TITLE 8  SOCIAL SERVICES
CHAPTER 215  MEDICAID ELIGIBILITY - SUPPLEMENTAL SECURITY INCOME (SSI)
   METHODOLOGY
PART 400  RECIPIENT POLICIES

8.215.400.1  ISSUING AGENCY: New Mexico Human Services Department.
[8.215.400.1 NMAC – Rp, 8.215.400.1 NMAC, xx/xx/xxxx]

8.215.400.2  SCOPE: The rule applies to the general public.
[8.215.400.2 NMAC – Rp, 8.215.400.2 NMAC, xx/xx/xxxx]

8.215.400.3  STATUTORY AUTHORITY: The New Mexico medicaid program is administered pursuant to
   regulations promulgated by the federal department of health and human services under Title XIX of the Social
   Security Act, as amended and by the state human services department pursuant to state statute. See Section 27-2-12
[8.215.400.3 NMAC – Rp, 8.215.400.3 NMAC, xx/xx/xxxx]

8.215.400.4  DURATION: Permanent.
[8.215.400.4 NMAC – Rp, 8.215.400.4 NMAC, xx/xx/xxxx]

[8.215.400.5 NMAC – Rp, 8.215.400.5 NMAC, xx/xx/xxxx]

8.215.400.6  OBJECTIVE: The objective of these regulations is to provide eligibility policy and procedures
   for the medicaid program.
[8.215.400.6 NMAC – Rp, 8.215.400.6 NMAC, xx/xx/xxxx]

8.215.400.7  DEFINITIONS: [RESERVED]
[8.215.400.7 NMAC – Rp, 8.215.400.7 NMAC, xx/xx/xxxx]

8.215.400.8  [RESERVED]
[8.215.400.8 NMAC – Rp, 8.215.400.8 NMAC, xx/xx/xxxx]

8.215.400.9  SUPPLEMENTAL SECURITY INCOME METHODOLOGY: All noninstitutionalized
   married couples who are eligible for supplemental security income (SSI) are treated as separate individuals for
   determining eligibility and benefit amounts, beginning the month after the month they begin living apart. In the case
   of an initial application or reinstatement following a period of ineligibility, each member of a married couple not
   living together is considered an individual as of the date of application or request for reinstatement, regardless of
   when the separation occurred. See Title 8, Chapter 281, Medicaid Eligibility - Institutional Care (Categories 081,
   083 and 084), for information on separation caused by the institutionalization of one member of a married couple.
[8.215.400.9 NMAC – Rp, 8.215.400.9 NMAC, xx/xx/xxxx]

8.215.400.10  SUPPLEMENTAL SECURITY INCOME (Categories 001, 003, and 004):
   A. The human services department (HSD) has an agreement under Section 1634 of the Social
   Security Act with the social security administration (SSA) for SSA to make medicaid eligibility determinations.
   Supplemental security income (SSI) recipients (categories 001, 003, and 004) who receive an SSI cash payment or
   are Section 1619(b) recipients automatically have medicaid eligibility unless they fail to meet the assignment of
   rights or third party liability requirements; or HSD has determined ineligibility under the medicaid trust provision.
   B. Section 1619(b) recipients: To qualify for continuing medicaid coverage, a 1619(b) individual
   must:
   ____________
   (1) have been eligible for an SSI cash payment for at least one month; and
   ____________
   (2) still meet the disability requirement; and
   ____________
   (3) still meet all other non-disability SSI requirements; and
   ____________
   (4) need medicaid benefits to continue to work; and
   ____________
   (5) have gross earnings that are insufficient to replace SSI, medicaid and publicly funded
   attendant care services.

8.215.400 NMAC
HISTORY OF 8.215.400 NMAC:
Pre NMAC History: The material in this part was derived from that previously filed with the State Records Center.

History of Repealed Material: