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State/Territory Name: North Dakota

State Plan Amendment (SPA) #: 19-0017

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ND - Submission Package - ND2019MS00040 - (ND-19-0017) - Eligibility

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CMS-10434 OMB 0938-1188

Package Information

Package ID ND2019MS00040
Program Name N/A
SPA ID ND-19-0017
Version Number 4
Submitted By LeeAnn Thiel
Package Disposition 
Priority Code P2

Submission Type Official
State ND
Region Denver, CO
Package Status Approved
Submission Date 9/30/2019
Approval Date 8/17/2020 12:14 PM EDT

DEPARTMENT OF HEALTH & HUMAN SERVICES
Centers for Medicare & Medicaid Services
Medicaid & CHIP Operations Group
601 E. 12th Street, Room 355
Kansas City, MO 64106



Center for Medicaid & CHIP Services

August 17, 2020

Christopher Jones
Executive Director
ND Medical Services
Dept 325
600 E Boulevard Ave
Bismarck, ND 58505

Re: Approval of State Plan Amendment ND-19-0017

Dear Christopher Jones:

On September 30, 2019, the Centers for Medicare and Medicaid Services (CMS) received North Dakota State Plan Amendment (SPA) ND-19-0017 to amend the State Plan to remove the \$6000 limit on burial accounts effective August 1, 2019 and amends the State Plan language to be consistent with federal law for annuities. This amendment resolves the companion letter issued with the approval of ND TN 18-0015.

We approve North Dakota State Plan Amendment (SPA) ND-19-0017 on August 17, 2020 with an effective date(s) of August 01, 2019.

Name	Date Created
No items available	

If you have any questions regarding this amendment, please contact Curtis Volesky at curtis.volesky@cms.hhs.gov.

Sincerely,
James G. Scott
Director, Division of Program Operations
Center for Medicaid & CHIP Services

RAI

CMS is issuing this Request for Additional Information (RAI) pursuant to Section 1915(f) of the Social Security Act (added by P.L. 97-35). This request has the effect of stopping the 90-day time period for CMS to act on the material. A new 90-day time frame will not begin until we receive your response to this request.

In accordance with our guidelines to all State Medicaid directors dated January 2, 2001, and subsequently reiterated in the August 16, 2018 Center for Medicaid and CHIP Services Informational Bulletin, if a response to a formal request for additional information from CMS is not received from the state within 90 days of issuance, CMS will initiate disapproval of the SPA or waiver action.

In addition, because this amendment was submitted after January 2, 2001 and is effective after January 1, 2001, please be advised that we will defer federal financial participation (FFP) for state payments made in

accordance with this amendment until it is approved. Upon approval, FFP will be available for the period beginning with the effective date through the date of approval.

Submission Package ND2019MS00040

Authority Eligibility

State ND

Agency Name ND Medical Services

Submission Date Sep 30, 2019

Priority Code P2

All Questions

Question ID ↑	Reference	CMS question to the State	Policy/Regulation	State Response
1	Missing eligibility groups	Pursuant to the authority provided by section 1902(r)(2) of the Social Security Act (the Act), North Dakota has elected to apply less restrictive income and resource methodologies to eligibility groups exempt from MAGI methodologies. Based on information contained in North Dakota's existing state plan pages, it applies these less restrictive methodologies to eligibility groups that were not included in the reviewable units in this SPA. In order to complete our review, the state must include all eligibility groups to which the less restrictive income and resource methodologies apply, and include in those reviewable units the description of all the methodologies that apply to each group.	Section 1902(r)(2) of the Social Security Act	The applicable reviewable units have been added to this SPA.

Question ID ↑	Reference	CMS question to the State	Policy/Regulation	State Response
2	1. Supplement 4 to Attachment 2.6-A, Methods for Treatment of Income that Differ from Those of the SSI Program:	<p>a. Item #2: Regarding self-employment, is it North Dakota's policy to allow net losses from self-employment to only offset the net gains from self-employment instead of offsetting other earned income? (See the Social Security Administration's Program Operations Manual System (POMS) SI 00820.210 for review of the relevant SSI policy.)</p> <p>b. Item #3: Regarding income from the rental of rooms, apartments, or other property, the state considers this to be earned income and SSI methodologies employ a general earned income disregard. Does North Dakota apply a methodology that is more restrictive or less restrictive?</p> <p>c. Item #5: Regarding veterans' benefits, because the state confirmed that there are no state-based veterans' benefits during our November 25, 2019 call, CMS believes this section should be removed because it appears North Dakota's policy is aligned with SSI's veteran benefit policies, as described in POMS SI 00830.260-317. Can the State identify a more restrictive methodology for this type of income?</p> <p>d. Item #6: Regarding non-recurring lump sum income, is it the State's policy to count the entire non-recurring lump sum an individual receives without applying any exclusions?</p> <p>e. Definition of Terms, Item #1: Under definition of terms (ineligible medical assistance unit), North Dakota defines "ineligible medical assistance unit." Is this the definition that North Dakota presently utilizes for the more restrictive methodology listed on page 1 of Supplement 4 and for the calculation of an individual's income when the individual's Medicaid eligibility is being evaluated?</p>	Section 1902(f) of the Social Security Act	<p>a. North Dakota's policy is to allow net losses from self-employment to only offset net gains.</p> <p>b. Yes, North Dakota's policy is a more restrictive methodology.</p> <p>c. North Dakota does have programs that benefit veterans that do not meet the requirements of POMS SI 00830.260-317. POMS SI 00830.260-317 only refers to state annuities.</p> <p>d. North Dakota's policy is apply certain income disregards.</p> <p>e. North Dakota uses the definition of "ineligible medical assistance unit" on Page 1a of Supplement 4 to Attachment 2.6-A for the more restrictive criteria identified on Page 1 of Supplement 4 to Attachment 2.6-A. A specialized facility is not an institution and is defined in North Dakota Administrative Code 75-02-02.1-01(33).</p>

Question ID ↑	Reference	CMS question to the State	Policy/Regulation	State Response
3	2. Supplement 5 to Attachment 2.6-A, More Restrictive Methods of Treating Resources than those of the SSI Program	<p>a. Item #1: Regarding parental and spousal resources, does the State consider the resources of an individual residing in the community when the individual's institutionalized spouse's Medicaid is being evaluated? If this does reflect current state practice, please remove the second sentence of this methodology as it is in conflict with section 1924 of the Act.</p> <p>b. Item #2: Regarding the resource calculation for spouses who are living apart (one spouse in an institution), how does North Dakota's current policy compare to Medicaid's deeming regulations described at 42 CFR 435.602(a)(2)(iii) and (iv)? When one spouse is institutionalized, the spousal impoverishment provisions described at Section 1924 of the Act are triggered. These provisions specify that states may not allocate the income or resources of the community spouse to the spouse who resides in the institution. If State policy is different from these requirements, this methodology should be deleted because nothing in Section 1902(f) of the Act—which provides the authority for more restrictive financial methodologies and creates the 209(b) status—supersedes the provisions of Section 1924.</p> <p>c. Item #4: Regarding liquid assets, how is North Dakota's policy different from that of the SSI program? (See SI 01110.300-310.)</p> <p>d. Item 10: Regarding funeral set-asides, is the limit for the set-aside North Dakota describes in its state plan \$3,500 or \$5,000?</p> <p>e. Item 12: Regarding an automobile or other personal vehicle, is it North Dakota's policy to only exclude the vehicle if it is used to serve the needs of the members of the Medicaid unit? (See POMS SI 01130.200 for SSI's automobile policy.)</p>	Section 1902(f) of the Social Security Act	<p>a. a. A specialized facility is not an institution and is defined in North Dakota Administrative Code 75-02-02.1-01(33).</p> <p>b. North Dakota policy does not allow income or assets from the ineligible community spouse to be deemed to the eligible, institutionalized spouse (except for up to \$65 per month for the personal needs allowance, if the institutionalized spouse has no income).</p> <p>c. North Dakota's policy is more restrictive because we do not apply the 20 workdays limit for converting a liquid asset to cash that SSI uses.</p> <p>d. North Dakota currently has an open SPA for funeral set asides. The limit will be addressed with TN 19-0012.</p> <p>e. Yes.</p>

Submission Package was updated by the State in accordance with the response above

- Yes
- No

Submission - Summary

Package Header

Package ID ND2019MS00040
Submission Type Official
Approval Date 8/17/2020
Superseded SPA ID N/A

SPA ID ND-19-0017
Initial Submission Date 9/30/2019
Effective Date N/A

State Information

State/Territory Name: North Dakota

Medicaid Agency Name: ND Medical Services

Submission Component

State Plan Amendment

Medicaid

CHIP

Submission - Summary

MEDICAID | Medicaid State Plan | Eligibility | ND2019MS00040 | ND-19-0017

Package Header

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SPA ID and Effective Date

SPA ID ND-19-0017

Reviewable Unit	Proposed Effective Date	Superseded SPA ID
Eligibility Determinations of Individuals Age 65 or Older or Who Have Blindness or a Disability	8/1/2019	ND-19-0014
More Restrictive Requirements than SSI under 1902(f) - (209(b) States)	8/1/2019	ND-19-0014
Medically Needy Income Level	8/1/2019	ND 03-005
Medically Needy Resource Level	8/1/2019	ND 92-010
Mandatory Eligibility Groups	8/1/2019	ND-19-0014
Individuals in 209(b) States Who Are Age 65 or Older or Who have Blindness or a Disability	8/1/2019	ND-19-0014
Qualified Medicare Beneficiaries	8/1/2019	ND-10-0002
Specified Low Income Medicare Beneficiaries	8/1/2019	ND-10-0002
Qualifying Individuals	8/1/2019	ND-10-0002
Optional Eligibility Groups	8/1/2019	ND-19-0014
Ticket to Work Basic	8/1/2019	ND-10-0002
Medically Needy Pregnant Women	8/1/2019	ND-10-0002
Medically Needy Children under Age 18	8/1/2019	ND-10-0002
Medically Needy Reasonable Classifications of Individuals under Age 21	8/1/2019	ND-10-0002
Medically Needy Parents and Other Caretaker Relatives	8/1/2019	ND-10-0002
Medically Needy Populations Based on Age, Blindness or Disability	8/1/2019	ND-10-0002

Page Number of the Superseded Plan Section or Attachment (If Applicable):

Submission - Summary

MEDICAID | Medicaid State Plan | Eligibility | ND2019MS00040 | ND-19-0017

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Executive Summary

Summary Description Including Goals and Objectives Amends the State Plan to remove the \$6000 limit on burial accounts effective August 1, 2019 and amends the State Plan language to be consistent with federal law for annuities. This amendment resolves the companion letter issued with the approval of ND TN 18-0015. North Dakota also updated ND Century Code (50-24.1-02.8) during the 2019 Legislative Assembly to ensure state statute was consistent with federal law <https://www.legis.nd.gov/assembly/66-2019/documents/19-8087-04000.pdf>

Federal Budget Impact and Statute/Regulation Citation

Federal Budget Impact

	Federal Fiscal Year	Amount
First	2019	\$41147
Second	2020	\$165734

Federal Statute / Regulation Citation

1902(r)(2) of the Act

Supporting documentation of budget impact is uploaded (optional).

Name	Date Created
No items available	

Submission - Summary

MEDICAID | Medicaid State Plan | Eligibility | ND2019MS0004O | ND-19-0017

Package Header

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Superseded SPA ID N/A

SPA ID ND-19-0017
Initial Submission Date 9/30/2019
Effective Date N/A

Governor's Office Review

- No comment
- Comments received
- No response within 45 days
- Other

Describe Authority to prepare and submit Medicaid State Plans is provided to the Medicaid Single State agency.

Submission - Public Comment

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Indicate whether public comment was solicited with respect to this submission.

- Public notice was not federally required and comment was not solicited
- Public notice was not federally required, but comment was solicited
- Public notice was federally required and comment was solicited

Submission - Tribal Input

MEDICAID | Medicaid State Plan | Eligibility | ND2019MS0004O | ND-19-0017

Package Header

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Superseded SPA ID N/A

SPA ID ND-19-0017
Initial Submission Date 9/30/2019
Effective Date N/A

One or more Indian Health Programs or Urban Indian Organizations furnish health care services in this state

- Yes
 No

This state plan amendment is likely to have a direct effect on Indians, Indian Health Programs or Urban Indian Organizations, as described in the state consultation plan.

- Yes
 No

Explain why this SPA is not likely to have a direct effect on Indians, Indian Health Programs or Urban Indian Organizations: This SPA is only aligning the language to federal law.

Medicaid State Plan Eligibility

Income/Resource Methodologies

Eligibility Determinations of Individuals Age 65 or Older or Who Have Blindness or a Disability

MEDICAID | Medicaid State Plan | Eligibility | ND2019MS00040 | ND-19-0017

Package Header

Package ID	ND2019MS00040	SPA ID	ND-19-0017
Submission Type	Official	Initial Submission Date	9/30/2019
Approval Date	8/17/2020	Effective Date	8/1/2019
Superseded SPA ID	ND-19-0014		
	System-Derived		

A. Eligibility Determinations of Individuals Who Are Age 65 or Older or Who Have Blindness or a Disability

Eligibility determinations of individuals who are age 65 or older or who have blindness or a disability are based on one of the following:

1. SSA Eligibility Determination State (1634 State)

The state has an agreement under section 1634 of the Social Security Act for the Social Security Administration to determine Medicaid eligibility of SSI beneficiaries. For all other individuals who seek Medicaid eligibility on the basis of being age 65 or older or having blindness or a disability, the state requires a separate Medicaid application and determines financial eligibility based on SSI income and resource methodologies.

2. State Eligibility Determination (SSI Criteria State)

The state requires all individuals who seek Medicaid eligibility on the basis of being age 65 or older or having blindness or a disability, including SSI beneficiaries, to file a separate Medicaid application, and determines financial eligibility based on SSI income and resource methodologies.

3. State Eligibility Determination (209(b) State)

The state requires all individuals who seek Medicaid eligibility on the basis of being age 65 or older or having blindness or a disability, including SSI beneficiaries, to file a separate Medicaid application, and determines financial eligibility using income and resource methodologies more restrictive than SSI.

B. Additional information (optional)

Medicaid State Plan Eligibility

Income/Resource Methodologies

More Restrictive Requirements than SSI under 1902(f) - (209(b) States)

MEDICAID | Medicaid State Plan | Eligibility | ND2019MS00040 | ND-19-0017

Package Header

Package ID	ND2019MS00040	SPA ID	ND-19-0017
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	System-Derived		

The state applies more restrictive requirements than SSI under the authority of section 1902(f) of the Act, and consistent with 42 CFR 435.121.

