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State/Territory Name: Texas

State Plan Amendment (SPA) #: 13-51

This file contains the following documents in the order listed:

- 1) Approval Letter
- 2) CMS 179 Form
- 3) Superseding Page List
- 4) Approved SPA Page

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

May 9, 2014

Our Reference: SPA TX 13-051

Ms. Kay Ghahremani
State Medicaid/CHIP Director
Health and Human Services Commission
Post Office Box 13247
Mail Code H100
Austin, Texas 78711

Dear Ms. Ghahremani:

We have reviewed the State's proposed amendment to the Texas State Plan submitted under Transmittal Number 13-51, dated December 26, 2013. This state plan amendment disregards all income when considering eligibility for children under age 21 for whom the Texas Department of Family and Protective Services (TDFPS) assumes financial responsibility in whole or in part or who are under the age of 18 and are in the managing conservatorship of TDFPS.

Based on the information submitted, we have approved the amendment for incorporation into the official Texas State Plan with an effective date change of December 31, 2013. A copy of the CMS-179 and approved plan pages are enclosed with this letter.

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

Sincerely,

A black rectangular redaction box covering the signature of Bill Brooks.

Bill Brooks
Associate Regional Administrator

cc: Becky Brownlee, Policy Development Support

TRANSMITTAL AND NOTICE OF APPROVAL OF STATE PLAN MATERIAL FOR: CENTERS FOR MEDICARE AND MEDICAID SERVICES		1. TRANSMITTAL NUMBER: 13-051	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: December 31, 2013	
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: 42 CFR §435.222 Section 1902(r)(2) of the Act		7. FEDERAL BUDGET IMPACT: SEE ATTACHMENT a. FFY 2014 \$1,991,124 b. FFY 2015 \$2,810,107 c. FFY 2016 \$2,997,815	
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: Disregards all income when considering eligibility for children under age 21 for whom the Texas Department of Family and Protective Services (TDFPS) assumes financial responsibility in whole or in part, or who are under the age of 18 and are in the managing conservatorship of TDFPS.			
11. GOVERNOR'S REVIEW (Check One):			
<input type="checkbox"/> GOVERNOR'S OFFICE REPORTED NO COMMENT		<input checked="" type="checkbox"/> OTHER, AS SPECIFIED: Sent to Governor's Office this date. Comments, if any, will be forwarded upon receipt.	
<input type="checkbox"/> COMMENTS OF GOVERNOR'S OFFICE ENCLOSED			
<input type="checkbox"/> NO REPLY RECEIVED WITHIN 45 DAYS OF SUBMITTAL			
12. SIGNATURE OF STATE AGENCY OFFICIAL: 		16. RETURN TO: Kay Ghahremani State Medicaid Director Post Office Box 13247, MC: H-100 Austin, Texas 78711	
13. TYPED NAME: Kay Ghahremani			
14. TITLE: State Medicaid Director			
15. DATE SUBMITTED: December 20, 2013			
FOR REGIONAL OFFICE USE ONLY			
17. DATE RECEIVED: 20 December, 2013		18. DATE APPROVED: 9 May, 2014	
PLAN APPROVED – ONE COPY ATTACHED			
19. EFFECTIVE DATE OF APPROVED MATERIAL: 31 December, 2013		20. SIGNA  IAL:	
21. TYPED NAME: Bill Brooks		22. TITLE: Associate Regional Administrator Division of Medicaid & Children's Health	
23. REMARKS:			

Attachment to Blocks 8 & 9 of CMS Form 179

Transmittal Number 13-051

**Number of the
Plan Section or Attachment**

Supplement 1 to Attachment 2.2-A
Page 1

Supplement 8a to Attachment 2.6-A
Page 4

**Number of the Superseded
Plan Section or Attachment**

Supplement 1 to Attachment 2.2-A
Page 1

Supplement 8a to Attachment 2.6-A
N/A - new page

State: Texas
Date Received: 12-20-13
Date Approved: 5-9-14
Date Effective: 12-31-13
Transmittal Number: 13-51

STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT

State: TexasREASONABLE CLASSIFICATIONS OF INDIVIDUALS UNDER
THE AGE OF 21, 20, 19, AND 18

- A. Individuals under 21 years of age for whom the Texas Department of Family and Protective Services (TDFPS) assumes financial responsibility, in whole or in part, and who are being cared for in:
1. Family foster homes which are licensed and monitored by TDFPS;
 2. Family foster homes which are verified and monitored by licensed, public or private child-placing agencies;
 3. Private 24-hour care facilities licensed by TDFPS; or
 4. In a supervised setting designed for independent living for individuals 18 and older who are in extended foster care.
- B. Children in the community who are under the age 18 (or under age 19 if expected to graduate by their 19th birthday and who live with relative(s)) within the Aid for Families with Dependent Children (AFDC) required degree of relationship.
- C. Children under the age of 18 placed by the county or district court in the managing conservatorship of TDFPS as the result of a finding of abuse or neglect by TDFPS.
- D. Children under the age of 21 who have been committed to the custody of the Texas Juvenile Justice Department.
- E. Children ages 10 through 17 who are under the continuing jurisdiction of the juvenile court and who are placed in a setting such as a group home, a residential treatment facility, or a foster home which will permit children to receive Medicaid services.
- F. Former foster care youth under the age of 21 who had been placed inside or outside of Texas under the Interstate Compact on the Placement of Children.

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TN: 13-51Approval Date: 5/9/14Effective Date: 12/31/13Supersedes TN: 06-25

State Plan under Title XIX of the Social Security Act
State: Texas

MORE LIBERAL METHODS OF TREATING INCOME UNDER SECTION
1902(r)(2) OF THE ACT

For the reasonable classifications of children covered under 42 CFR 435.222 as
specified at A–F on Supplement 1 to Attachment 2.2-A, Page 1 –

In determining eligibility, disregard all income.

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