

## **Table of Contents**

**State/Territory Name: Puerto Rico**

**State Plan Amendment (SPA) #: 22-0005**

This file contains the following documents in the order listed:

- 1) NY Regional Office Approval Letter
- 2) Approved SPA pages
- 3) CMS-179 form

**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

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October 7, 2022

Dinorah Collazo Ortiz  
Medicaid Director  
Puerto Rico Medicaid Program  
Puerto Rico Department of Health  
P.O. Box 70184  
San Juan, PR 00936-8184

Re: Puerto Rico State Plan Amendment (SPA) 22-0005

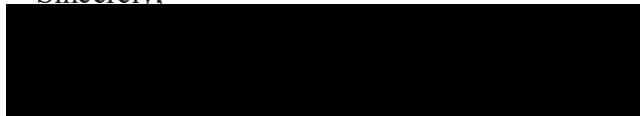
Dear Ms. Collazo:

The Centers for Medicare and Medicaid Services (CMS) reviewed your Medicaid State Plan Amendment (SPA) PR 22-0005 to remove the expiration date from PR SPA 21-0012 and modify the income disregard for certain categorically needy and medically needy eligibility groups in the Puerto Rico Medicaid program.

We conducted our review of your submittal according to statutory requirements in Title XIX of the Social Security Act and implementing regulations: Section 1902(a)(10)(C)(i) and 1902(r)(2); 42 CFR 436.320; 436.321 & 436.322. This letter is to inform you that we approved Puerto Rico Medicaid SPA 22-0005 on October 7, 2022, with an effective date of October 1, 2022.

If you have questions, please get in touch with Ivelisse Salce at 212-616-2411 or via email at [Ivelisse.Salce@cms.hss.gov](mailto:Ivelisse.Salce@cms.hss.gov).

Sincerely,



James G. Scott, Director  
Division of Program Operations

cc: Nicole McKnight  
Ivelisse Salce

|   |  |                       |
|---|--|-----------------------|
| <b>TRANSMITTAL AND NOTICE OF APPROVAL OF<br/>STATE PLAN MATERIAL<br/>FOR: CENTERS FOR MEDICARE &amp; MEDICAID SERVICES</b>  | 1. TRANSMITTAL NUMBER<br><u>2 2 - 0 0 0 5</u>  | 2. STATE<br><u>PR</u> |
|   | 3. PROGRAM IDENTIFICATION: TITLE OF THE SOCIAL SECURITY ACT<br><input checked="" type="radio"/> XIX <input type="radio"/> XXI  |                       |
| TO: CENTER DIRECTOR<br>CENTERS FOR MEDICAID & CHIP SERVICES<br>DEPARTMENT OF HEALTH AND HUMAN SERVICES  | 4. PROPOSED EFFECTIVE DATE<br><u>October 1, 2022</u>   |                       |
| 5. FEDERAL STATUTE/REGULATION CITATION<br><u>§1902(a)(10)(C)(i) and §1902(r)(2) of the Social Security Act; 42 CFR</u>  | 6. FEDERAL BUDGET IMPACT (Amounts in WHOLE dollars)<br>a FFY <u>2023</u> \$ <u>0</u><br>b FFY <u>2024</u> \$ <u>0</u>  |                       |
| 7. PAGE NUMBER OF THE PLAN SECTION OR ATTACHMENT<br><u>Supplement 1 to Attachment 2.6-A, Page 1<br/>Supplement 8A to Attachment 2.6-A, Page 1<br/>Supplement 8A to Attachment 2.6-A, Page 2<br/>Supplement 8b to Attachment 2.6-A, Page 1</u> | 8. PAGE NUMBER OF THE SUPERSEDED PLAN SECTION OR ATTACHMENT (If Applicable)<br><u>Supplement 1 to Attachment 2.6-A, Page 1<br/>Supplement 8A to Attachment 2.6-A, Page 1<br/>Supplement 8A to Attachment 2.6-A, Page 2<br/>Supplement 8b to Attachment 2.6-A, Page 1</u> |                       |

9. SUBJECT OF AMENDMENT  
To remove the sunset date for the Income Disregards that increase the effective monthly income standard for the Optional Category

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<br>     | 15. RETURN TO<br>PUERTO RICO MEDICAID PROGRAM<br>PUERTO RICO DEPARTMENT OF HEALTH<br>PO BOX 70184<br>SAN JUAN PR 00926-8184 |
| 12. TYPED NAME<br><u>Dinorah Collazo-Ortiz</u> |   |
| 13. TITLE<br><u>Program Director</u>           |   |
| 14. DATE SUBMITTED<br><u>08/26/2022</u>        |   |

**FOR CMS USE ONLY**

|                                     |                                     |
|-------------------------------------|-------------------------------------|
| 16. DATE RECEIVED <u>08/26/2022</u> | 17. DATE APPROVED <u>10/07/2022</u> |
|-------------------------------------|-------------------------------------|

**PLAN APPROVED - ONE COPY ATTACHED**

|   |  |
|---|--|
| 18. EFFECTIVE DATE OF APPROVED MATERIAL<br><u>10/01/2022</u>  | 19. SIGNATURE OF APPROVING OFFICIAL<br>  |
| 20. TYPED NAME OF APPROVING OFFICIAL<br><u>James G. Scott</u> | 21. TITLE OF APPROVING OFFICIAL<br><u>Director, Division of Program Operations</u> |