A. Use of More Restrictive Requirements

The state applies more restrictive eligibility requirements to individuals who are age 65 or older or who have blindness or disability. The more restrictive requirements are no more restrictive than those requirements contained in the state's Medicaid plan in effect on January 1, 1972. The state does not apply more restrictive requirements if:

1. The requirement conflicts with the requirements of section 1924 of the Act, which governs the eligibility and post-eligibility treatment of income and resources of institutionalized individuals with community spouses;
2. The requirement conflicts with a more liberal requirement which the agency has elected to use under 42 CFR 435.601; or
3. The more restrictive requirement conflicts with a more liberal requirement the state has elected to use under §435.234(c) in determining eligibility for State supplementary payments.

B. Populations with More Restrictive Requirements

The state applies more restrictive requirements for the following populations:

- 1. Individuals age 65 or older
- 2. Individuals who have blindness
- 3. Individuals who have a disability

C. Types of More Restrictive Requirements Used

The state applies more restrictive requirements for the following populations:

- 1. The state uses more restrictive requirements with respect to income.
- 2. The state uses more restrictive requirements with respect to resources.
- 3. The state uses more restrictive requirements with respect to the definition of disability.
- 4. The state uses more restrictive requirements with respect to the definition of blindness.
- 5. The state uses more restrictive requirements with respect to financial responsibility of relatives.

6. The state uses other more restrictive requirements.

More Restrictive Requirements than SSI under 1902(f) - (209(b) States)

MEDICAID | Medicaid State Plan | Eligibility | ND2019MS00040 | ND-19-0017

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Effective Date 8/1/2019

D. More Restrictive Requirements with Respect to Income

The following more restrictive requirements are used with respect to income:

- 1. The state uses a lower income standard than the SSI or the Optional State Supplement standard for eligibility groups under Mandatory Coverage and Options for Coverage.
- 2. The state uses more restrictive income disregards or exclusions.
- 3. The state uses more restrictive requirements with respect to income from self employment.

Description:

No income from any other source may be used to offset a self-employment loss.

- 4. The state uses more restrictive requirements with respect to irregular/infrequent income.

Description:

All infrequent or irregular income is considered in the month received.

- 5. The state uses other more restrictive requirements with respect to income:

Name of requirement:	Description:
Ineligible Medical Assistance Unit	Twenty-five percent of that excess income of the ineligible medical assistance unit in the home which exceeds the appropriate medically needy income level will be deemed to be available to an eligible individual residing in a specialized facility
Unearned Income	Income from rental of rooms, apartments, or other property is unearned income, except that income from room rentals is considered "earned," if the recipient is actively engaged in the venture by such means as making the bed, changing linens, cleaning the room, etc.
Veterans Benefits	All veterans benefits (except Aid and Attendance) are considered non-exempt income for the Aged, Blind and Disabled.
Lump Sum Income	Non-recurring lump sum income is considered income in the month received and a resource thereafter except retroactive lump sum SSI payments which are disregarded in the month received.

More Restrictive Requirements than SSI under 1902(f) - (209(b) States)

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E. More Restrictive Requirements with Respect to Resources

The following more restrictive requirements are used with respect to resources:

- 1. The state uses a lower resource standard than the SSI or the Optional State Supplement standard for eligibility groups under Mandatory Coverage and Options for Coverage.
- 2. The state uses more restrictive requirements with respect to the treatment of real property.
 - a. The state uses a more restrictive requirement with respect to the treatment of home property.
 - b. The state uses other more restrictive requirements related to real property.

Name of requirement:	Description:
Joint Ownership	Real Property includes land, buildings, mineral rights, burial plots, contractual rights on real property, etc. Joint ownership of real property will be considered available on an equal basis unless otherwise specified.

- 3. The state uses more restrictive requirements with respect to the treatment of lump sums.
- 4. The state uses more restrictive requirements with respect to the treatment of personal property.
- 5. The state uses other more restrictive requirements with respect to resources:

Description:

Retroactive lump-sum SSI income payments are counted as resources in the month following the month in which they are received.

Description:

Personal property includes cash surrender value of life insurance policies, vehicles, machinery, livestock, grave markers, burial vaults, contractual rights on personal property, etc. Joint ownership of personal property will be considered available on an equal basis unless otherwise specified.

Name of requirement:	Description:
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Name of requirement:	Description:
Contract for Deed	<p>The essential feature of a " Contract for Deed" is the right to receive periodic payments, usually coupled with a right to get the property back if the payments are not made. Contractual rights to receive monthly payments also arise out of other types of transactions. The valuable contract documents may be called a note, accounts receivable, mortgage, or by some other name.</p> <p>Because many such contracts were entered into when interest rates were lower, the contracts are not negotiable at their face value. That is not to say they have no value. A proper valuation may be made by a process called " discounting", which will take into account the changes in the interest rates. The discounted value will be determined by the Legal Services Division of the Department of Human Services. A letter requesting the discounted value accompanied by the contract documents must be sent to the Legal Services Division.</p> <p>If the discounted value, alone or added to the value of other property, is in excess of program limits, the applicant/recipient is ineligible and may attempt to reduce property holdings to the allowable resource limits to establish eligibility. It is presumed that the contract, like any other property, is saleable without working an undue hardship.</p>
Personal Vehicle	<p>When one automobile or other personal vehicle is not exempt, because its primary purpose is not to serve the needs of members of the Medicaid unit, the entire value of the vehicle is counted as an asset.</p>

Name of requirement:	Description:
Resource Exemptions	<p>The home occupied by the individual or member of the Medical Assistance Unit will be exempt in determining eligibility for Medical Assistance. The home is defined as including the land on which it is located, providing the acreage does not exceed 160 contiguous acres if rural, or two acres if located in town. Acreage in excess of the 160 rural) or 2 (if located in town) would be declared " Real Property Other Than the Home."</p> <p>The home will be considered "occupied" and exempt if the individual or Medical Assistance Unit is temporarily absent but actually intends, and is able, to return within a reasonable length of time; otherwise such property will be considered " Other Real Property." If the home is exempt for the aforementioned reason, adequate documentation and frequent review are required.</p> <p>The home of an individual in long term care or the State Hospital with no spouse or family at home may be considered exempt for a period of not more than six months when a physician has certified that the individual is likely to return to his home within that period.</p>
Parent Resources	<p>Except for individuals covered by Section 1924 of the Act, the resources of the parent(s) will be deemed available for those individuals who are in long term care, the State Hospital, or in a specialized facility and thus considered separated for purposes of the SSI Program. The resources of the spouse will be deemed available for these individuals who are in a specialized facility and thus considered separated for the purposes of the SSI Program. The medically needy resource provisions will be applied as though the individual(s) were all residing in the same household.</p>
Noninstitutionalized Spouse	<p>Except for individuals covered by Section 1924 of the Act, the ineligible, noninstitutionalized spouse who has lived apart from the applicant or recipient for at least six months may separately own resources (liquid, personal or real) up to the maximum amount allowed.</p>
Income Producing Property	<p>All SSI recipients are subject to the medically needy resource limit regarding income producing property.</p>

Name of requirement:	Description:
Liquid Assets	Liquid assets include actual cash, savings, redeemable stocks and bonds, accounts receivable, etc. Liquid assets can be replenished at any time and may be accumulated out of exempted income during periods of eligibility. Liquid assets held in joint ownership will be considered available in total to the Medical Assistance Unit.
Burial Insurance	Burial insurance is counted unless it specifically provides that the proceeds can be used only to pay burial expenses of the insured.
Available Property	Real or personal property which is essential to earning a livelihood is considered "available" in determining Medical Assistance eligibility unless the property owners are actively engaged in using the property to earn income and derive the total benefit of such income for their personal needs. An individual is actively engaged in utilizing the property if the individual contributes significant current personal labor in utilizing the property for income producing purposes. The payment of social security taxes on the income from such current personal labor is an indicator of the active utilization of the property. (Property which merely produces rental or lease income will be considered available in determining Medical Assistance eligibility.)

More Restrictive Requirements than SSI under 1902(f) - (209(b) States)

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J. Income Deductions

When applying more restrictive requirements, the state deducts SSI payments received by the individual and state supplement payments that meet the conditions specified in 42 CFR 435.232 and 435.234. The state also allows the following individuals to deduct incurred medical and remedial expenses (spend down) to become categorically eligible under the group for individuals in 209(b) states who are age 65 or over or who have blindness or a disability:

1. SSI beneficiaries and eligible spouses of SSI beneficiaries

2. State supplement recipients or individuals who are eligible for but not receiving a state supplementary payment.

3. Individuals who would be eligible for SSI/SSP but for OASDI COLA increases since April, 1977 (42 CFR 435.135)

In determining countable income used for the purpose of calculating spend down for this population, the state deducts OASDI benefits, as follows:

- a. All of the OASDI benefits is deducted from income.
- b. Part of the OASDI benefits is deducted from income.
- c. None of the OASDI benefits is deducted from income.

4. Disabled widows and widowers ineligible for SSI due to increase in OASDI (42 CFR 435.137)

In determining countable income used for the purpose of calculating spend down for this population, the state deducts OASDI benefits, as follows:

- a. All of the OASDI benefits is deducted from income.
- b. Part of the OASDI benefits is deducted from income.
- c. None of the OASDI benefits is deducted from income.

5. Disabled widows and widowers ineligible for SSI due to early receipt of social security (42 CFR 435.138)

In determining countable income used for the purpose of calculating spend down for this population, the state deducts OASDI benefits, as follows:

- a. All of the OASDI benefits is deducted from income.
- b. Part of the OASDI benefits is deducted from income.
- c. None of the OASDI benefits is deducted from income.

6. Adult children with disabilities (1939(a)(2)(D) and 1634(c) of the Act)

In determining countable income used for the purpose of calculating spend down for this population, the state deducts OASDI benefits, as follows:

- a. All of the OASDI benefits is deducted from income.
- b. Part of the OASDI benefits is deducted from income.
- c. None of the OASDI benefits is deducted from income.

More Restrictive Requirements than SSI under 1902(f) - (209(b) States)

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K. Additional Information (optional)

Medicaid State Plan Eligibility

Income/Resource Standards

Medically Needy Income Level

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A. Income Level Used

1. The state employs a single income level for the medically needy, subject to the condition described in A.3.
 Yes
 No
2. The income level varies based on differences between shelter costs in urban and rural areas.
 Yes
 No
3. The state has a separate income level for the individuals who are age 65 or older, or who have blindness or a disability.
 Yes
 No
4. The level used is:

Household size	Standard
5	\$908.00
6	\$1008.00
7	\$1083.00
8	\$1141.00
9	\$1200.00
10	\$1250.00
1	\$500.00
2	\$516.00
3	\$666.00
4	\$800.00

The state uses an additional incremental amount for larger household sizes.

- Yes
 No

Incremental Amount:

\$57.00

The dollar amounts increase automatically each year

- Yes
 No

Medically Needy Income Level

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B. Basis for Income Level

1. Minimum Income Level

The minimum income level for this eligibility group is the lower of the state's July 1996 AFDC payment standard or the state's income standard for the Parents and Other Caretaker Relatives eligibility group.

2. Maximum Income Level

The maximum income level for this eligibility group is 133 1/3 percent of the higher of the state's 1996 AFDC payment standard or the state's income standard for the Parents and Other Caretaker Relatives eligibility group.

Medically Needy Income Level

MEDICAID | Medicaid State Plan | Eligibility | ND2019MS0004O | ND-19-0017

Package Header

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Submission Type Official
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SPA ID ND-19-0017
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C. Additional Information (optional)

Medicaid State Plan Eligibility

Income/Resource Standards

Medically Needy Resource Level

MEDICAID | Medicaid State Plan | Eligibility | ND2019MS00040 | ND-19-0017

Package Header

Package ID ND2019MS00040

Submission Type Official

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SPA ID ND-19-0017

Initial Submission Date 9/30/2019

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A. Medically Needy Resource Level Structure

1. The state employs a single resource level for the medically needy, subject to the condition described in A.3.
2. The resource level is equal to or higher than the lowest resource standard used under the most closely related cash assistance program.
3. The state has a separate resource level for the individuals who are age 65 or older, or who have blindness or a disability that is more restrictive than the resource level used for other medically needy populations.

Yes

No

Medically Needy Resource Level

MEDICAID | Medicaid State Plan | Eligibility | ND2019MS00040 | ND-19-0017

Package Header

Package ID ND2019MS00040
Submission Type Official
Approval Date 8/17/2020
Superseded SPA ID ND 92-010
User-Entered

SPA ID ND-19-0017
Initial Submission Date 9/30/2019
Effective Date 8/1/2019

B. Resource Level Used

The level used is:

Household size	Standard
1	\$3000.00
2	\$6000.00

The state uses an additional incremental amount for larger household sizes.

