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State/Territory Name: Ohio

State Plan Amendment (SPA) #: 23-0007

This file contains the following documents in the order listed:

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

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

June 9, 2023

Maureen M. Corcoran, Director
Ohio Department of Medicaid
P.O. Box 182709
50 West Town Street, Suite 400
Columbus, Ohio 43218

Re: Ohio State Plan Amendment (SPA) Transmittal Number 23-0007

Dear Director Corcoran:

The Centers for Medicare & Medicaid Services (CMS) reviewed your Medicaid State Plan Amendment (SPA) submitted under transmittal number 23-0007. This amendment proposes to update post-eligibility treatment of income exclusions in accordance with the Stephen Beck Jr. Achieving a Better Life Experience (ABLE) Act and recently passed State legislation.

We conducted our review of your submittal according to statutory requirements in Title XIX of the Social Security Act and implementing regulations. This letter is to inform you that Ohio Medicaid SPA 23-0007 was approved on June 9, 2023, with an effective date of January 1, 2023

If you have any questions, please contact Christine Davidson at (312) 886-3642 or via email at Christine.Davidson@cms.hhs.gov.

Sincerely,

A large black rectangular redaction box covers the signature area of the letter.

James G. Scott, Director
Division of Program Operations

Enclosure

cc: Rebecca Jackson, ODM
Gregory Niehoff, ODM
Katherine Berland, CMCS
Gene Coffey, CMCS

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

1. TRANSMITTAL NUMBER

2 3 — 0 0 7

2. STATE

OH

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

01/01/2023

5. FEDERAL STATUTE/REGULATION CITATION

P.L. 113-295

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

Attachment 2.6-A Page 4-3
Attachment 2.6-A Page 4-4 (new)

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 PAGE NUMBER OF THE SUPERSEDED PLAN SECTION OR ATTACHMENT (If Applicable)

Attachment 2.6-A Page 4-3 (TN 17-022)

9. SUBJECT OF AMENDMENT

Eligibility: Updating PETI exclusions

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:
The State Medicaid Director is the Governor's designee

11. SIGNATURE OF STATE AGENCY OFFICIAL

12. TYPED NAME MAUREEN M. CORCORAN

13. TITLE STATE MEDICAID DIRECTOR

14. DATE SUBMITTED
March 15, 2023

15. RETURN TO

Tiffany Williams
Ohio Department of Medicaid
P.O. BOX 182709
Columbus, Ohio 43218

FOR CMS USE ONLY

16. DATE RECEIVED
March 15, 2023

17. DATE APPROVED
06/09/2023

PLAN APPROVED - ONE COPY ATTACHED

18. EFFECTIVE DATE OF APPROVED MATERIAL
January 1, 2023

19. SIGNATURE [Redacted]

20. TYPED NAME OF APPROVING OFFICIAL
James G. Scott

21. TITLE OF APPROVING OFFICIAL
Director, Division of Program Operations

22. REMARKS

State: Ohio

Citation	Condition or Requirement
42 U.S.C. 673(b)	t. Federal and state foster care payments received under title IV-B, title IV-E, or title XX. Federal or state adoption assistance payments received under title IV-B, title IV-E, or title XX. Kinship guardianship assistance program (KGAP), state KGAP, or kinship guardianship assistance program connections to twenty-one (KGAP C21) payments received under title IV-B, title IV-E, or title XX.
42 USC 9858q	u. Assistance under the Child Care and Development Block Grant Act of 1990.
42 U.S.C. 5044(f)	v. Assistance or services received through the Domestic Volunteer Service under 42 U.S.C. 66 per 42 U.S.C. 5044(f).
7 U.S.C. 2017(b) 42 U.S.C. 1760(e) 42 U.S.C. 1780(b) 42 U.S.C. 3020a(a)	w. Assistance or services received through the Supplemental Nutrition Act Program; the School Lunch Program; the Child Nutrition Act; and the Nutrition Program for Elderly (Title VII).
42 U.S.C. 5155(d)	x. Payments made under the Disaster Relief and Emergency Assistance Act.
42 U.S.C. 1382a	y. Assistance, with respect to the dwelling unit occupied by such individual (or such individual and spouse), under the United States Housing Act of 1937, the National Housing Act, section 101 of the Housing and Urban Development Act of 1965, title V of the Housing Act of 1949, or section 202(h) of the Housing Act of 1959 per 42 U.S.C. 1382a.
42 U.S.C. 4636	z. Relocation assistance provided under title II of the Uniform Relocation Assistance and Real Property Acquisitions Policies Act of 1970 in accordance with 42 U.S.C. 4636 provided to individuals displaced by any federal or federally-assisted project or state or local government or through a state-assisted or locally-assisted project in the acquisition of real property.
3 of P.L. 111-255	aa. The first two thousand dollars per calendar year received as compensation for participation in clinical trials that meet the criteria detailed in section 1612(b) of the Social Security Act.

State: Ohio

Citation	Condition or Requirement
P.L. 113-295	bb. Accounts under the Stephen Beck, Jr., Achieving a Better Life Experience (ABLE) Act of 2014. The following are not considered income to the holder of an ABLE account, consistent with the circumstances described in CMS's State Medicaid Director Letter #17-002 (RE: Implications of the ABLE Act for State Medicaid Programs): Contributions to an ABLE account by another individual or third party; interest earned on an ABLE account; or distributions from an ABLE account.