

<b>TRANSMITTAL AND NOTICE OF APPROVAL OF STATE PLAN MATERIAL</b>  <b>FOR: HEALTH CARE FINANCING ADMINISTRATION</b>	1. TRANSMITTAL NUMBER: 10-05	2. STATE  New Mexico
	3. PROGRAM IDENTIFICATION: TITLE XIX OF THE SOCIAL SECURITY ACT (MEDICAID)	

TO: REGIONAL ADMINISTRATOR HEALTH CARE FINANCING ADMINISTRATION DEPARTMENT OF HEALTH AND HUMAN SERVICES	4. PROPOSED EFFECTIVE DATE January 1, 2010
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5. TYPE OF PLAN MATERIAL (Check One):

NEW STATE PLAN       AMENDMENT TO BE CONSIDERED AS NEW PLAN       AMENDMENT

COMPLETE BLOCKS 6 THRU 10 IF THIS IS AN AMENDMENT (Separate Transmittal for each amendment)

6. FEDERAL STATUTE/REGULATION CITATION: Section 1902 (r) (2) and 1931 of the Social Security Act	7. FEDERAL BUDGET IMPACT: a. FFY 2010 \$0 b. FFY 2011 \$0
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8. PAGE NUMBER OF THE PLAN SECTION OR ATTACHMENT:  SUPPLEMENT 8a to Attachment 2.6 A Page 3b SUPPLEMENT 8b to Attachment 2.6 A Page 2 SUPPLEMENT 12 to Attachment 2.6 A Page 2a	9. PAGE NUMBER OF THE SUPERSEDED PLAN SECTION OR ATTACHMENT (If Applicable): <del>NA</del> Same (TN 91-19) Same (New Page) Same (New Page)
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10. SUBJECT OF AMENDMENT:  
To comply with the requirement of section 1902(r) (2) and 1931 of the Social Security Act, this State Plan Amendment covers excluding Federal and State tax refunds and credits as income and resources.

11. GOVERNOR'S REVIEW (Check One):

GOVERNOR'S OFFICE REPORTED NO COMMENT       OTHER, AS SPECIFIED:  
 COMMENTS OF GOVERNOR'S OFFICE ENCLOSED      STATE MEDICAID DIRECTOR  
 NO REPLY RECEIVED WITHIN 45 DAYS OF SUBMITTAL

13. TYPED NAME: Carolyn Ingram	16. RETURN TO:  Carolyn Ingram, Director Medical Assistance Division P.O. Box 2348-ARK Santa Fe, NM 87504-2348
14. TITLE: Director	
15. DATE SUBMITTED: 03/27/10	

**FOR REGIONAL OFFICE USE ONLY**

17. DATE RECEIVED: 29 March, 2010	18. DATE APPROVED: 23 June, 2010
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PLAN APPROVED - ONE COPY ATTACHED	
19. EFFECTIVE DATE OF APPROVED MATERIAL: 1 January, 2010	20. SIGNATURE OF REGIONAL OFFICIAL:
21. TYPED NAME: Bill Brooks	22. TITLE: Associate Regional Administrator Div of Medicaid & Children's Health

23. REMARKS:

STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT

State: New Mexico

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

\_\_\_ Section 1902(f) State    X Non-Section 1902(f) State

Federal and State tax refunds and refundable tax credits are excluded as income for the following eligibility groups:

- X      Qualified children and pregnant women under 1902(a)(10)(A)(i)(III).
- X      Poverty level pregnant women and infants under 1902(a)(10)(A)(i)(IV).
- X      Poverty level children aged 1 up to age 6 under 1902(a)(10)(A)(i)(VI).
- X      Poverty level children aged 6 up to age 19 under 1902(a)(10)(A)(i)(VII).
- X      Optional categorically needy groups under 1902(a)(10)(A)(ii) as listed below.

Working Disabled Individuals under 1902(a)(10)(A)(ii)(XIII)  
Pregnant women and infants under 1902(a)(10)(A)(ii)(IX)

*NOTE: The Special Income Level Group under 1902(a)(10)(A)(ii)(V), the Individuals Who Would be Eligible if In an Institution Group under 1902(a)(10)(A)(ii)(VI) and the Hospice Group under 1902(a)(10)(A)(ii)(VII) cannot be included in this disregard.*

- \_\_\_      Medically Needy under 1902(a)(10)(C)(i)(III).
- \_\_\_      All aged, blind or disabled groups in 209(b) states under 1902(f).
- X      QMBs, SLMBs and QIs under 1905(p).

SUPERSEDES: TN- 91-19

STATE	<u>New Mexico</u>	A
DATE REC'D	<u>3-29-10</u>	
DATE APPV'D	<u>6-23-10</u>	
DATE EFF	<u>1-1-10</u>	
HCFA 179	<u>10-05</u>	

TN No. 10-05  
Supersedes  
TN No. 91-19

Approval Date 6-23-10      Effective Date 1-1-10

STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT

State: New Mexico

MORE LIBERAL METHODS OF TREATING RESOURCES  
UNDER SECTION 1902(r)(2) OF THE ACT\*

\_\_\_ Section 1902(f) State    X Non-Section 1902(f) State

Federal and State tax refunds and refundable tax credits are excluded as resources for the following eligibility groups:

- X     Qualified children and pregnant women under 1902(a)(10)(A)(i)(III).
- \_\_\_     Poverty level pregnant women and infants under 1902(a)(10)(A)(i)(IV).
- \_\_\_     Poverty level children aged 1 up to age 6 under 1902(a)(10)(A)(i)(VI).
- \_\_\_     Poverty level children aged 6 up to age 19 under 1902(a)(10)(A)(i)(VII).
- X     Optional categorically needy groups under 1902(a)(10)(A)(ii) as listed below.
  - Working Disabled Individuals under 1902(a)(10)(A)(ii)(XIII)
  - \_\_\_     Medically Needy under 1902(a)(10)(C)(i)(III).
  - \_\_\_     All aged, blind or disabled groups in 209(b) states under 1902(f).
- X     QMBs, SLMBs and QIs under 1905(p).

SUPERSEDES: NONE - NEW PAGE

STATE <u>New Mexico</u>	A
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TN No. 10-05  
 Supersedes                      Approval Date 6-23-10                      Effective Date 1-1-10  
 TN No. SUPERSEDES: NONE - NEW PAGE

Revision:

SUPPLEMENT 12 TO ATTACHMENT 2.6-A

Page 2a

STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT

State: New Mexico

ELIGIBILITY--UNDER SECTION 1931 OF THE ACT

The agency uses less restrictive income and/or resource methodologies than those in effect as of July 16, 1996 as follows:

X Federal and State tax refunds and refundable tax credits are excluded as income and resources for individuals eligible under 1931 authority.

The income and/or resource methodologies that the less restrictive methodologies replace are as follows:

Certain Federal and State tax refunds and refundable tax credits were not excluded as income and resources for individuals eligible under 1931 authority.

SUPERSEDES: NONE - NEW PAGE

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