- Yes
 No

Incremental Amount:

\$25.00

Medically Needy Resource Level

MEDICAID | Medicaid State Plan | Eligibility | ND2019MS0004O | ND-19-0017

Package Header

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C. Additional Information (optional)

Medicaid State Plan Eligibility

Mandatory Eligibility Groups

MEDICAID | Medicaid State Plan | Eligibility | ND2019MS00040 | ND-19-0017

Package Header

Package ID ND2019MS00040
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Mandatory Coverage








A. The state provides Medicaid to mandatory groups of individuals. The mandatory groups covered are:

Families and Adults

Eligibility Group Name		Covered In State Plan	Include RU In Package ?	Included in Another Submission Package	Source Type ?
Infants and Children under Age 19	?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="radio"/>	CONVERTED
Parents and Other Caretaker Relatives	?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="radio"/>	CONVERTED
Pregnant Women	?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="radio"/>	CONVERTED
Deemed Newborns	?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="radio"/>	NEW
Children with Title IV-E Adoption Assistance, Foster Care or Guardianship Care	?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="radio"/>	NEW
Former Foster Care Children	?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="radio"/>	NEW
Transitional Medical Assistance	?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="radio"/>	NEW
Extended Medicaid due to Spousal Support Collections	?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="radio"/>	NEW

Aged, Blind and Disabled

Eligibility Group Name		Covered In State Plan	Include RU In Package ?	Included in Another Submission Package	Source Type ?
Individuals in 209(b) States Who Are Age 65 or Older or Who have Blindness or a Disability	?	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="radio"/>	APPROVED

Eligibility Group Name		Covered In State Plan	Include RU In Package ?	Included in Another Submission Package	Source Type ?
Closed Eligibility Groups		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="radio"/>	NEW
Individuals Deemed To Be Receiving SSI		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="radio"/>	NEW
Working Individuals under 1619(b)		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="radio"/>	NEW
Qualified Medicare Beneficiaries		<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="radio"/>	APPROVED
Qualified Disabled and Working Individuals		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="radio"/>	NEW
Specified Low Income Medicare Beneficiaries		<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="radio"/>	APPROVED
Qualifying Individuals		<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="radio"/>	APPROVED

Mandatory Eligibility Groups

MEDICAID | Medicaid State Plan | Eligibility | ND2019MS0004O | ND-19-0017

Package Header

Package ID ND2019MS0004O
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Superseded SPA ID ND-19-0014
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SPA ID ND-19-0017
Initial Submission Date 9/30/2019
Effective Date 8/1/2019

B. The state elects the Adult Group, described at 42 CFR 435.119.

Yes No

Families and Adults

Eligibility Group Name		Covered In State Plan	Include RU In Package ?	Included in Another Submission Package	Source Type ?
Adult Group		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="radio"/>	CONVERTED

C. Additional Information (optional)

Eligibility Groups Deselected from Coverage

The following eligibility groups were previously covered in the source approved version of the state plan and deselected from coverage as part of this submission package:

- N/A

Medicaid State Plan Eligibility

Eligibility Groups - Mandatory Coverage

Individuals in 209(b) States Who Are Age 65 or Older or Who Have Blindness or a Disability

MEDICAID | Medicaid State Plan | Eligibility | ND2019MS00040 | ND-19-0017

In 209(b) states, individuals who are 65 or older or who have blindness or a disability, who meet more restrictive criteria than used in SSI

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Submission Type Official

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System-Derived

SPA ID ND-19-0017

Initial Submission Date 9/30/2019

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The state covers the mandatory eligibility group for individuals in 209(b) states who are age 65 or older or who have blindness or a disability in accordance with the following provisions:

A. Characteristics

Individuals qualifying under this eligibility group must meet the following criteria:

1. Be age 65 or older or have blindness or a disability;
2. Meet more restrictive requirements than SSI, as defined by the state in section B;
3. Have income and resources at or below the standard for this group.

Individuals in 209(b) States Who Are Age 65 or Older or Who Have Blindness or a Disability

MEDICAID | Medicaid State Plan | Eligibility | ND2019MS0004O | ND-19-0017

Package Header

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B. Financial Methodologies

1. The more restrictive requirements used are described in the More Restrictive Requirements than SSI under 1902(f) RU.
2. Less restrictive methodologies are used in calculating countable income.

- Yes
 No

The less restrictive income methodologies are:

General income disregard:

Name of disregard:	Description:
Guardian or Conservator	The legally appointed guardian or conservator may be allowed to retain 5 percent of a recipient's monthly benefits as reimbursement for services. The remainder of the recipient's monthly benefit shall be considered available to the Medical Assistance Unit.

A specified amount of unearned income is disregarded.

Amount: \$25.00

Description of disregard: The first \$25 of unearned income from rental of rooms, apartments, or other property from each unit is exempt to defray any associated expenses.

Census Bureau wages are disregarded.

Description of disregard: All wages paid by the Census Bureau for temporary employment related to census activities are excluded.

Interest is disregarded.

Description of disregard: Dividend and interest income from liquid assets is disregarded as income.

Dividends are disregarded.

Description of disregard: Dividend and interest income from liquid assets is disregarded as income.

Training allowances and expenses are disregarded.

Description of disregard: For each individual who is not an aged, blind, or disabled recipient within a family who is employed or in training, deduct the \$30 standard work/ training expense allowance.

A specified type of income is disregarded:

Name of income type:	Description:
Income In-Kind	Income in-kind is to be excluded except that income in-kind which is in lieu of wages is considered earned income.
Extra Checks of Earned or Unearned Income	Extra checks of earned or unearned income received from a regularly recurring income source are disregarded as income. Bonus checks, or checks for any other reason, are not considered extra checks. The last check received in the month is considered the extra check.
Child Care Costs	Allow reasonable child care costs necessary for employment or training to be deducted from income.
Payroll Deductions and Union Dues	Gross earnings for employed individuals who are not aged, blind, or disabled applicants or recipients are reduced by mandatory payroll deductions and union dues actually withheld or actually paid or \$90 whichever is greater.
Child Support	The First \$50 per month of current child support, received on behalf of children in the Medicaid unit, will be disregarded from each budget unit that is budgeted with a separate income level.
Adult Dependent Care Expenses	Reasonable adult dependent care expenses incurred for any incapacitated or disabled adult in the Medicaid unit are allowed as a deduction from income so a caretaker or spouse can work or attend training.
Car Safety Seat	The cost to purchase or rent a car safety seat for a child through age 10 is allowed as a deduction if a seat is not otherwise reasonably available.
Subsidized Guardianship Payments	Disregard subsidized guardianship payments for children.
Child and Adult Food Program	Disregard payments from the Child and Adult Food Program for meals and snacks to licensed families who provide daycare in their home.
Military Personnel Additional Pay	Additional pay received by military personnel as a result of deployment to a combat zone is disregarded as income.
TANF Cash Grant	Disregard TANF cash grant as income.

3. Less restrictive methodologies are used in calculating countable resources.

- Yes
- No

The less restrictive resource methodologies are:

A specified type of resource is disregarded:

Name of resource type:	Description:
Salability of "Contractual Rights to Receive Payment"	<p>An applicant/recipient may rebut the presumption of the salability of "contractual rights to receive payment" by showing the following.</p> <p>a. That his interest in the contract was advertised for sale in a newspaper whose circulation area includes the area where the real property relating to the contract is located. This advertisement must be published successively for two weeks if the newspaper is a weekly and for one week if it is a daily.</p> <p>b. The sworn statement of the applicant/recipient that no offers were received which equaled or exceeded the minimum price. If all offers were below the minimum price, the property is determined to be not saleable; any offer received that is equal to or in excess of the minimum price will establish that the property is saleable and the seller has the right to accept any of the offers. Rebuttals must be made immediately prior to each redetermination of eligibility for the property to continue to be treated as unsaleable.</p>
Effective Date of Eligibility	Effective Date of Eligibility - An individual is considered resource eligible for the full month if he/she attains resource eligibility on any day of the month, without regard to whether the individual was resource eligible on the first moment of the first day of the month.
Life Estate	Effective July 1, 1996 the value of a life estate will be excluded in determining if the available assets of an applicant or recipient exceed the asset limit.
Value of Mineral Acres	The value of mineral acres are excluded in determining if the available assets of an applicant or recipient exceed the asset limit.
Employee Benefit Annuity	The value of an employee benefit annuity that is an individual retirement annuity or is an annuity that was purchased with the proceeds from an individual retirement account (IRA), a Roth IRA, a simplified employee pension, an employer or employee association retirement account, or an employer simple retirement account, as described in § 408 of the Internal Revenue Code of 1986 is excluded.

Name of resource type:	Description:
State Tax Refunds	State tax refunds and refundable tax credits are excluded as resources for nine months beginning after the month of receipt.
Real or Personal Property	Real or personal property which is not saleable without working an undue hardship may be considered unavailable in determining Medical Assistance eligibility. Property which has been, in good faith, offered for sale, and for which no offer has been received which equals or exceeds 75% of the reasonable market value, will normally be treated as not saleable without working an undue hardship. A good faith offer to sell real property would normally include advertisements and listings with real estate agents or local dealers in real estate. The reasonable market value of real property may be established by appraisal or by any other method which is likely to produce an accurate valuation. Valuations established for real estate tax purposes shall not be used. A good faith offer to sell personal property would normally include advertisements, listing with real estate agents or local dealers. The reasonable market value of personal property may be established by appraisals or by any other method which is likely to produce an accurate valuation.
Resource Standards	Disregard countable resources, for single individuals, between \$2,000 and \$3,000, and, for couples (or 2-person households), between \$3,000 and \$6,000 (+\$25 for each additional individual).

A beneficiary of a "qualified state long-term care insurance partnership" policy (partnership policy), as defined in section 1917(b)(1)(C) of the Social Security Act and 45 CFR 144.200 et seq., is provided a resource disregard, equal to the amount of the insurance benefit payments made to or on behalf of the individual from the partnership policy.

Individuals in 209(b) States Who Are Age 65 or Older or Who Have Blindness or a Disability

MEDICAID | Medicaid State Plan | Eligibility | ND2019MS00040 | ND-19-0017

Package Header

Package ID ND2019MS00040
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C. Income Standard Used

The income standard for this group is:

- 1. A percentage of the federal poverty level:
- 2. A dollar amount
- 3. Another standard

Statewide standard

The statewide standard is:

Household size	Standard
1	\$500.00
2	\$516.00
3	\$666.00
4	\$800.00
5	\$908.00
6	\$1008.00
7	\$1083.00
8	\$1141.00
9	\$1200.00
10	\$1250.00

The state uses an additional incremental amount for larger household sizes.

Yes No

Incremental Amount

\$57.00

The dollar amounts increase automatically each year

Yes No

Individuals in 209(b) States Who Are Age 65 or Older or Who Have Blindness or a Disability

MEDICAID | Medicaid State Plan | Eligibility | ND2019MS00040 | ND-19-0017

Package Header

Package ID ND2019MS00040
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D. Resource Standard Used

The resource standard for this group is:

Individual: \$2000.00
Couple: \$3000.00

Individuals in 209(b) States Who Are Age 65 or Older or Who Have Blindness or a Disability

MEDICAID | Medicaid State Plan | Eligibility | ND2019MS00040 | ND-19-0017

Package Header

Package ID	ND2019MS00040	SPA ID	ND-19-0017
Submission Type	Official	Initial Submission Date	9/30/2019
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Superseded SPA ID	ND-19-0014		
	System-Derived		

E. Spenddown

The state allows individuals to deduct incurred medical and remedial expenses (spend down) to become eligible under this group. Spenddown is defined in the Handling of Excess Income (Spenddown) RU.

Individuals in 209(b) States Who Are Age 65 or Older or Who Have Blindness or a Disability

MEDICAID | Medicaid State Plan | Eligibility | ND2019MS0004O | ND-19-0017

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F. Additional Information (optional)

Medicaid State Plan Eligibility

Eligibility Groups - Mandatory Coverage

Qualified Medicare Beneficiaries

MEDICAID | Medicaid State Plan | Eligibility | ND2019MS00040 | ND-19-0017

Individuals with income equal to or less than 100% of the FPL, who are entitled to Medicare Part A, and who qualify for Medicare cost-sharing.

Package Header

Package ID	ND2019MS00040	SPA ID	ND-19-0017
Submission Type	Official	Initial Submission Date	9/30/2019
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Superseded SPA ID	ND-10-0002		
	User-Entered		

The state covers the mandatory qualified Medicare beneficiaries group in accordance with the following provisions:

A. Characteristics

Individuals qualifying under this eligibility group must meet the following criteria:

1. Are entitled to hospital insurance benefits under part A of title XVIII (Medicare Part A), including individuals who have purchased a premium to enroll in Part A.
2. Have income and resources at or below the standard for this group.

Qualified Medicare Beneficiaries

MEDICAID | Medicaid State Plan | Eligibility | ND2019MS0004O | ND-19-0017

Package Header

Package ID ND2019MS0004O
Submission Type Official
Approval Date 8/17/2020
Superseded SPA ID ND-10-0002
User-Entered

SPA ID ND-19-0017
Initial Submission Date 9/30/2019
Effective Date 8/1/2019

B. Financial Methodologies

1. SSI methodologies are used in calculating household income. Please refer as necessary to Non-MAGI Methodologies, completed by the state.

2. Less restrictive methodologies are used in calculating countable income.

- Yes
 No

The less restrictive income methodologies are:

General income disregard:

Name of disregard:	Description:
Guardian or Conservator	The legally appointed guardian or conservator may be allowed to retain 5 percent of a recipient's monthly benefits as reimbursement for services. The remainder of the recipient's monthly benefit shall be considered available to the Medical Assistance Unit.

A specified amount of unearned income is disregarded.

Amount: \$25.00

Description of disregard: The first \$25 of unearned income from rental of rooms, apartments, or other property from each unit is exempt to defray any associated expenses.

Census Bureau wages are disregarded.

Description of disregard: All wages paid by the Census Bureau for temporary employment related to census activities are excluded.

Interest is disregarded.

Description of disregard: Dividend and interest income from liquid assets is disregarded as income.

Dividends are disregarded.

Description of disregard: Dividend and interest income from liquid assets is disregarded as income.

Training allowances and expenses are disregarded.

Description of disregard: For each individual who is not an aged, blind, or disabled recipient within a family who is employed or in training, deduct the \$30 standard work/ training expense allowance.

A specified type of income is disregarded:

Name of income type:	Description:
Extra Checks of Earned or Unearned Income	Extra checks of earned or unearned income received from a regularly recurring income source are disregarded as income. Bonus checks, or checks for any other reason, are not considered extra checks. The last check received in the month is considered the extra check.
Child Care Costs	Allow reasonable child care costs necessary for employment or training to be deducted from income.
Payroll Deductions and Union Dues	Gross earnings for employed individuals who are not aged, blind, or disabled applicants or recipients are reduced by mandatory payroll deductions and union dues actually withheld or actually paid or \$90 whichever is greater.
Child Support	The First \$50 per month of current child support, received on behalf of children in the Medicaid unit, will be disregarded from each budget unit that is budgeted with a separate income level.
Adult Dependent Care Expenses	Reasonable adult dependent care expenses incurred for any incapacitated or disabled adult in the Medicaid unit are allowed as a deduction from income so a caretaker or spouse can work or attend training.
Car Safety Seat	The cost to purchase or rent a car safety seat for a child through age 10 is allowed as a deduction if a seat is not otherwise reasonably available.
Income In-Kind	Income in-kind is to be excluded except that income in-kind which is in lieu of wages is considered earned income.
Subsidized Guardianship Payments	Disregard subsidized guardianship payments for children.
Child and Adult Food Program	Disregard payments from the Child and Adult Food Program for meals and snacks to licensed families who provide daycare in their home.
Military Personnel Additional Pay	Additional pay received by military personnel as a result of deployment to a combat zone is disregarded as income.
TANF Cash Grant	Disregard TANF cash grant as income.

