

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



Division of Medicaid & Children's Health, Region VI

March 21, 2011

Our Reference: SPA TX 10-047

Mr. Billy Millwee
Associate Commissioner for Medicaid & CHIP
Health and Human Services Commission
Post Office Box 13247
Mail Code: H100
Austin, Texas 78711

Dear Mr. Millwee:

We have reviewed the State's proposed amendment to the Texas State Plan submitted under Transmittal Number 10-047, dated June 25, 2010. This state plan amendment implements the provisions of the Medicare Improvements for Patients and Providers Act of 2008 (MIPPA) that increase the resource limits for Qualified Medicaid Beneficiaries (QMB), Specified Low-Income Medicare Beneficiaries (SLMB) and Qualifying Individuals (QI) to three times the Supplemental Security Income (SSI) resource limit, adjusted annually by the increase in the Consumer Price Index.

Additionally, please note that when the State submits a State Plan Amendment (SPA) that may impact Indians or Indian health providers, CMS will look for evidence of the State's Tribal consultation process for that SPA. Pursuant to the new section 1902(a) (73) of the Act added by section 5006(e) of the American Recovery and Reinvestment Act (ARRA) of 2009, the State must submit evidence to CMS regarding the solicitation of advice prior to submission of the State Plan Amendment. Such consultation must include all federally-recognized tribes, Indian Health Service and Urban Indian Organizations within the State.

Based on the information submitted, we have approved the amendment for incorporation into the official Texas State Plan with an effective date of April 1, 2010. A copy of the CMS-179 and the approved plan pages are enclosed with this letter.

If you have any questions, please contact Cheryl Rupley at (214) 767-6278.

Sincerely,

/s/

Bill Brooks
Associate Regional Administrator

Enclosures

Cc: Emily Zalkovsky, Policy Development Support

TRANSMITTAL AND NOTICE OF APPROVAL OF STATE PLAN MATERIAL FOR: CENTERS FOR MEDICARE AND MEDICAID SERVICES		1. TRANSMITTAL NUMBER: 10-047	2. STATE: TEXAS
		3. PROGRAM IDENTIFICATION: TITLE XIX OF THE SOCIAL SECURITY ACT (MEDICAID)	
TO: REGIONAL ADMINISTRATOR CENTERS FOR MEDICARE AND MEDICAID SERVICES DEPARTMENT OF HEALTH AND HUMAN SERVICES		4. PROPOSED EFFECTIVE DATE: April 1, 2010	
5. TYPE OF PLAN MATERIAL (Circle 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: 1902(a)(10)(E)(i)-(iv), 1860D-14(a)(3)(D), 1905(p)(3)(A), Section 112 of MIPPA		7. FEDERAL BUDGET IMPACT: SEE ATTACHMENT a. FFY 2010 \$59,447 b. FFY 2011 \$56,309 c. FFY 2012 \$49,327	
8. PAGE NUMBER OF THE PLAN SECTION OR ATTACHMENT: SEE ATTACHMENT TO BLOCKS 8 & 9		9. PAGE NUMBER OF THE SUPERSEDED PLAN SECTION OR ATTACHMENT (If Applicable): SEE ATTACHMENT TO BLOCKS 8 & 9	
10. SUBJECT OF AMENDMENT: The proposed amendment will modify the asset limits to the Medicare Savings Program as mandated under the Medicare Improvements for Patients and Providers Act.			
11. GOVERNOR'S REVIEW (Check One):			
<input type="checkbox"/> GOVERNOR'S OFFICE REPORTED NO COMMENT <input type="checkbox"/> COMMENTS OF GOVERNOR'S OFFICE ENCLOSED <input type="checkbox"/> NO REPLY RECEIVED WITHIN 45 DAYS OF SUBMITTAL		<input checked="" type="checkbox"/> OTHER, AS SPECIFIED: Sent to Governor's Office this date. Comments, if any, will be forwarded upon receipt.	
12. SIGNATURE OF STATE AGENCY OFFICIAL: Billy R. Millwee		16. RETURN TO: Billy R. Millwee State Medicaid Director Post Office Box 13247, MC: H-100 Austin, Texas 78711	
13. TYPED NAME: Billy R. Millwee			
14. TITLE: State Medicaid Director			
15. DATE SUBMITTED: June 25, 2010			
FOR REGIONAL OFFICE USE ONLY			
17. DATE RECEIVED: 25 June, 2010		18. DATE APPROVED: 21 March, 2011	
PLAN APPROVED - ONE COPY ATTACHED			
19. EFFECTIVE DATE OF APPROVED MATERIAL: 1 April, 2010		20. SIGNATURE OF REGIONAL OFFICIAL:	
21. TYPED NAME: Bill Brooks		22. TITLE: Associate Regional Administrator Division of Medicaid & Children's Health	
23. REMARKS:			

Agency	Citation(s)	Groups Covered
--------	-------------	----------------

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

1902(a)(10)(E)(i),
1905(p) and
1860D-14(a)(3)(D)
of the Act

25. Qualified Medicare Beneficiaries --

- a. Who are entitled to hospital insurance benefits under Medicare Part A, (but not pursuant to an enrollment under section 1818A of the Act);
- b. Whose income does not exceed 100 percent of the Federal poverty level; and
- c. Whose resources do not exceed three times the SSI resource limit, adjusted annually by the increase in the Consumer Price Index (CPI).

(Medical assistance for this group is limited to Medicare cost-sharing as defined in item 3.2 of this plan.)

1902(a)(10)(E)(ii),
1905(p)(3)(A)(i), and
1905(s) of the Act

26. Qualified Disabled and Working Individuals --

- a. Who are entitled to hospital insurance benefits under Medicare Part A under section 1818A of the Act;
- b. Whose income does not exceed 200 percent of the Federal poverty level; and
- c. Whose resources do not exceed twice the maximum standard under SSI.