22. REMARKS

**STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT**  
**Territory: Puerto Rico**

**INCOME ELIGIBILITY LEVELS**

**A. CATEGORICALLY NEEDY**

Payment Standards for O A A, AB APTD, and AFDC

| Family Size           | Payment |
|-----------------------|---------|
| 1                     | \$64    |
| 2                     | \$64    |
| 3                     | \$96    |
| 4                     | \$128   |
| 5                     | \$160   |
| 7 to 12 add. on \$32. | \$192   |
| 13 add on \$24        |         |

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

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

| Citation(s)                              | Provision(s)  |
|--|---|
| 42 C.F.R. §436.320<br>42 C.F.R. §436.321 | For the Medically Needy Aged, Blind, and Disabled, the amount by which an individual's Medicare Part B premium is reduced through enrollment in a Medicare Advantage Plan is disregarded from income.   |
| 42 C.F.R. §436.322                       | For all non-MAGI eligibility groups, PRMP disregards from income any otherwise-countable benefits received through the Value-Based Insurance Design (VBID) Model overseen by the Center for Medicare & Medicaid Innovation of the Centers for Medicare & Medicaid Services. |

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

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

| Non-Modified Adjusted Gross Income (MAGI) Eligibility Evaluation: *  |  |           |                             |   |           |                                |
|--|--|-----------|-----------------------------|---|-----------|--------------------------------|
| Income Disregard to Allow Puerto Rico Medicaid Program to Increase the Effective Monthly Income Standard for the Categorically Needy Aged, Blind and Disabled (ABD) Group and All Medically Needy Groups. ** |  |           |                             |   |           |                                |
| Eligibility Monthly Income for non-MAGI:   |  |           |                             |   |           |                                |
| Optional Medicaid Categorically Needy ABD and Medically Needy All Groups   |  |           |                             |   |           |                                |
| Household  | Non-MAGI<br>Optional Categorically Needy ABD ***   |           |                             | Non-MAGI<br>Medically Needy All Groups **** |           |                                |
|  | Eligibility<br>Monthly Income  | Disregard | Effective<br>Monthly Income | Eligibility<br>Monthly Income               | Disregard | Effective<br>Monthly<br>Income |
| Members  | \$   | \$        | \$                          | \$  | \$        | \$                             |
| 1  | 64   | 1,264     | 1,328                       | 400   | 928       | 1,328                          |
| 2  | 64   | 1,726     | 1,790                       | 495   | 1,295     | 1,790                          |
| 3  | N/A  | N/A       | N/A                         | 590   | 1,661     | 2,251                          |
| 4  | N/A  | N/A       | N/A                         | 685   | 2,028     | 2,713                          |
| 5  | N/A  | N/A       | N/A                         | 780   | 2,394     | 3,174                          |
| 6  | N/A  | N/A       | N/A                         | 875   | 2,760     | 3,635                          |
| 7  | N/A  | N/A       | N/A                         | 970   | 3,127     | 4,097                          |
| 8  | N/A  | N/A       | N/A                         | 1,065                                       | 3,493     | 4,558                          |
| 9  | N/A  | N/A       | N/A                         | 1,160                                       | 3,859     | 5,019                          |
| 10   | N/A  | N/A       | N/A                         | 1,255                                       | 4,226     | 5,481                          |
| 11   | N/A  | N/A       | N/A                         | 1,350                                       | 4,592     | 5,942                          |
| 12   | N/A  | N/A       | N/A                         | 1,445                                       | 4,959     | 6,404                          |
| 13   | N/A  | N/A       | N/A                         | 1,540                                       | 5,325     | 6,865                          |
| 14   | N/A  | N/A       | N/A                         | 1,635                                       | 5,691     | 7,326                          |
| 15   | N/A  | N/A       | N/A                         | 1,730                                       | 6,058     | 7,788                          |
| 16   | N/A  | N/A       | N/A                         | 1,825                                       | 6,424     | 8,249                          |
| 17   | N/A  | N/A       | N/A                         | 1,920                                       | 6,791     | 8,711                          |
| 18   | N/A  | N/A       | N/A                         | 2,015                                       | 7,157     | 9,172                          |
| *  | The rounding-off dollar rules are applied to the dollar amounts shown in this column. To round, Puerto Rico drops amounts under 50 cents and increases from 50 to 99 cents to the next dollar. For example, \$1.39 becomes \$1 and \$2.50 becomes \$3. |           |                             |   |           |                                |
| **   | Puerto Rico disregards each individual's countable earned and unearned monthly income, the amount for the appropriate household size, as described in this Table.  |           |                             |   |           |                                |
| ***  | Optional Categorically Needy ABD: 42 C.F.R. §§436.210 and 211  |           |                             |   |           |                                |
| ****   | Medically Needy All Groups: 42 C.F.R. §§436.320, 321, 322  |           |                             |   |           |                                |

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

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

| Citation(s)           | Provision(s)  |
|-----------------------|---|
| 1902(r)(2) of the Act | For medically needy aged, blind and disabled individuals, Puerto Rico will disregard the difference between \$10,000 and the medically needy resource standard.<br><br>For all non-MAGI eligibility groups, PRMP will disregard from resources any otherwise-countable benefits received through the Value-Based Insurance Design (VBID) Model overseen by the Center for Medicare & Medicaid Innovation of the Centers for Medicare & Medicaid Services. |