3. Less restrictive methodologies are used in calculating countable resources.

- Yes
- No

The less restrictive resource methodologies are:

A specified type of resource is disregarded:

Name of resource type:	Description:
Salability of "Contractual Rights to Receive Payment"	<p>An applicant/recipient may rebut the presumption of the salability of "contractual rights to receive payment" by showing the following.</p> <p>a. That his interest in the contract was advertised for sale in a newspaper whose circulation area includes the area where the real property relating to the contract is located. This advertisement must be published successively for two weeks if the newspaper is a weekly and for one week if it is a daily.</p> <p>b. The sworn statement of the applicant/recipient that no offers were received which equaled or exceeded the minimum price. If all offers were below the minimum price, the property is determined to be not saleable; any offer received that is equal to or in excess of the minimum price will establish that the property is saleable and the seller has the right to accept any of the offers. Rebuttals must be made immediately prior to each redetermination of eligibility for the property to continue to be treated as unsaleable.</p>
Effective Date of Eligibility	<p>Effective Date of Eligibility - An individual is considered resource eligible for the full month if he/she attains resource eligibility on any day of the month, without regard to whether the individual was resource eligible on the first moment of the first day of the month.</p>
Life Estate	<p>Effective July 1, 1996 the value of a life estate will be excluded in determining if the available assets of an applicant or recipient exceed the asset limit.</p>
Value of Mineral Acres	<p>The value of mineral acres are excluded in determining if the available assets of an applicant or recipient exceed the asset limit.</p>
Employee Benefit Annuity	<p>The value of an employee benefit annuity that is an individual retirement annuity or is an annuity that was purchased with the proceeds from an individual retirement account (IRA), a Roth IRA, a simplified employee pension, an employer or employee association retirement account, or an employer simple retirement account, as described in § 408 of the Internal Revenue Code of 1986 is excluded.</p>

Name of resource type:	Description:
State Tax Refunds	State tax refunds and refundable tax credits are excluded as resources for nine months beginning after the month of receipt.
Real or Personal Property	<p>Real or personal property which is not saleable without working an undue hardship may be considered unavailable in determining Medical Assistance eligibility. Property which has been, in good faith, offered for sale, and for which no offer has been received which equals or exceeds 75% of the reasonable market value, will normally be treated as not saleable without working an undue hardship. A good faith offer to sell real property would normally include advertisements and listings with real estate agents or local dealers in real estate. The reasonable market value of real property may be established by appraisal or by any other method which is likely to produce an accurate valuation. Valuations established for real estate tax purposes shall not be used. A good faith offer to sell</p> <p>personal property would normally include advertisements, listing with real estate agents or local dealers. The reasonable market value of personal property may be established by appraisals or by any other method which is likely to produce an accurate valuation.</p>

A beneficiary of a "qualified state long-term care insurance partnership" policy (partnership policy), as defined in section 1917(b)(1)(C) of the Social Security Act and 45 CFR 144.200 et seq., is provided a resource disregard, equal to the amount of the insurance benefit payments made to or on behalf of the individual from the partnership policy.

Qualified Medicare Beneficiaries

MEDICAID | Medicaid State Plan | Eligibility | ND2019MS00040 | ND-19-0017

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C. Income Standard Used

The amount of the income standard for this group is 100% FPL.

D. Resource Standard Used

The resource standard is the same used to determine eligibility for the Medicare Part D full-benefit low-income subsidy (LIS) (but without regard to the life insurance policy exclusion applied in LIS resource eligibility determinations). This standard is three times the SSI resource standard, adjusted annually in accordance with the consumer price index.

E. Medical Assistance Provided

Medical assistance is limited to payment of co-insurance and deductibles for Medicare Parts A, B and C and payment for the premiums for Medicare Parts A and B.

Medical assistance begins the first day of the month following the month in which the individual is determined to qualify for this eligibility group.

Qualified Medicare Beneficiaries

MEDICAID | Medicaid State Plan | Eligibility | ND2019MS0004O | ND-19-0017

Package Header

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F. Additional Information (optional)

Medicaid State Plan Eligibility

Eligibility Groups - Mandatory Coverage

Specified Low Income Medicare Beneficiaries

MEDICAID | Medicaid State Plan | Eligibility | ND2019MS00040 | ND-19-0017

Individuals with income above 100% and below 120% of the FPL who are entitled to Medicare Part A, who qualify for payment of Medicare Part B premiums.

Package Header

Package ID	ND2019MS00040	SPA ID	ND-19-0017
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	User-Entered		

The state covers the mandatory specified low income Medicare beneficiaries group in accordance with the following provisions:

A. Characteristics

Individuals qualifying under this eligibility group must meet the following criteria:

1. Would qualify as Qualified Medicare Beneficiaries (described in section 1905(p)(1) of the Act), except that their income exceeds the income level for that eligibility group.
2. Have income below the income standard and resources at or below the resource standard for this group.

Specified Low Income Medicare Beneficiaries

MEDICAID | Medicaid State Plan | Eligibility | ND2019MS00040 | ND-19-0017

Package Header

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B. Financial Methodologies

1. SSI methodologies are used in calculating household income. Please refer as necessary to Non-MAGI Methodologies, completed by the state.

2. Less restrictive methodologies are used in calculating countable income.

- Yes
 No

The less restrictive income methodologies are:

General income disregard:

Name of disregard:	Description:
Guardian or Conservator	The legally appointed guardian or conservator may be allowed to retain 5 percent of a recipient's monthly benefits as reimbursement for services. The remainder of the recipient's monthly benefit shall be considered available to the Medical Assistance Unit.

A specified amount of unearned income is disregarded.

Amount: \$25.00

Description of disregard: The first \$25 of unearned income from rental of rooms, apartments, or other property from each unit is exempt to defray any associated expenses.

Census Bureau wages are disregarded.

Description of disregard: All wages paid by the Census Bureau for temporary employment related to census activities are excluded.

Interest is disregarded.

Description of disregard: Dividend and interest income from liquid assets is disregarded as income.

Dividends are disregarded.

Description of disregard: Dividend and interest income from liquid assets is disregarded as income.

Training allowances and expenses are disregarded.

Description of disregard: For each individual who is not an aged, blind, or disabled recipient within a family who is employed or in training, deduct the \$30 standard work/ training expense allowance.

A specified type of income is disregarded:

Name of Income type:	Description:
Income In-Kind	Income in-kind is to be excluded except that income in-kind which is in lieu of wages is considered earned income.
Extra Checks of Earned or Unearned Income	Extra checks of earned or unearned income received from a regularly recurring income source are disregarded as income. Bonus checks, or checks for any other reason, are not considered extra checks. The last check received in the month is considered the extra check.
Child Care Costs	Allow reasonable child care costs necessary for employment or training to be deducted from income.
Payroll Deductions and Union Dues	Gross earnings for employed individuals who are not aged, blind, or disabled applicants or recipients are reduced by mandatory payroll deductions and union dues actually withheld or actually paid or \$90 whichever is greater.
Child Support	The First \$50 per month of current child support, received on behalf of children in the Medicaid unit, will be disregarded from each budget unit that is budgeted with a separate income level.
Adult Dependent Care Expenses	Reasonable adult dependent care expenses incurred for any incapacitated or disabled adult in the Medicaid unit are allowed as a deduction from income so a caretaker or spouse can work or attend training.
Car Safety Seat	The cost to purchase or rent a car safety seat for a child through age 10 is allowed as a deduction if a seat is not otherwise reasonably available.
Subsidized Guardianship Payments	Disregard subsidized guardianship payments for children.
Child and Adult Food Program	Disregard payments from the Child and Adult Food Program for meals and snacks to licensed families who provide daycare in their home.
Military Personnel Additional Pay	Additional pay received by military personnel as a result of deployment to a combat zone is disregarded as income.
TANF Cash Grant	Disregard TANF cash grant as income.

3. Less restrictive methodologies are used in calculating countable resources.

- Yes
- No

The less restrictive resource methodologies are:

A specified type of resource is disregarded:

Name of resource type:	Description:
Salability of "Contractual Rights to Receive Payment"	<p>An applicant/recipient may rebut the presumption of the salability of "contractual rights to receive payment" by showing the following.</p> <p>a. That his interest in the contract was advertised for sale in a newspaper whose circulation area includes the area where the real property relating to the contract is located. This advertisement must be published successively for two weeks if the newspaper is a weekly and for one week if it is a daily.</p> <p>b. The sworn statement of the applicant/recipient that no offers were received which equaled or exceeded the minimum price. If all offers were below the minimum price, the property is determined to be not saleable; any offer received that is equal to or in excess of the minimum price will establish that the property is saleable and the seller has the right to accept any of the offers. Rebuttals must be made immediately prior to each redetermination of eligibility for the property to continue to be treated as unsalable.</p>
Effective Date of Eligibility	<p>Effective Date of Eligibility - An individual is considered resource eligible for the full month if he/she attains resource eligibility on any day of the month, without regard to whether the individual was resource eligible on the first moment of the first day of the month.</p>
Life Estate	<p>Effective July 1, 1996 the value of a life estate will be excluded in determining if the available assets of an applicant or recipient exceed the asset limit.</p>
Value of Mineral Acres	<p>The value of mineral acres are excluded in determining if the available assets of an applicant or recipient exceed the asset limit.</p>
Employee Benefit Annuity	<p>The value of an employee benefit annuity that is an individual retirement annuity or is an annuity that was purchased with the proceeds from an individual retirement account (IRA), a Roth IRA, a simplified employee pension, an employer or employee association retirement account, or an employer simple retirement account, as described in § 408 of the Internal Revenue Code of 1986 is excluded.</p>

Name of resource type:	Description:
State Tax Refunds	State tax refunds and refundable tax credits are excluded as resources for nine months beginning after the month of receipt.
Real or Personal Property	<p>Real or personal property which is not saleable without working an undue hardship may be considered unavailable in determining Medical Assistance eligibility. Property which has been, in good faith, offered for sale, and for which no offer has been received which equals or exceeds 75% of the reasonable market value, will normally be treated as not saleable without working an undue hardship. A good faith offer to sell real property would normally include advertisements and listings with real estate agents or local dealers in real estate. The reasonable market value of real property may be established by appraisal or by any other method which is likely to produce an accurate valuation. Valuations established for real estate tax purposes shall not be used. A good faith offer to sell</p> <p>personal property would normally include advertisements, listing with real estate agents or local dealers. The reasonable market value of personal property may be established by appraisals or by any other method which is likely to produce an accurate valuation.</p>

- A beneficiary of a "qualified state long-term care insurance partnership" policy (partnership policy), as defined in section 1917(b)(1)(C) of the Social Security Act and 45 CFR 144.200 et seq., is provided a resource disregard, equal to the amount of the insurance benefit payments made to or on behalf of the individual from the partnership policy.

Specified Low Income Medicare Beneficiaries

MEDICAID | Medicaid State Plan | Eligibility | ND2019MS00040 | ND-19-0017

Package Header

Package ID ND2019MS00040
Submission Type Official
Approval Date 8/17/2020
Superseded SPA ID ND-10-0002
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SPA ID ND-19-0017
Initial Submission Date 9/30/2019
Effective Date 8/1/2019

C. Income Standard Used

Family income must be above 100% FPL and below 120% FPL.

D. Resource Standard Used

The resource standard is the same used to determine eligibility for the Medicare Part D full-benefit low-income subsidy (LIS) (but without regard to the life insurance policy exclusion applied in LIS resource eligibility determinations). This standard is three times the SSI resource standard, adjusted annually in accordance with the consumer price index.

E. Medical Assistance Provided

Medical assistance is limited to payment for Medicare Part B premiums.

Specified Low Income Medicare Beneficiaries

MEDICAID | Medicaid State Plan | Eligibility | ND2019MS00040 | ND-19-0017

Package Header

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F. Additional Information (optional)

Medicaid State Plan Eligibility

Eligibility Groups - Mandatory Coverage

Qualifying Individuals

MEDICAID | Medicaid State Plan | Eligibility | ND2019MS0004O | ND-19-0017

Individuals with income at or above 120% and below 135% of the FPL who are entitled to Medicare Part A, who qualify for payment of Medicare Part B premiums.

Package Header

Package ID	ND2019MS0004O	SPA ID	ND-19-0017
Submission Type	Official	Initial Submission Date	9/30/2019
Approval Date	8/17/2020	Effective Date	8/1/2019
Superseded SPA ID	ND-10-0002		
	User-Entered		

The state covers the mandatory qualifying individuals group in accordance with the following provisions:

A. Characteristics

Individuals qualifying under this eligibility group must meet all of the following criteria:

1. Would qualify as Qualified Medicare Beneficiaries (described in section 1905(p)(1) of the Act), except that their income exceeds the income level for that eligibility group.
2. Are not otherwise eligible for Medicaid under the state plan.
3. Have income below the income standard and resources at or below the resource standard for this group.

Qualifying Individuals

MEDICAID | Medicaid State Plan | Eligibility | ND2019MS00040 | ND-19-0017

Package Header

Package ID ND2019MS00040
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SPA ID ND-19-0017
Initial Submission Date 9/30/2019
Effective Date 8/1/2019

B. Financial Methodologies

1. SSI methodologies are used in calculating household income. Please refer as necessary to Non-MAGI Methodologies, completed by the state.

2. Less restrictive methodologies are used in calculating countable income.

- Yes
- No

The less restrictive income methodologies are:

General income disregard:

Name of disregard:	Description:
Guardian or Conservator	The legally appointed guardian or conservator may be allowed to retain 5 percent of a recipient's monthly benefits as reimbursement for services. The remainder of the recipient's monthly benefit shall be considered available to the Medical Assistance Unit.

A specified amount of unearned income is disregarded.

Amount: \$25.00

Description of disregard: The first \$25 of unearned income from rental of rooms, apartments, or other property from each unit is exempt to defray any associated expenses.

Census Bureau wages are disregarded.

Description of disregard: All wages paid by the Census Bureau for temporary employment related to census activities are excluded.

Interest is disregarded.

Description of disregard: Dividend and interest income from liquid assets is disregarded as income.

Dividends are disregarded.

Description of disregard: Dividend and interest income from liquid assets is disregarded as income.

Training allowances and expenses are disregarded.

Description of disregard: For each individual who is not an aged, blind, or disabled recipient within a family who is employed or in training, deduct the \$30 standard work/ training expense allowance.

