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State/Territory Name: North Dakota

State Plan Amendment (SPA) #: 22-0022

This file contains the following documents in the order listed:

- 1) Approval Letter
- 2) CMS 179 Form/Summary Form (with 179-like data)
- 3) Approved SPA Pages

DEPARTMENT OF HEALTH & HUMAN SERVICES

Centers for Medicare & Medicaid Services
601 E. 12th St., Room 355
Kansas City, Missouri 64106



Medicaid and CHIP Operations Group

October 4, 2022

Caprice Knapp, Director
Medical Services Division
ND Department of Human Services
600 East Boulevard Avenue Dept. 325
Bismarck, ND 58505-0250

Re: North Dakota State Plan Amendment (SPA) 22-0022

Dear Ms. Knapp:

The Centers for Medicare & Medicaid Services (CMS) reviewed your Medicaid State Plan Amendment (SPA) submitted under transmittal number (TN) ND-22-0022. This amendment proposes to amend the State Plan to change state plan page Attachment 2.6-A Page 26 to reflect that the state uses the maximum Community Spouse Resource standard permissible under federal law.

We conducted our review of your submittal according to statutory requirements in Title XIX of the Social Security Act and implementing regulations 1924 of the Act. This letter is to inform you that North Dakota Medicaid SPA 22-0022 was approved on October 3, 2022, with an effective date of October 1, 2022.

If you have any questions, please contact Tyson Christensen at (816) 426-6440 or via email at tyson.christensen@cms.hhs.gov.

Sincerely,



Digitally signed by
James G. Scott -S
Date: 2022.10.04
17:51:02 -05'00'

James G. Scott, Director
Division of Program Operations

cc: LeeAnn Thiel

**TRANSMITTAL AND NOTICE OF APPROVAL OF
STATE PLAN MATERIAL
FOR: CENTERS FOR MEDICARE & MEDICAID SERVICES**

1. TRANSMITTAL NUMBER

2 2 — 0 0 2 2

2. STATE

ND

3. PROGRAM IDENTIFICATION: TITLE OF THE SOCIAL SECURITY ACT

XIX XXI

TO: CENTER DIRECTOR
CENTERS FOR MEDICAID & CHIP SERVICES
DEPARTMENT OF HEALTH AND HUMAN SERVICES

4. PROPOSED EFFECTIVE DATE

October 1, 2022

5. FEDERAL STATUTE/REGULATION CITATION

1924 of the Act

6. FEDERAL BUDGET IMPACT (Amounts in WHOLE dollars)

a. FFY 2023 \$ 0
b. FFY 2024 \$ 0

7. PAGE NUMBER OF THE PLAN SECTION OR ATTACHMENT

Page 26a of Attachment 2.6-A

8. PAGE NUMBER OF THE SUPERSEDED PLAN SECTION OR ATTACHMENT (If Applicable)

Page 26a of Attachment 2.6-A (07-003)

9. SUBJECT OF AMENDMENT

Amends the State Plan to correct the selection related to Community Spouse Resource Allowance (CRSA).

10. GOVERNOR'S REVIEW (Check One)

- GOVERNOR'S OFFICE REPORTED NO COMMENT
 COMMENTS OF GOVERNOR'S OFFICE ENCLOSED
 NO REPLY RECEIVED WITHIN 45 DAYS OF SUBMITTAL

OTHER, AS SPECIFIED:

11. SIGNATURE OF STATE AGENCY OFFICIAL

Caprice Knapp

12. TYPED NAME

Caprice Knapp

13. TITLE

Medical Services Director

14. DATE SUBMITTED

September 9, 2022

15. RETURN TO

Caprice Knapp, Director
Medical Services Division
ND Department of Human Services
600 East Boulevard Avenue Dept 325
Bismarck ND 58505-0250

FOR CMS USE ONLY

16. DATE RECEIVED

September 9, 2022

17. DATE APPROVED

October 3, 2022

PLAN APPROVED - ONE COPY ATTACHED

18. EFFECTIVE DATE OF APPROVED MATERIAL

October 1, 2022

19. SIGNATURE OF APPROVING OFFICIAL
[Redacted Signature] signed by James G. Scott -S
2022.10.04 17:51:31 -05'00'

20. TYPED NAME OF APPROVING OFFICIAL

James G. Scott

21. TITLE OF APPROVING OFFICIAL

Director, Division of Program Operations

22. REMARKS

State: North Dakota

Citation

Condition of Requirement

- The agency does not count the funds in a trust in any instance where the agency determines that the transfer would work an undue hardship, as described in Supplement 10 to Attachment 2.6-A.
- 1924 of the Act 15. The agency complies with the provisions of §1924 with respect to income and resource eligibility and post-eligibility determinations for individuals who are expected to be institutionalized for at least 30 consecutive days and who have a spouse living in the community.
- When applying the formula used to determine the amount of resources in initial eligibility determinations, the State standard for community spouses is:
- The maximum standard permitted by law;
 - The minimum standard permitted by law; or
 - A standard that is an amount between minimum and the maximum.
- 1917(f) of the Act 16. The agency complies with the provisions of §1917(f) with respect to coverage of long-term care services for individuals with excess home equity as identified in Supplement 17 to Attachment 2.6-A.