$864.66	\$1,150.00	\$2,300
8	\$939.85	\$1,250.00	\$2,500
9	\$1,015.04	\$1,350.00	\$2,700
10	\$1,090.23	\$1,450.00	\$2,900
11	\$1,165.41	\$1,550.00	\$3,100
12	\$1,240.60	\$1,650.00	\$3,300
13	\$1,315.79	\$1,750.00	\$3,500
14	\$1,390.98	\$1,850.00	\$3,700
15	\$1,466.17	\$1,950.00	\$3,900
16	\$1,541.35	\$2,050.00	\$4,100
17	\$1,616.54	\$2,150.00	\$4,300
18	\$1,691.73	\$2,250.00	\$4,500

* Net Income Limits

Transmittal No.: 13-005

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STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT
STATE / TERRITORY: COMMONWEALTH OF PUERTO RICO

Agency	Citation(s)	Groups Covered
		A. <u>Mandatory Coverage – Categorically Needy and Other Required</u>
		<u>Special Groups (Continued)</u>
	1902(a)(10)(A)(i)(VIII) 1902(k)(2)	13. Option to Provide Coverage to the Lowest Income Population that Becomes Mandatory in 2014. Individuals who are under 65 years of age, not pregnant, not entitled to, or enrolled for, benefits under Part A of title XVIII, or enrolled for benefits under Part B of title XVIII, and not described in 1902(a)(10)(A)(i)(I) through 1902(a)(10)(A)(i)(VII) of the Act. ☒ The agency elects to make individuals described above eligible under the early option set forth in section 1902(k)(2) of the Act. The effective date for coverage of this group under the early option is <u>July 1, 2011</u> (cannot be earlier than April 1, 2010). The income standard applicable to individuals eligible under this early option is <u>133% of PRPL</u> (cannot exceed 133 percent of FPL). NOTE: No resource test is applicable to this group.

Transmittal No.: 13-005Effective Date: December 31, 2013Supersedes TN No.: 11-002Approval Date: DECEMBER 24, 2014

STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT
STATE / TERRITORY: COMMONWEALTH OF PUERTO RICO

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

Citation(s)	Provision(s)
42 CFR 436.222	For reasonable classifications of children described in 1902(a)(10)(A)(ii)(I-IV), Puerto Rico will disregard countable earned and unearned income equal to the difference between the AFDC standard (see Supplement 1 to Attachment 2.6-A, page 1) and 133% of the PRPL (see Attachment 2.2-A, page 23e).
Section 1902(a)(10)(A)(i)(III)	For mandatory Qualified Pregnant Women, Puerto Rico will disregard countable earned and unearned income equal to the difference between the AFDC payment standard (see Supplement 1 to Attachment 2.6-A, page 1) and 133% of the PRPL (see Attachment 2.2-A, page 23e).
Section 1902(a)(10)(A)(ii)(XIV) of the Act	For M-CHIP optional targeted low-income children under age 19, Puerto Rico will disregard countable earned and unearned income equal to the difference between 200% of the PRPL and 266% of the PRPL (see Attachment 2.2-A, page 23e).

Transmittal No.: 13-005

Effective Date: December 31, 2013

Supersedes TN No.: NEW

Approval Date: DECEMBER 24, 2014

STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT
STATE / TERRITORY: COMMONWEALTH OF PUERTO RICO

ELIGIBILITY UNDER SECTION 1931 OF THE ACT

The territory 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:

- ☒ Pregnant women with no other eligible children.
- ☒ AFDC children age 18 who are full-time students in a secondary school or in the equivalent level of vocational or technical training.
- ☐ In determining eligibility for Medicaid, the territory uses the AFDC standards and methodologies in effect as of July 16, 1996, without modification.
- ☐ In determining eligibility for Medicaid, the territory uses the AFDC standards and methodologies in effect as of July 16, 1996, with the following modifications:

The territory applies lower income standards which are no lower than the AFDC standards in effect on May 1, 1998, as follows:

The territory 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 territory 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:

- ☒ The territory uses less restrictive income and/or resource methodologies than those in effect as of July 16, 1996, as follows:
 - 1. The territory disregards all countable earned and unearned income equal to the difference between the AFDC standard (see Supplement 1 to Attachment 2.6-A, page 1) and 133% of the PRPL (see Attachment 2.2-A, page 23e).

Transmittal No.: 13-005

Effective Date: December 31, 2013

Supersedes TN No.: NEW

Approval Date: DECEMBER 24, 2014