A specified type of income is disregarded:

Name of income type:	Description:
Military Personnel Additional Pay	Additional pay received by military personnel as a result of deployment to a combat zone is disregarded as income.
TANF Cash Grant	Disregard TANF cash grant as income.
Car Safety Seat	The cost to purchase or rent a car safety seat for a child through age 10 is allowed as a deduction if a seat is not otherwise reasonably available.
Adult Dependent Care Expenses	Reasonable adult dependent care expenses incurred for any incapacitated or disabled adult in the Medicaid unit are allowed as a deduction from income so a caretaker or spouse can work or attend training.
Subsidized Guardianship Payments	Disregard subsidized guardianship payments for children.
Child and Adult Food Program	Disregard payments from the Child and Adult Food Program for meals and snacks to licensed families who provide daycare in their home.
Income In-Kind	Income in-kind is to be excluded except that income in-kind which is in lieu of wages is considered earned income.
Extra Checks of Earned or Unearned Income	Extra checks of earned or unearned income received from a regularly recurring income source are disregarded as income. Bonus checks, or checks for any other reason, are not considered extra checks. The last check received in the month is considered the extra check.
Child Care Costs	Allow reasonable child care costs necessary for employment or training to be deducted from income.
Payroll Deductions and Union Dues	Gross earnings for employed individuals who are not aged, blind, or disabled applicants or recipients are reduced by mandatory payroll deductions and union dues actually withheld or actually paid or \$90 whichever is greater.
Child Support	The First \$50 per month of current child support, received on behalf of children in the Medicaid unit, will be disregarded from each budget unit that is budgeted with a separate income level.

3. Less restrictive methodologies are used in calculating countable resources.

- Yes
- No

The less restrictive resource methodologies are:

A specified type of resource is disregarded:

Name of resource type:	Description:
Salability of "Contractual Rights to Receive Payment"	<p>An applicant/recipient may rebut the presumption of the salability of "contractual rights to receive payment" by showing the following.</p> <p>a. That his interest in the contract was advertised for sale in a newspaper whose circulation area includes the area where the real property relating to the contract is located. This advertisement must be published successively for two weeks if the newspaper is a weekly and for one week if it is a daily.</p> <p>b. The sworn statement of the applicant/recipient that no offers were received which equaled or exceeded the minimum price. If all offers were below the minimum price, the property is determined to be not saleable; any offer received that is equal to or in excess of the minimum price will establish that the property is saleable and the seller has the right to accept any of the offers. Rebuttals must be made immediately prior to each redetermination of eligibility for the property to continue to be treated as unsalable.</p>
Effective Date of Eligibility	<p>Effective Date of Eligibility - An individual is considered resource eligible for the full month if he/she attains resource eligibility on any day of the month, without regard to whether the individual was resource eligible on the first moment of the first day of the month.</p>
Life Estate	<p>Effective July 1, 1996 the value of a life estate will be excluded in determining if the available assets of an applicant or recipient exceed the asset limit.</p>
Value of Mineral Acres	<p>The value of mineral acres are excluded in determining if the available assets of an applicant or recipient exceed the asset limit.</p>
Employee Benefit Annuity	<p>The value of an employee benefit annuity that is an individual retirement annuity or is an annuity that was purchased with the proceeds from an individual retirement account (IRA), a Roth IRA, a simplified employee pension, an employer or employee association retirement account, or an employer simple retirement account, as described in § 408 of the Internal Revenue Code of 1986 is excluded.</p>

Name of resource type:	Description:
State Tax Refunds	State tax refunds and refundable tax credits are excluded as resources for nine months beginning after the month of receipt.
Real or Personal Property	<p>Real or personal property which is not saleable without working an undue hardship may be considered unavailable in determining Medical Assistance eligibility. Property which has been, in good faith, offered for sale, and for which no offer has been received which equals or exceeds 75% of the reasonable market value, will normally be treated as not saleable without working an undue hardship. A good faith offer to sell real property would normally include advertisements and listings with real estate agents or local dealers in real estate. The reasonable market value of real property may be established by appraisal or by any other method which is likely to produce an accurate valuation. Valuations established for real estate tax purposes shall not be used. A good faith offer to sell</p> <p>personal property would normally include advertisements, listing with real estate agents or local dealers. The reasonable market value of personal property may be established by appraisals or by any other method which is likely to produce an accurate valuation.</p>

- A beneficiary of a "qualified state long-term care insurance partnership" policy (partnership policy), as defined in section 1917(b)(1)(C) of the Social Security Act and 45 CFR 144.200 et seq., is provided a resource disregard, equal to the amount of the insurance benefit payments made to or on behalf of the individual from the partnership policy.

Qualifying Individuals

MEDICAID | Medicaid State Plan | Eligibility | ND2019MS00040 | ND-19-0017

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Effective Date 8/1/2019

C. Income Standard Used

Family income must be at or above 120% FPL and below 135% FPL.

D. Resource Standard Used

The resource standard is the same used to determine eligibility for the Medicare Part D full-benefit low-income subsidy (LIS) (but without regard to the life insurance policy exclusion applied in LIS resource eligibility determinations). This standard is three times the SSI resource standard, adjusted annually in accordance with the consumer price index.

E. Medical Assistance Provided

Medical assistance is limited to payment for Medicare Part B premiums.

Qualifying Individuals

MEDICAID | Medicaid State Plan | Eligibility | ND2019MS00040 | ND-19-0017

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F. Additional Information (optional)

Medicaid State Plan Eligibility

Optional Eligibility Groups

MEDICAID | Medicaid State Plan | Eligibility | ND2019MS00040 | ND-19-0017

Package Header

Package ID ND2019MS00040
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Effective Date 8/1/2019

A. Options for Coverage

The state provides Medicaid to specified optional groups of individuals.

Yes No

The optional eligibility groups covered in the state plan are (elections made in this screen may not be comprehensive during the transition period from the paper-based state plan to MACPro):

Families and Adults

Eligibility Group Name		Covered In State Plan	Include RU In Package ?	Included in Another Submission Package	Source Type ?
Optional Coverage of Parents and Other Caretaker Relatives	?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="radio"/>	NEW
Reasonable Classifications of Individuals under Age 21	?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="radio"/>	NEW
Children with Non-IV-E Adoption Assistance	?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="radio"/>	CONVERTED
Independent Foster Care Adolescents	?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="radio"/>	NEW
Optional Targeted Low Income Children	?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="radio"/>	APPROVED
Individuals above 133% FPL under Age 65	?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="radio"/>	NEW
Individuals Needing Treatment for Breast or Cervical Cancer	?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="radio"/>	NEW
Individuals Eligible for Family Planning Services	?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="radio"/>	NEW
Individuals with Tuberculosis	?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="radio"/>	NEW
Individuals Electing COBRA Continuation Coverage	?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="radio"/>	NEW

Aged, Blind and Disabled

Eligibility Group Name		Covered In State Plan	Include RU In Package ?	Included in Another Submission Package	Source Type ?
Individuals Eligible for but Not Receiving Cash Assistance	?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="radio"/>	NEW
Individuals Eligible for Cash Except for Institutionalization	?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="radio"/>	NEW
Individuals Receiving Home and Community- Based Waiver Services under Institutional Rules	?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="radio"/>	NEW
Optional State Supplement Beneficiaries	?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="radio"/>	NEW
Individuals in Institutions Eligible under a Special Income Level	?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="radio"/>	NEW
PACE Participants	?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="radio"/>	NEW
Individuals Receiving Hospice	?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="radio"/>	NEW
Children under Age 19 with a Disability	?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="radio"/>	NEW
Age and Disability-Related Poverty Level	?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="radio"/>	NEW
Work Incentives	?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="radio"/>	NEW
Ticket to Work Basic	?	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="radio"/>	APPROVED
Ticket to Work Medical Improvements	?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="radio"/>	NEW
Family Opportunity Act Children with a Disability	?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="radio"/>	APPROVED
Individuals Receiving State Plan Home and Community-Based Services	?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="radio"/>	NEW
Individuals Receiving State Plan Home and Community-Based Services Who Are Otherwise Eligible for HCBS Waivers	?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="radio"/>	NEW

Optional Eligibility Groups

MEDICAID | Medicaid State Plan | Eligibility | ND2019MS00040 | ND-19-0017

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B. Medically Needy Options for Coverage

The state provides Medicaid to specified groups of individuals who are medically needy.

Yes No

The medically needy eligibility groups covered in the state plan are:

1. Mandatory Medically Needy:

Families and Adults

Eligibility Group Name		Covered In State Plan	Include RU In Package ?	Included in Another Submission Package	Source Type ?
Medically Needy Pregnant Women		<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="radio"/>	APPROVED
Medically Needy Children under Age 18		<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="radio"/>	APPROVED

Aged, Blind and Disabled

Eligibility Group Name		Covered In State Plan	Include RU In Package ?	Included in Another Submission Package	Source Type ?
Protected Medically Needy Individuals Who Were Eligible in 1973		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="radio"/>	NEW

2. Optional Medically Needy:

Families and Adults

Eligibility Group Name		Covered In State Plan	Include RU In Package ?	Included in Another Submission Package	Source Type ?
Medically Needy Reasonable Classifications of Individuals under Age 21		<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="radio"/>	APPROVED
Medically Needy Parents and Other Caretaker Relatives		<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="radio"/>	APPROVED

Aged, Blind and Disabled

Eligibility Group Name		Covered In State Plan	Include RU In Package ?	Included in Another Submission Package	Source Type ?
Medically Needy Populations Based on Age, Blindness or Disability		<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="radio"/>	APPROVED

Optional Eligibility Groups

MEDICAID | Medicaid State Plan | Eligibility | ND2019MS00040 | ND-19-0017

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C. Additional Information (optional)

Eligibility Groups Deselected from Coverage

The following eligibility groups were previously covered in the source approved version of the state plan and deselected from coverage as part of this submission package:

- N/A

Medicaid State Plan Eligibility

Eligibility Groups - Options for Coverage

Ticket to Work Basic

MEDICAID | Medicaid State Plan | Eligibility | ND2019MS00040 | ND-19-0017

Individuals between ages 16 and 64 with a disability, who have earned income.

Package Header

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The state covers the optional Ticket to Work basic eligibility group in accordance with the following provisions:

Ticket to Work Basic

MEDICAID | Medicaid State Plan | Eligibility | ND2019MS0004O | ND-19-0017

Package Header

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A. Characteristics

Individuals qualifying under this eligibility group must meet the following criteria:

1. Are at least age 16 but less than 65 years of age.
2. Have earned income.
3. But for earned income, meet the SSI definition of disability.
4. Have income and resources that do not exceed the standards established by the state.

Ticket to Work Basic

MEDICAID | Medicaid State Plan | Eligibility | ND2019MS0004O | ND-19-0017

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B. Financial Methodologies

1. SSI methodologies are used in calculating household income and resources.

- Yes
 No

More restrictive requirements than SSI are used in calculating countable income and/or resources. Please refer as necessary to More Restrictive Requirements than SSI under 1902(f), completed by the state.

2. Less restrictive methodologies are used in calculating countable income.

- Yes
 No

The less restrictive income methodologies are:

General income disregard:

Name of disregard:	Description:
Guardian or Conservator	The legally appointed guardian or conservator may be allowed to retain 5 percent of a recipient's monthly benefits as reimbursement for services. The remainder of the recipient's monthly benefit shall be considered available to the Medical Assistance Unit.

A specified amount of unearned income is disregarded.

Census Bureau wages are disregarded.

Interest is disregarded.

Dividends are disregarded.

Training allowances and expenses are disregarded.

Amount: \$25.00

Description of disregard: The first \$25 of unearned income from rental of rooms, apartments, or other property from each unit is exempt to defray any associated expenses.

Description of disregard: All wages paid by the Census Bureau for temporary employment related to census activities are excluded.

Description of disregard: Dividend and interest income from liquid assets is disregarded as income.

Description of disregard: Dividend and interest income from liquid assets is disregarded as income.

Description of disregard: For each individual who is not an aged, blind, or disabled recipient within a family who is employed or in training, deduct the \$30 standard work/ training expense allowance.

A specified type of income is disregarded:

Name of income type:	Description:
Income In-Kind	Income in-kind is to be excluded except that income in-kind which is in lieu of wages is considered earned income.
Extra Checks of Earned or Unearned Income	Extra checks of earned or unearned income received from a regularly recurring income source are disregarded as income. Bonus checks, or checks for any other reason, are not considered extra checks. The last check received in the month is considered the extra check.
Child Care Costs	Allow reasonable child care costs necessary for employment or training to be deducted from income.
Payroll Deductions and Union Dues	Gross earnings for employed individuals who are not aged, blind, or disabled applicants or recipients are reduced by mandatory payroll deductions and union dues actually withheld or actually paid or \$90 whichever is greater.
Adult Dependent Care Expenses	Reasonable adult dependent care expenses incurred for any incapacitated or disabled adult in the Medicaid unit are allowed as a deduction from income so a caretaker or spouse can work or attend training.
Car Safety Seat	The cost to purchase or rent a car safety seat for a child through age 10 is allowed as a deduction if a seat is not otherwise reasonably available.
Subsidized Guardianship Payments	Disregard subsidized guardianship payments for children.
Child and Adult Food Program	Disregard payments from the Child and Adult Food Program for meals and snacks to licensed families who provide daycare in their home.
Military Personnel Additional Pay	Additional pay received by military personnel as a result of deployment to a combat zone is disregarded as income.
TANF Cash Grant	Disregard TANF cash grant as income.
Child Support	The First \$50 per month of current child support, received on behalf of children in the Medicaid unit, will be disregarded from each budget unit that is budgeted with a separate income level.

3. Less restrictive methodologies are used in calculating countable resources.

Yes

No

The less restrictive resource methodologies are:

A specified type of resource is disregarded:

Name of resource type:	Description:
Real or Personal Property	Real or personal property which is not saleable without working an undue hardship may be considered unavailable in determining Medical Assistance eligibility. Property which has been, in good faith, offered for sale, and for which no offer has been received which equals or exceeds 75% of the reasonable market value, will normally be treated as not saleable without working an undue hardship. A good faith offer to sell real property would normally include advertisements and listings with real estate agents or local dealers in real estate. The reasonable market value of real property may be established by appraisal or by any other method which is likely to produce an accurate valuation. Valuations established for real estate tax purposes shall not be used. A good faith offer to sell personal property would normally include advertisements, listing with real estate agents or local dealers. The reasonable market value of personal property may be established by appraisals or by any other method which is likely to produce an accurate valuation.
Additional Assets	An additional \$10,000 in assets is disregarded for each individual eligible under Ticket to Work Basic.
Effective Date of Eligibility	Effective Date of Eligibility - An individual is considered resource eligible for the full month if he/she attains resource eligibility on any day of the month, without regard to whether the individual was resource eligible on the first moment of the first day of the month.
Life Estate	Effective July 1, 1996 the value of a life estate will be excluded in determining if the available assets of an applicant or recipient exceed the asset limit.
Value of Mineral Acres	The value of mineral acres are excluded in determining if the available assets of an applicant or recipient exceed the asset limit.

Name of resource type:	Description:
Salability of "Contractual Rights to Receive Payment"	<p>An applicant/recipient may rebut the presumption of the salability of "contractual rights to receive payment" by showing the following.</p> <p>a. That his interest in the contract was advertised for sale in a newspaper whose circulation area includes the area where the real property relating to the contract is located. This advertisement must be published successively for two weeks if the newspaper is a weekly and for one week if it is a daily.</p> <p>b. The sworn statement of the applicant/recipient that no offers were received which equaled or exceeded the minimum price. If all offers were below the minimum price, the property is determined to be not saleable; any offer received that is equal to or in excess of the minimum price will establish that the property is saleable and the seller has the right to accept any of the offers. Rebuttals must be made immediately prior to each redetermination of eligibility for the property to continue to be treated as unsalable.</p>
Employee Benefit Annuity	The value of an employee benefit annuity that is an individual retirement annuity or is an annuity that was purchased with the proceeds from an individual retirement account (IRA), a Roth IRA, a simplified employee pension, an employer or employee association retirement account, or an employer simple retirement account, as described in § 408 of the Internal Revenue Code of 1986 is excluded.
State Tax Refunds	State tax refunds and refundable tax credits are excluded as resources for nine months beginning after the month of receipt.

A beneficiary of a "qualified state long-term care insurance partnership" policy (partnership policy), as defined in section 1917(b)(1)(C) of the Social Security Act and 45 CFR 144.200 et seq., is provided a resource disregard, equal to the amount of the insurance benefit payments made to or on behalf of the individual from the partnership policy.

Ticket to Work Basic

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C. Income Standard Used

The income standard for this group is:

- 1. No income standard
- 2. A percentage of the federal poverty level:
- 3. A percentage of the SSI Federal Benefit Rate:
- 4. A dollar amount
- 5. Other

FPL 225.00%

Ticket to Work Basic

MEDICAID | Medicaid State Plan | Eligibility | ND2019MS0004O | ND-19-0017

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D. Resource Standard Used

The resource standard for this group is:

- 1. No resource standard
- 2. SSI resource standard
- 3. The state's more restrictive resource standard described in the More Restrictive Requirements than SSI under 1902(f) - (209(b) States) RU.
- 4. A dollar amount higher than the SSI resource standard

Single Individual \$3000.00

Couple \$6000.00

Ticket to Work Basic

MEDICAID | Medicaid State Plan | Eligibility | ND2019MS0004O | ND-19-0017

Package Header

Package ID ND2019MS0004O
Submission Type Official
Approval Date 8/17/2020
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E. Premiums and Cost Sharing

Requirements for premiums and cost sharing for this group are found in the premium and cost sharing sections of the state plan.

Ticket to Work Basic

MEDICAID | Medicaid State Plan | Eligibility | ND2019MS0004O | ND-19-0017

Package Header

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F. Additional Information (optional)

The resource standard amount increases by \$25 for each additional person in the household. Requirements for premiums and cost sharing are found in the premium and cost sharing sections as well as page 12o of Attachment 2.6-A of the eligibility section of the state plan.

Medicaid State Plan Eligibility

Eligibility Groups - Medically Needy

Medically Needy Pregnant Women

MEDICAID | Medicaid State Plan | Eligibility | ND2019MS00040 | ND-19-0017

Woman who are pregnant or post-partum who would qualify under the state's Pregnant Women eligibility group, except for income.

Package Header

Package ID	ND2019MS00040	SPA ID	ND-19-0017
Submission Type	Official	Initial Submission Date	9/30/2019
Approval Date	8/17/2020	Effective Date	8/1/2019
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The state covers the Medically Needy Pregnant Women eligibility group in accordance with the following provisions:

A. Characteristics

Individuals qualifying under this eligibility group must meet the following criteria:

1. Are pregnant or post-partum, as defined in 42 CFR 435.4.
2. Would qualify under the Pregnant Women eligibility group, except for income.
3. Are not otherwise eligible for categorically needy coverage under the state plan.
4. Have income at or below the medically needy income level and resources at or below the medically needy resource level.

Medically Needy Pregnant Women

MEDICAID | Medicaid State Plan | Eligibility | ND2019MS0004O | ND-19-0017

Package Header

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Effective Date 8/1/2019

B. Financial Methodologies

1. The financial methodology used is:

- a. AFDC methodologies. Please refer as necessary to Non-MAGI Methodologies, completed by the state.
- b. MAGI-like methodologies. Please refer as necessary to Non-MAGI Methodologies, completed by the state.

2. Less restrictive methodologies are used in calculating countable income.

- Yes
- No

The less restrictive income methodologies are:

- The difference between one income standard and another is disregarded.
 - Between the following percentages of the FPL:
 - Between the medically needy income limit and a percentage of the FPL: **FPL 90.00%**
 - Between the SSI Federal Benefit Rate and:
 - Between other income standards:

General income disregard:

Name of disregard:	Description:
Guardian or Conservator	The legally appointed guardian or conservator may be allowed to retain 5 percent of a recipient's monthly benefits as reimbursement for services. The remainder of the recipient's monthly benefit shall be considered available to the Medical Assistance Unit.
5% Disregard	A disregard of five percent of the Modified Adjusted Gross Income is applied first when determining income for the medically needy category.

A specified amount of unearned income is disregarded.

Amount: \$25.00

Description of disregard: The first \$25 of unearned income from rental of rooms, apartments, or other property from each unit is exempt to defray any associated expenses.

- Census Bureau wages are disregarded.
- Interest is disregarded.
- Dividends are disregarded.
- Training allowances and expenses are disregarded.
- A specified type of income is disregarded:

Description of disregard: All wages paid by the Census Bureau for temporary employment related to census activities are excluded.

Description of disregard: Dividend and interest income from liquid assets is disregarded as income.

Description of disregard: Dividend and interest income from liquid assets is disregarded as income.

Description of disregard: For each individual who is not an aged, blind, or disabled recipient within a family who is employed or in training, deduct the \$30 standard work/ training expense allowance.

Name of income type:	Description:
Income In-Kind	Income in-kind is to be excluded except that income in-kind which is in lieu of wages is considered earned income.
Extra Checks of Earned or Unearned Income	Extra checks of earned or unearned income received from a regularly recurring income source are disregarded as income. Bonus checks, or checks for any other reason, are not considered extra checks. The last check received in the month is considered the extra check.
Child Care Costs	Allow reasonable child care costs necessary for employment or training to be deducted from income.
Payroll Deductions and Union Dues	Gross earnings for employed individuals who are not aged, blind, or disabled applicants or recipients are reduced by mandatory payroll deductions and union dues actually withheld or actually paid or \$ 90 whichever is greater.
TANF Cash Grant	Disregard TANF cash grant as income.
Child Support	The First \$50 per month of current child support, received on behalf of children in the Medicaid unit, will be disregarded from each budget unit that is budgeted with a separate income level.
Adult Dependent Care Expenses	Reasonable adult dependent care expenses incurred for any incapacitated or disabled adult in the Medicaid unit are allowed as a deduction from income so a caretaker or spouse can work or attend training.
Car Safety Seat	The cost to purchase or rent a car safety seat for a child through age 10 is allowed as a deduction if a seat is not otherwise reasonably available.

Name of income type:	Description:
Subsidized Guardianship Payments	Disregard subsidized guardianship payments for children.
Child and Adult Food Program	Disregard payments from the Child and Adult Food Program for meals and snacks to licensed families who provide daycare in their home.
Military Personnel Additional Pay	Additional pay received by military personnel as a result of deployment to a combat zone is disregarded as income.

3. Less restrictive methodologies are used in calculating countable resources.

Yes

No

The less restrictive resource methodologies are:

A specified type of resource is disregarded:

Name of resource type:	Description:
Salability of "Contractual Rights to Receive Payment"	<p>An applicant/recipient may rebut the presumption of the salability of "contractual rights to receive payment" by showing the following.</p> <p>a. That his interest in the contract was advertised for sale in a newspaper whose circulation area includes the area where the real property relating to the contract is located. This advertisement must be published successively for two weeks if the newspaper is a weekly and for one week if it is a daily.</p> <p>b. The sworn statement of the applicant/recipient that no offers were received which equaled or exceeded the minimum price. If all offers were below the minimum price, the property is determined to be not saleable; any offer received that is equal to or in excess of the minimum price will establish that the property is saleable and the seller has the right to accept any of the offers. Rebuttals must be made immediately prior to each redetermination of eligibility for the property to continue to be treated as unsalable.</p>
Effective Date of Eligibility	Effective Date of Eligibility - An individual is considered resource eligible for the full month if he/she attains resource eligibility on any day of the month, without regard to whether the individual was resource eligible on the first moment of the first day of the month.

Name of resource type:	Description:
Life Estate	Effective July 1, 1996 the value of a life estate will be excluded in determining if the available assets of an applicant or recipient exceed the asset limit.
Employee Benefit Annuity	The value of an employee benefit annuity that is an individual retirement annuity or is an annuity that was purchased with the proceeds from an individual retirement account (IRA), a Roth IRA, a simplified employee pension, an employer or employee association retirement account, or an employer simple retirement account, as described in § 408 of the Internal Revenue Code of 1986 is excluded.
State Tax Refunds	State tax refunds and refundable tax credits are excluded as resources for nine months beginning after the month of receipt.
Real or Personal Property	Real or personal property which is not saleable without working an undue hardship may be considered unavailable in determining Medical Assistance eligibility. Property which has been, in good faith, offered for sale, and for which no offer has been received which equals or exceeds 75% of the reasonable market value, will normally be treated as not saleable without working an undue hardship. A good faith offer to sell real property would normally include advertisements and listings with real estate agents or local dealers in real estate. The reasonable market value of real property may be established by appraisal or by any other method which is likely to produce an accurate valuation. Valuations established for real estate tax purposes shall not be used. A good faith offer to sell personal property would normally include advertisements, listing with real estate agents or local dealers. The reasonable market value of personal property may be established by appraisals or by any other method which is likely to produce an accurate valuation.
Value of Mineral Acres	The value of mineral acres are excluded in determining if the available assets of an applicant or recipient exceed the asset limit.

A beneficiary of a "qualified state long-term care insurance partnership" policy (partnership policy), as defined in section 1917(b)(1)(C) of the Social Security Act and 45 CFR 144.200 et seq., is provided a resource disregard, equal to the amount of the insurance benefit payments made to or on behalf of the individual from the partnership policy.

Medically Needy Pregnant Women

MEDICAID | Medicaid State Plan | Eligibility | ND2019MS00040 | ND-19-0017

Package Header

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C. Income Standard Used

The income standard used for this group is described in the Medically Needy Income Level RU.

D. Resource Standard Used

The resource standard used for this group is described in the Medically Needy Resource Level RU.

E. Spenddown

The state allows individuals to deduct incurred medical and remedial expenses (spend down) to become eligible under this group. Spenddown is defined in the Handling of Excess Income (Spenddown) RU.

Medically Needy Pregnant Women

MEDICAID | Medicaid State Plan | Eligibility | ND2019MS0004O | ND-19-0017

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F. Additional Information (optional)

Medicaid State Plan Eligibility

Eligibility Groups - Medically Needy

Medically Needy Children under Age 18

MEDICAID | Medicaid State Plan | Eligibility | ND2019MS0004O | ND-19-0017

Children under age 18 who would qualify under the state's categorically needy eligibility groups, except for income.

Package Header

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The state covers the Medically Needy Children under Age 18 eligibility group in accordance with the following provisions:

A. Characteristics

Individuals qualifying under this eligibility group must meet the following criteria:

1. Are under age 18.
2. Would qualify as categorically needy, except for income.
3. Are not otherwise eligible for categorically needy coverage under the state plan.
4. Have income at or below the medically needy income level and resources at or below the medically needy resource level.

Medically Needy Children under Age 18

MEDICAID | Medicaid State Plan | Eligibility | ND2019MS00040 | ND-19-0017

Package Header

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B. Financial Methodologies

1. The financial methodology used is:

- a. AFDC methodologies. Please refer as necessary to Non-MAGI Methodologies, completed by the state.
- b. MAGI-like methodologies. Please refer as necessary to Non-MAGI Methodologies, completed by the state.

2. Less restrictive methodologies are used in calculating countable income.

- Yes
- No

The less restrictive income methodologies are:

- The difference between one income standard and another is disregarded.
 - Between the following percentages of the FPL:
 - Between the medically needy income limit and a percentage of the FPL: **FPL 92.00%**
 - Between the SSI Federal Benefit Rate and:
 - Between other income standards:

General income disregard:

A specified amount of unearned income is disregarded.

Name of disregard:	Description:
Guardian or Conservator	The legally appointed guardian or conservator may be allowed to retain 5 percent of a recipient's monthly benefits as reimbursement for services. The remainder of the recipient's monthly benefit shall be considered available to the Medical Assistance Unit.
5% Disregard	A disregard of five percent of the Modified Adjusted Gross Income is applied first when determining income for the medically needy category.

Amount: \$25.00

Description of disregard: The first \$25 of unearned income from rental of rooms, apartments, or other property from each unit is exempt to defray any associated expenses.

Description of disregard: All wages paid by the Census Bureau for temporary employment

- Census Bureau wages are disregarded.
- Interest is disregarded.
- Dividends are disregarded.
- Training allowances and expenses are disregarded.
- A specified type of income is disregarded:

related to
census activities are excluded.

Description of disregard: Dividend and interest income from liquid assets is disregarded as income.

Description of disregard: Dividend and interest income from liquid assets is disregarded as income.

Description of disregard: For each individual who is not an aged, blind, or disabled recipient within a family who is employed or in training, deduct the \$30 standard work/ training expense allowance.

Name of income type:	Description:
Income In-Kind	Income in-kind is to be excluded except that income in-kind which is in lieu of wages is considered earned income.
Extra Checks of Earned or Unearned Income	Extra checks of earned or unearned income received from a regularly recurring income source are disregarded as income. Bonus checks, or checks for any other reason, are not considered extra checks. The last check received in the month is considered the extra check.
Child Care Costs	Allow reasonable child care costs necessary for employment or training to be deducted from income.
Payroll Deductions and Union Dues	Gross earnings for employed individuals who are not aged, blind, or disabled applicants or recipients are reduced by mandatory payroll deductions and union dues actually withheld or actually paid or \$ 90 whichever is greater.
TANF Cash Grant	Disregard TANF cash grant as income.
Child Support	The First \$50 per month of current child support, received on behalf of children in the Medicaid unit, will be disregarded from each budget unit that is budgeted with a separate income level.
Adult Dependent Care Expenses	Reasonable adult dependent care expenses incurred for any incapacitated or disabled adult in the Medicaid unit are allowed as a deduction from income so a caretaker or spouse can work or attend training.
Car Safety Seat	The cost to purchase or rent a car safety seat for a child through age 10 is allowed as a deduction if a seat is not otherwise reasonably available.
Subsidized Guardianship Payments	Disregard subsidized guardianship payments for children.