TN No: 10-47 Approval Date 3-21-11 Effective Date 7-1-10

Supersedes TN No. 93-05

SUPERSEDES: TN- 93-05

STATE <u>Texas</u>	A
DATE REC'D <u>6-25-10</u>	
DATE APP'D <u>3-21-11</u>	
DATE EFF <u>4-1-10</u>	
HCFA 179 <u>10-47</u>	

Agency	Citation(s)	Groups Covered
--------	-------------	----------------

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

- d. Who are not otherwise eligible for medical assistance under Title XIX of the Act.

(Medical assistance for this group is limited to Medicare Part A premiums under section 1818A of the Act.)

1902(a)(10)(E)(iii),
1905(p)(3)(A)(ii), and
1860D-14(a)(3)(D)
of the Act

27. Specified Low-Income Medicare Beneficiaries --

- a. Who are entitled to hospital insurance benefits under Medicare Part A (but not pursuant to an enrollment under section 1818A of the Act);
- b. Whose income is greater than 100 percent but less than 120 percent of the Federal poverty level; and
- c. Whose resources do not exceed three times the SSI resource limit, adjusted annually by the increase in the Consumer Price Index (CPI).

(Medical assistance for this group is limited to Medicare Part B premiums under section 1839 of the Act.)

1902(a)(10)(E)(iv)
and 1905(p)(3)(A)(ii)
and 1860D-14(a)(3)(D)
of the Act

28. Qualifying Individuals --

- a. Who are entitled to hospital insurance benefits under Medicare Part A (but not pursuant to an enrollment under section 1818A of the Act);

TN 10-47 Approval Date 3-21-11 Effective Date 7-1-10

Supersedes TN 93-05

SUPERSEDES: TN- 93-05

STATE	<u>Texas</u>	A
DATE REC'D	<u>6-25-10</u>	
DATE APPV'D	<u>3-21-11</u>	
DATE EFF	<u>7-1-10</u>	
HCFA 179	<u>10-47</u>	

Agency	Citation(s)	Groups Covered
--------	-------------	----------------

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

- b. Whose income is at least 120 percent but less than 135 percent of the Federal poverty level;
- c. Whose resources do not exceed three times the SSI resource limit, adjusted annually by the increase in the Consumer Price Index (CPI).

(Medical assistance for this group is limited to Medicare Part B premiums under section 1839 of the Act.)

Social Security Administration
1634(c) of
the Act

29. 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.

- b. The state applies more restrictive eligibility standards than those under SSI.

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.

TN No: 10-47 Approval Date 3-21-11 Effective Date 4-1-10

Supersedes TN No. 95-04

SUPERSEDES: TN- 95-04

STATE	<u>Texas</u>
DATE REC'D	<u>6-25-10</u>
DATE APP'D	<u>3-21-11</u>
DATE EFF	<u>4-1-10</u>
HCFA 179	<u>10-47</u>

A

STATE <u>Texas</u>	A
DATE REC'D <u>6-25-10</u>	
DATE APPROV'D <u>3-21-11</u>	
DATE EFF <u>9-1-10</u>	
HCFA 179 <u>10-47</u>	

State of Texas
Attachment 2.6-A
Page 22

Citation	Condition or Requirement
----------	--------------------------

7. Resource Standard - Medically Needy

1902(a)(10)(C)(i)
of the Act

- a. Resource standards are based on family size.
- b. A single standard is employed in determining resource eligibility for all groups.
- ☐ c. In 1902(f) States, the resource standards are more restrictive than in 7.b. above for--
 - ☐ Aged
 - ☐ Blind
 - ☐ Disabled

Supplement 2 to Attachment 2.6-A specifies the resource standards for all covered medically needy groups. If the agency chooses more restrictive levels under 7.c., Supplement 2 to Attachment 2.6-A so indicates.

1902(a)(10)(E),
1905(p)(1)(D), 1905(p)(2)(B)
and 1860D-14(a)(3)(D)
of the Act

8. Resource Standard - Qualified Medicare Beneficiaries, Specified Low-Income Medicare Beneficiaries and Qualifying Individuals

For Qualified Medicare Beneficiaries covered under section 1902(a)(10)(E)(i) of the Act, Specified Low-Income Medicare Beneficiaries covered under section 1902(a)(10)(E)(iii) of the Act, and Qualifying Individuals covered under 1902(a)(10)(E)(iv) of the Act, the resource standard is three times the SSI resource limit, adjusted annually by the increase in the Consumer Price Index (CPI).

TN 10-47 Approval Date 3-21-11 Effective Date 9-1-10

Supersedes TN 93-18

SUPERSEDES: TN- 93-18

Citation	Condition or Requirement
1902(a)(10)(E)(ii), 1905(s) of the Act	9. Resource Standard - Qualified Disabled and Working Individuals For qualified disabled and working individuals covered under section 1902(a)(10)(E)(ii) of the Act, the resource standard for an individual or a couple (in the case of an individual with a spouse) is twice the SSI resource limit.
1902(u) of the Act	10. For COBRA continuation beneficiaries, the resource standard is: ____ Twice the SSI resource standard for an individual. ____ More restrictive standard as applied under section 1902(f) of the Act as described in <u>Supplement 8 to Attachment 2.6-A</u> .

SUPERSEDES: TN- 92-12

STATE <u>Texas</u>	A
DATE REC'D <u>6-25-10</u>	
DATE APP'D <u>3-21-11</u>	
DATE EFF <u>4-1-10</u>	
HCFA 179 <u>10-47</u>	

TN 10-47 Approval Date 3-21-11 Effective Date 4-1-10

Supersedes TN 92-12