3. Less restrictive methodologies are used in calculating countable resources.

Yes

No

The less restrictive resource methodologies are:

A specified type of resource is disregarded:

Name of income type:	Description:
Child and Adult Food Program	Disregard payments from the Child and Adult Food Program for meals and snacks to licensed families who provide daycare in their home.
Military Personnel Additional Pay	Additional pay received by military personnel as a result of deployment to a combat zone is disregarded as income.

Name of resource type:	Description:
Salability of "Contractual Rights to Receive Payment"	<p>An applicant/recipient may rebut the presumption of the salability of "contractual rights to receive payment" by showing the following.</p> <p>a. That his interest in the contract was advertised for sale in a newspaper whose circulation area includes the area where the real property relating to the contract is located. This advertisement must be published successively for two weeks if the newspaper is a weekly and for one week if it is a daily.</p> <p>b. The sworn statement of the applicant/recipient that no offers were received which equaled or exceeded the minimum price. If all offers were below the minimum price, the property is determined to be not saleable; any offer received that is equal to or in excess of the minimum price will establish that the property is saleable and the seller has the right to accept any of the offers. Rebuttals must be made immediately prior to each redetermination of eligibility for the property to continue to be treated as unsalable.</p>
Effective Date of Eligibility	Effective Date of Eligibility - An individual is considered resource eligible for the full month if he/she attains resource eligibility on any day of the month, without regard to whether the individual was resource eligible on the first moment of the first day of the month.

Name of resource type:	Description:
Life Estate	Effective July 1, 1996 the value of a life estate will be excluded in determining if the available assets of an applicant or recipient exceed the asset limit.
Employee Benefit Annuity	The value of an employee benefit annuity that is an individual retirement annuity or is an annuity that was purchased with the proceeds from an individual retirement account (IRA), a Roth IRA, a simplified employee pension, an employer or employee association retirement account, or an employer simple retirement account, as described in § 408 of the Internal Revenue Code of 1986 is excluded.
State Tax Refunds	State tax refunds and refundable tax credits are excluded as resources for nine months beginning after the month of receipt.
Real or Personal Property	Real or personal property which is not saleable without working an undue hardship may be considered unavailable in determining Medical Assistance eligibility. Property which has been, in good faith, offered for sale, and for which no offer has been received which equals or exceeds 75% of the reasonable market value, will normally be treated as not saleable without working an undue hardship. A good faith offer to sell real property would normally include advertisements and listings with real estate agents or local dealers in real estate. The reasonable market value of real property may be established by appraisal or by any other method which is likely to produce an accurate valuation. Valuations established for real estate tax purposes shall not be used. A good faith offer to sell personal property would normally include advertisements, listing with real estate agents or local dealers. The reasonable market value of personal property may be established by appraisals or by any other method which is likely to produce an accurate valuation.
Value of Mineral Acres	The value of mineral acres are excluded in determining if the available assets of an applicant or recipient exceed the asset limit.

A beneficiary of a "qualified state long-term care insurance partnership" policy (partnership policy), as defined in section 1917(b)(1)(C) of the Social Security Act and 45 CFR 144.200 et seq., is provided a resource disregard, equal to the amount of the insurance benefit payments made to or on behalf of the individual from the partnership policy.

Medically Needy Children under Age 18

MEDICAID | Medicaid State Plan | Eligibility | ND2019MS0004O | ND-19-0017

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C. Income Standard Used

The income standard used for this group is described in the Medically Needy Income Level RU.

D. Resource Standard Used

The resource standard used for this group is described in the Medically Needy Resource Level RU.

E. Spenddown

The state allows individuals to deduct incurred medical and remedial expenses (spend down) to become eligible under this group. Spenddown is defined in the Handling of Excess Income (Spenddown) RU.

Medically Needy Children under Age 18

MEDICAID | Medicaid State Plan | Eligibility | ND2019MS00040 | ND-19-0017

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F. Additional Information (optional)

Medically Needy Children under Age 18

MEDICAID | Medicaid State Plan | Eligibility | ND2019MS00040 | ND-19-0017

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Medicaid State Plan Eligibility

Eligibility Groups - Medically Needy

Medically Needy Reasonable Classifications of Individuals under Age 21

MEDICAID | Medicaid State Plan | Eligibility | ND2019MS00040 | ND-19-0017

One or more reasonable classifications of individuals under age 21 who do not qualify as categorically needy.

Package Header

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The state covers the optional Medically Needy Reasonable Classifications of Individuals under Age 21 eligibility group in accordance with the following provisions:

A. Characteristics

Individuals qualifying under this eligibility group must meet the following criteria:

1. Are under age 21, or a lower age, as specified in section C.
2. Would not qualify under the Medically Needy Children under Age 18 eligibility group (42 CFR 435.301)
3. Are not otherwise eligible for categorically needy coverage under the state plan.
4. Have income at or below the medically needy income level and resources at or below the medically needy resource level.

Medically Needy Reasonable Classifications of Individuals under Age 21

MEDICAID | Medicaid State Plan | Eligibility | ND2019MS0004O | ND-19-0017

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B. Individuals Covered

The state covers the following populations:

- 1. All children under a specified age limit:
 - i. Under age 21
 - ii. Under age 20
 - iii. Under age 19
- 2. Reasonable classifications of children

Medically Needy Reasonable Classifications of Individuals under Age 21

MEDICAID | Medicaid State Plan | Eligibility | ND2019MS0004O | ND-19-0017

Package Header

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C. Financial Methodologies

1. The state uses the same financial methodology for all individuals covered.

- Yes
 No

2. The financial methodology used is:

- a. AFDC methodologies. Please refer as necessary to Non-MAGI Methodologies, completed by the state.
 b. MAGI-like methodologies. Please refer as necessary to Non-MAGI Methodologies, completed by the state.

3. Less restrictive methodologies are used in calculating countable income.

- Yes
 No

The less restrictive income methodologies are:

- The difference between one income standard and another is disregarded.
 Between the following percentages of the FPL:
 Between the medically needy income limit and a percentage of the FPL: **FPL 92.00%**
 Between the SSI Federal Benefit Rate and:
 Between other income standards:

General income disregard:

Name of disregard:	Description:
Guardian or Conservator	The legally appointed guardian or conservator may be allowed to retain 5 percent of a recipient's monthly benefits as reimbursement for services. The remainder of the recipient's monthly benefit shall be considered available to the Medical Assistance Unit.
5% Disregard	A disregard of five percent of the Modified Adjusted Gross Income is applied first when determining income for the medically needy category.

A specified amount of unearned income is disregarded.

Amount: \$25.00

- Census Bureau wages are disregarded.
- Interest is disregarded.
- Dividends are disregarded.
- Training allowances and expenses are disregarded.
- A specified type of income is disregarded:

- Description of disregard:** The first \$25 of unearned income from rental of rooms, apartments, or other property from each unit is exempt to defray any associated expenses.
- Description of disregard:** All wages paid by the Census Bureau for temporary employment related to census activities are excluded.
- Description of disregard:** Dividend and interest income from liquid assets is disregarded as income.
- Description of disregard:** Dividend and interest income from liquid assets is disregarded as income.
- Description of disregard:** For each individual who is not an aged, blind, or disabled recipient within a family who is employed or in training, deduct the \$30 standard work/ training expense allowance.

Name of income type:	Description:
Income In-Kind	Income in-kind is to be excluded except that income in-kind which is in lieu of wages is considered earned income.
Extra Checks of Earned or Unearned Income	Extra checks of earned or unearned income received from a regularly recurring income source are disregarded as income. Bonus checks, or checks for any other reason, are not considered extra checks. The last check received in the month is considered the extra check.
Child Care Costs	Allow reasonable child care costs necessary for employment or training to be deducted from income.
Payroll Deductions and Union Dues	Gross earnings for employed individuals who are not aged, blind, or disabled applicants or recipients are reduced by mandatory payroll deductions and union dues actually withheld or actually paid or \$ 90 whichever is greater.
TANF Cash Grant	Disregard TANF cash grant as income.
Child Support	The First \$50 per month of current child support, received on behalf of children in the Medicaid unit, will be disregarded from each budget unit that is budgeted with a separate income level.
Adult Dependent Care Expenses	Reasonable adult dependent care expenses incurred for any incapacitated or disabled adult in the Medicaid unit are allowed as a deduction from income so a caretaker or spouse can work or attend training.

4. Less restrictive methodologies are used in calculating countable resources.

Yes

No

The less restrictive resource methodologies are:

A specified type of resource is disregarded:

Name of income type:	Description:
Car Safety Seat	The cost to purchase or rent a car safety seat for a child through age 10 is allowed as a deduction if a seat is not otherwise reasonably available.
Subsidized Guardianship Payments	Disregard subsidized guardianship payments for children.
Child and Adult Food Program	Disregard payments from the Child and Adult Food Program for meals and snacks to licensed families who provide daycare in their home.
Military Personnel Additional Pay	Additional pay received by military personnel as a result of deployment to a combat zone is disregarded as income.

Name of resource type:	Description:
Salability of "Contractual Rights to Receive Payment"	An applicant/recipient may rebut the presumption of the salability of "contractual rights to receive payment" by showing the following. a. That his interest in the contract was advertised for sale in a newspaper whose circulation area includes the area where the real property relating to the contract is located. This advertisement must be published successively for two weeks if the newspaper is a weekly and for one week if it is a daily. b. The sworn statement of the applicant/recipient that no offers were received which equaled or exceeded the minimum price. If all offers were below the minimum price, the property is determined to be not saleable; any offer received that is equal to or in excess of the minimum price will establish that the property is saleable and the seller has the right to accept any of the offers. Rebuttals must be made immediately prior to each redetermination of eligibility for the property to continue to be treated as unsalable.

Name of resource type:	Description:
Effective Date of Eligibility	Effective Date of Eligibility - An individual is considered resource eligible for the full month if he/she attains resource eligibility on any day of the month, without regard to whether the individual was resource eligible on the first moment of the first day of the month.
Life Estate	Effective July 1, 1996 the value of a life estate will be excluded in determining if the available assets of an applicant or recipient exceed the asset limit.
Employee Benefit Annuity	The value of an employee benefit annuity that is an individual retirement annuity or is an annuity that was purchased with the proceeds from an individual retirement account (IRA), a Roth IRA, a simplified employee pension, an employer or employee association retirement account, or an employer simple retirement account, as described in § 408 of the Internal Revenue Code of 1986 is excluded.
State Tax Refunds	State tax refunds and refundable tax credits are excluded as resources for nine months beginning after the month of receipt.
Real or Personal Property	Real or personal property which is not saleable without working an undue hardship may be considered unavailable in determining Medical Assistance eligibility. Property which has been, in good faith, offered for sale, and for which no offer has been received which equals or exceeds 75% of the reasonable market value, will normally be treated as not saleable without working an undue hardship. A good faith offer to sell real property would normally include advertisements and listings with real estate agents or local dealers in real estate. The reasonable market value of real property may be established by appraisal or by any other method which is likely to produce an accurate valuation. Valuations established for real estate tax purposes shall not be used. A good faith offer to sell personal property would normally include advertisements, listing with real estate agents or local dealers. The reasonable market value of personal property may be established by appraisals or by any other method which is likely to produce an accurate valuation.
Value of Mineral Acres	The value of mineral acres are excluded in determining if the available assets of an applicant or recipient exceed the asset limit.

A beneficiary of a "qualified state long-term care insurance partnership" policy (partnership policy), as defined in section 1917(b)(1)(C) of the Social Security Act and 45 CFR 144.200 et seq., is provided a resource disregard, equal to the amount of the insurance benefit payments made to or on behalf of the individual from the partnership policy.

Medically Needy Reasonable Classifications of Individuals under Age 21

MEDICAID | Medicaid State Plan | Eligibility | ND2019MS0004O | ND-19-0017

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D. Income Standard Used

The income standard used for this group is described in the Medically Needy Income Level RU.

E. Resource Standard Used

The resource standard used for this group is described in the Medically Needy Resource Level RU.

F. Spenddown

The state allows individuals to deduct incurred medical and remedial expenses (spend down) to become eligible under this group. Spenddown is defined in the Handling of Excess Income (Spenddown) RU.

Medically Needy Reasonable Classifications of Individuals under Age 21

MEDICAID | Medicaid State Plan | Eligibility | ND2019MS0004O | ND-19-0017

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G. Additional Information (optional)

Medicaid State Plan Eligibility

Eligibility Groups - Medically Needy

Medically Needy Parents and Other Caretaker Relatives

MEDICAID | Medicaid State Plan | Eligibility | ND2019MS00040 | ND-19-0017

Parents and other caretaker relatives of dependent children who do not qualify as categorically needy.

Package Header

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The state covers the optional Medically Needy Parents and Other Caretaker Relatives eligibility group in accordance with the following provisions:

A. Characteristics

Individuals qualifying under this eligibility group must meet the following criteria:

1. Meet the definition of parent or caretaker relative, as described in the mandatory Parents and Other Caretaker Relatives eligibility group.
2. Are not otherwise eligible for categorically needy coverage under the state plan.
3. Have income at or below the medically needy income level and resources at or below the medically needy resource level.

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B. Financial Methodologies

1. The financial methodology used is:

- a. AFDC methodologies. Please refer as necessary to Non-MAGI Methodologies, completed by the state.
- b. MAGI-like methodologies. Please refer as necessary to Non-MAGI Methodologies, completed by the state.

2. Less restrictive methodologies are used in calculating countable income.

- Yes
- No

The less restrictive income methodologies are:

- The difference between one income standard and another is disregarded.
 - Between the following percentages of the FPL:
 - Between the medically needy income limit and a percentage of the FPL: **FPL 93.00%**
 - Between the SSI Federal Benefit Rate and:
 - Between other income standards:

General income disregard:

Name of disregard:	Description:
Guardian or Conservator	The legally appointed guardian or conservator may be allowed to retain 5 percent of a recipient's monthly benefits as reimbursement for services. The remainder of the recipient's monthly benefit shall be considered available to the Medical Assistance Unit.
5% Disregard	A disregard of five percent of the Modified Adjusted Gross Income is applied first when determining income for the medically needy category.

A specified amount of unearned income is disregarded.

Amount: \$25.00

Description of disregard: The first \$25 of unearned income from rental of rooms, apartments, or other property from each unit is exempt to defray any associated expenses.

Census Bureau wages are disregarded.

Description of disregard: All wages paid by the Census Bureau for temporary employment

related to
census activities are excluded.

- Interest is disregarded.
- Dividends are disregarded.
- Training allowances and expenses are disregarded.
- A specified type of income is disregarded:

Description of disregard: Dividend and interest income from liquid assets is disregarded as income.

Description of disregard: Dividend and interest income from liquid assets is disregarded as income.

Description of disregard: For each individual who is not an aged, blind, or disabled recipient within a family who is employed or in training, deduct the \$30 standard work/ training expense allowance.

Name of income type:	Description:
Income In-Kind	Income in-kind is to be excluded except that income in-kind which is in lieu of wages is considered earned income.
Extra Checks of Earned or Unearned Income	Extra checks of earned or unearned income received from a regularly recurring income source are disregarded as income. Bonus checks, or checks for any other reason, are not considered extra checks. The last check received in the month is considered the extra check.
Child Care Costs	Allow reasonable child care costs necessary for employment or training to be deducted from income.
Payroll Deductions and Union Dues	Gross earnings for employed individuals who are not aged, blind, or disabled applicants or recipients are reduced by mandatory payroll deductions and union dues actually withheld or actually paid or \$ 90 whichever is greater.
TANF Cash Grant	Disregard TANF cash grant as income.
Child Support	The First \$50 per month of current child support, received on behalf of children in the Medicaid unit, will be disregarded from each budget unit that is budgeted with a separate income level.
Adult Dependent Care Expenses	Reasonable adult dependent care expenses incurred for any incapacitated or disabled adult in the Medicaid unit are allowed as a deduction from income so a caretaker or spouse can work or attend training.
Car Safety Seat	The cost to purchase or rent a car safety seat for a child through age 10 is allowed as a deduction if a seat is not otherwise reasonably available.
Subsidized Guardianship Payments	Disregard subsidized guardianship payments for children.

3. Less restrictive methodologies are used in calculating countable resources.

Yes

No

The less restrictive resource methodologies are:

A specified type of resource is disregarded:

Name of income type:	Description:
Child and Adult Food Program	Disregard payments from the Child and Adult Food Program for meals and snacks to licensed families who provide daycare in their home.
Military Personnel Additional Pay	Additional pay received by military personnel as a result of deployment to a combat zone is disregarded as income.

Name of resource type:	Description:
Salability of "Contractual Rights to Receive Payment"	<p>An applicant/recipient may rebut the presumption of the salability of "contractual rights to receive payment" by showing the following.</p> <p>a. That his interest in the contract was advertised for sale in a newspaper whose circulation area includes the area where the real property relating to the contract is located. This advertisement must be published successively for two weeks if the newspaper is a weekly and for one week if it is a daily.</p> <p>b. The sworn statement of the applicant/recipient that no offers were received which equaled or exceeded the minimum price. If all offers were below the minimum price, the property is determined to be not saleable; any offer received that is equal to or in excess of the minimum price will establish that the property is saleable and the seller has the right to accept any of the offers. Rebuttals must be made immediately prior to each redetermination of eligibility for the property to continue to be treated as unsalable.</p>
Effective Date of Eligibility	Effective Date of Eligibility - An individual is considered resource eligible for the full month if he/she attains resource eligibility on any day of the month, without regard to whether the individual was resource eligible on the first moment of the first day of the month.

Name of resource type:	Description:
Life Estate	Effective July 1, 1996 the value of a life estate will be excluded in determining if the available assets of an applicant or recipient exceed the asset limit.
Employee Benefit Annuity	The value of an employee benefit annuity that is an individual retirement annuity or is an annuity that was purchased with the proceeds from an individual retirement account (IRA), a Roth IRA, a simplified employee pension, an employer or employee association retirement account, or an employer simple retirement account, as described in § 408 of the Internal Revenue Code of 1986 is excluded.
State Tax Refunds	State tax refunds and refundable tax credits are excluded as resources for nine months beginning after the month of receipt.
Real or Personal Property	Real or personal property which is not saleable without working an undue hardship may be considered unavailable in determining Medical Assistance eligibility. Property which has been, in good faith, offered for sale, and for which no offer has been received which equals or exceeds 75% of the reasonable market value, will normally be treated as not saleable without working an undue hardship. A good faith offer to sell real property would normally include advertisements and listings with real estate agents or local dealers in real estate. The reasonable market value of real property may be established by appraisal or by any other method which is likely to produce an accurate valuation. Valuations established for real estate tax purposes shall not be used. A good faith offer to sell personal property would normally include advertisements, listing with real estate agents or local dealers. The reasonable market value of personal property may be established by appraisals or by any other method which is likely to produce an accurate valuation.
Value of Mineral Acres	The value of mineral acres are excluded in determining if the available assets of an applicant or recipient exceed the asset limit.

A beneficiary of a "qualified state long-term care insurance partnership" policy (partnership policy), as defined in section 1917(b)(1)(C) of the Social Security Act and 45 CFR 144.200 et seq., is provided a resource disregard, equal to the amount of the insurance benefit payments made to or on behalf of the individual from the partnership policy.

Medically Needy Parents and Other Caretaker Relatives

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C. Income Standard Used

The income standard used for this group is described in the Medically Needy Income Level RU.

D. Resource Standard Used

The resource standard used for this group is described in the Medically Needy Resource Level RU.

E. Spenddown

The state allows individuals to deduct incurred medical and remedial expenses (spend down) to become eligible under this group. Spenddown is defined in the Handling of Excess Income (Spenddown) RU.

Medically Needy Parents and Other Caretaker Relatives

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F. Additional Information (optional)

Medicaid State Plan Eligibility

Eligibility Groups - Medically Needy

Medically Needy Populations Based on Age, Blindness or Disability

MEDICAID | Medicaid State Plan | Eligibility | ND2019MS00040 | ND-19-0017

Individuals who are age 65 or older or who have blindness or a disability who do not qualify as categorically needy.

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The state covers the optional Medically Needy Populations Based on Age, Blindness or Disability eligibility group in accordance with the following provisions:

A. Characteristics

Individuals qualifying under this eligibility group must meet the following criteria:

1. Meet at least one of the following:

- a. Are age 65 or older;
- b. Have blindness; or
- c. Have a disability.

2. Are not otherwise eligible for categorically needy coverage under the state plan.

3. Have income at or below the medically needy income level and resources at or below the medically needy resource level.

Medically Needy Populations Based on Age, Blindness or Disability

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B. Individuals Covered

The state covers the following populations:

- 1. Individuals age 65 or older
- 2. Individuals with blindness
- 3. Individuals who have a disability

Medically Needy Populations Based on Age, Blindness or Disability

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C. Financial Methodologies

1. The state uses the same financial methodology for all individuals covered.

- Yes
 No

2. The financial methodology used is:

- a. SSI methodologies. Please refer as necessary to Non-MAGI Methodologies, completed by the state.
 b. More restrictive requirements than SSI. Please refer as necessary to More Restrictive Requirements than SSI under 1902(f), completed by the state.
c. Less restrictive methodologies are used in calculating countable income.
 Yes No

The less restrictive income methodologies are:

- The difference between one income standard and another is disregarded.
- Between the following percentages of the FPL:
 - Between the medically needy income limit and a percentage of the FPL:
 - Between the SSI Federal Benefit Rate and:
 - Between other income standards:

FPL 83.00%

General income disregard:

Name of disregard:	Description:
Guardian or Conservator	The legally appointed guardian or conservator may be allowed to retain 5 percent of a recipient's monthly benefits as reimbursement for services. The remainder of the recipient's monthly benefit shall be considered available to the Medical Assistance Unit.

Amount: \$25.00

A specified amount of unearned income is disregarded.

- Census Bureau wages are disregarded.
- Interest is disregarded.
- Dividends are disregarded.
- Training allowances and expenses are disregarded.
- A specified type of income is disregarded:

Description of disregard: The first \$25 of unearned income from rental of rooms, apartments, or other property from each unit is exempt to defray any associated expenses.

Description of disregard: All wages paid by the Census Bureau for temporary employment related to census activities are excluded.

Description of disregard: Dividend and interest income from liquid assets is disregarded as income.

Description of disregard: Dividend and interest income from liquid assets is disregarded as income.

Description of disregard: For each individual who is not an aged, blind, or disabled recipient within a family who is employed or in training, deduct the \$30 standard work/ training expense allowance.

Name of income type:	Description:
Income In-Kind	Income in-kind is to be excluded except that income in-kind which is in lieu of wages is considered earned income.
Extra Checks of Earned or Unearned Income	Extra checks of earned or unearned income received from a regularly recurring income source are disregarded as income. Bonus checks, or checks for any other reason, are not considered extra checks. The last check received in the month is considered the extra check.
Child Care Costs	Allow reasonable child care costs necessary for employment or training to be deducted from income.
Payroll Deductions and Union Dues	Gross earnings for employed individuals who are not aged, blind, or disabled applicants or recipients are reduced by mandatory payroll deductions and union dues actually withheld or actually paid or \$ 90 whichever is greater.

Name of income type:	Description:
TANF Cash Grant	Disregard TANF cash grant as income.
Child Support	The First \$50 per month of current child support, received on behalf of children in the Medicaid unit, will be disregarded from each budget unit that is budgeted with a separate income level.
Adult Dependent Care Expenses	Reasonable adult dependent care expenses incurred for any incapacitated or disabled adult in the Medicaid unit are allowed as a deduction from income so a caretaker or spouse can work or attend training.
Car Safety Seat	The cost to purchase or rent a car safety seat for a child through age 10 is allowed as a deduction if a seat is not otherwise reasonably available.
Subsidized Guardianship Payments	Disregard subsidized guardianship payments for children.
Child and Adult Food Program	Disregard payments from the Child and Adult Food Program for meals and snacks to licensed families who provide daycare in their home.
Military Personnel Additional Pay	Additional pay received by military personnel as a result of deployment to a combat zone is disregarded as income.

d. Less restrictive methodologies are used in calculating countable resources.

Yes No

The less restrictive resource methodologies are:

A specified type of resource is disregarded:

Name of resource type:	Description:

Name of resource type:	Description:
Salability of "Contractual Rights to Receive Payment"	<p>An applicant/recipient may rebut the presumption of the salability of "contractual rights to receive payment" by showing the following.</p> <p>a. That his interest in the contract was advertised for sale in a newspaper whose circulation area includes the area where the real property relating to the contract is located. This advertisement must be published successively for two weeks if the newspaper is a weekly and for one week if it is a daily.</p> <p>b. The sworn statement of the applicant/ recipient that no offers were received which equaled or exceeded the minimum price. If all offers were below the minimum price, the property is determined to be not saleable; any offer received that is equal to or in excess of the minimum price will establish that the property is saleable and the seller has the right to accept any of the offers. Rebuttals must be made immediately prior to each redetermination of eligibility for the property to continue to be treated as unsalable.</p>
Effective Date of Eligibility	<p>Effective Date of Eligibility - An individual is considered resource eligible for the full month if he/she attains resource eligibility on any day of the month, without regard to whether the individual was resource eligible on the first moment of the first day of the month.</p>
Life Estate	<p>Effective July 1, 1996 the value of a life estate will be excluded in determining if the available assets of an applicant or recipient exceed the asset limit.</p>
Value of Mineral Acres	<p>The value of mineral acres are excluded in determining if the available assets of an applicant or recipient exceed the asset limit.</p>

Name of resource type:	Description:
Employee Benefit Annuity	The value of an employee benefit annuity that is an individual retirement annuity or is an annuity that was purchased with the proceeds from an individual retirement account (IRA), a Roth IRA, a simplified employee pension, an employer or employee association retirement account, or an employer simple retirement account, as described in § 408 of the Internal Revenue Code of 1986 is excluded.
State Tax Refunds	State tax refunds and refundable tax credits are excluded as resources for nine months beginning after the month of receipt.
Real or Personal Property	Real or personal property which is not saleable without working an undue hardship may be considered unavailable in determining Medical Assistance eligibility. Property which has been, in good faith, offered for sale, and for which no offer has been received which equals or exceeds 75% of the reasonable market value, will normally be treated as not saleable without working an undue hardship. A good faith offer to sell real property would normally include advertisements and listings with real estate agents or local dealers in real estate. The reasonable market value of real property may be established by appraisal or by any other method which is likely to produce an accurate valuation. Valuations established for real estate tax purposes shall not be used. A good faith offer to sell personal property would normally include advertisements, listing with real estate agents or local dealers. The reasonable market value of personal property may be established by appraisals or by any other method which is likely to produce an accurate valuation.

Name of resource type:	Description:
Resource Standards	Disregard countable resources, for single individuals, between \$2,000 and \$3,000, and, for couples (or 2-person households), between \$3,000 and \$6,000 (+\$25 for each additional individual).

- A beneficiary of a "qualified state long-term care insurance partnership" policy (partnership policy), as defined in section 1917(b)(1)(C) of the Social Security Act and 45 CFR 144.200 et seq., is provided a resource disregard, equal to the amount of the insurance benefit payments made to or on behalf of the individual from the partnership policy.

Medically Needy Populations Based on Age, Blindness or Disability

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D. Income Standard Used

The income standard used for this group is described in the Medically Needy Income Level RU.

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E. Resource Standard Used

The resource standard used for this group is described in the Medically Needy Resource Level RU.

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F. Spenddown

The state allows individuals to deduct incurred medical and remedial expenses (spend down) to become eligible under this group. Spenddown is defined in the Handling of Excess Income (Spenddown) RU.

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G. Additional Information (optional)

PRA Disclosure Statement: Centers for Medicare & Medicaid Services (CMS) collects this mandatory information in accordance with (42 U.S.C. 1396a) and (42 CFR 430.12); which sets forth the authority for the submittal and collection of state plans and plan amendment information in a format defined by CMS for the purpose of improving the state application and federal review processes, improve federal program management of Medicaid programs and Children's Health Insurance Program, and to standardize Medicaid program data which covers basic requirements, and individualized content that reflects the characteristics of the particular state's program. The information will be used to monitor and analyze performance metrics related to the Medicaid and Children's Health Insurance Program in efforts to boost program integrity efforts, improve performance and accountability across the programs. Under the Privacy Act of 1974 any personally identifying information obtained will be kept private to the extent of the law. According to the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number. The valid OMB control number for this information collection is 0938-1188. The time required to complete this information collection is estimated to range from 1 hour to 80 hours per response (see below), including the time to review instructions, search existing data resources, gather the data needed, and complete and review the information collection. If you have comments concerning the accuracy of the time estimate(s) or suggestions for improving this form, please write to: CMS, 7500 Security Boulevard, Attn: PRA Reports Clearance Officer, Mail Stop C4-26-05, Baltimore, Maryland 21244-1850.

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