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**8.250.600 BENEFIT DESCRIPTION**

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**MEDICAID ELIGIBILITY – QUALIFIED INDIVIDUALS    EFF: 12-1-09  
WHOSE INCOME EXCEEDS QMB AND SLIMB (CATEGORY 05)  
BENEFIT DESCRIPTION**

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**TITLE 8                    SOCIAL SERVICES**  
**CHAPTER 250        MEDICAID ELIGIBILITY - QUALIFIED INDIVIDUALS WHOSE INCOME EXCEEDS**  
**QMB AND SLIMB (CATEGORY 045)**  
**PART 600                BENEFIT DESCRIPTION**

**8.250.600.1            ISSUING AGENCY:** New Mexico Human Services Department.  
[4/30/98; 8.250.600.1 NMAC - Rn, 8 NMAC 4.QIS.000.1, 12/1/09]

**8.250.600.2            SCOPE:** The rule applies to the general public.  
[4/30/98; 8.250.600.2 NMAC - Rn, 8 NMAC 4.QIS.000.2, 12/1/09]

**8.250.600.3            STATUTORY AUTHORITY:** New Mexico Statutes Annotated, 1978, (Chapter 27, Articles 1 and 2) authorizes the state to administer the medicaid program. Section 4732 of the 1997 Balanced Budget Act creates a separate group of eligible individuals, to be known as qualified individuals 1 (QI1s), with income between 120 percent and 135 percent of the federal poverty level. The benefit is limited to the payment of the monthly medicare part B insurance premium. Funding is available under 100 percent federal block grant money.  
[4/30/98; 8.250.600.3 NMAC - Rn, 8 NMAC 4.QIS.000.3, 12/1/09]

**8.250.600.4            DURATION:** Permanent  
[4/30/98; 8.250.600.4 NMAC - Rn, 8 NMAC 4.QIS.000.4, 12/1/09]

**8.250.600.5            EFFECTIVE DATE:** April 30, 1998, unless a later date is cited at the end of a section.  
[4/30/98; 8.250.600.5 NMAC - Rn, 8 NMAC 4.QIS.000.5 & A, 12/1/09]

**8.250.600.6            OBJECTIVE:** The objective of the qualified individuals 1 (QI1s) eligibility is for New Mexico medicaid to provide the payment of the monthly medicare part B insurance premium for individuals with income between 120 percent and 135 percent of the federal poverty level and who are not otherwise receiving medicaid under any other category of eligibility. Individuals will be served on a first come, first served basis, contingent upon availability of federal funds. Eligibility will be offered to individuals on a yearly basis. After 1998, individuals currently enrolled in the program will get the first opportunity to continue to receive benefits under this program.  
[4/30/98; 8.250.600.6 NMAC - Rn, 8 NMAC 4.QIS.000.6, 12/1/09]

**8.250.600.7            DEFINITIONS:** [RESERVED]

**8.250.600.8            ~~[RESERVED]~~ MISSION:** To reduce the impact of poverty on people living in New Mexico to assure low income and disabled individuals in New Mexico equal participation in the life of their communities.  
[8.250.600.8 NMAC - N, 12/1/09]

**8.250.600.9            BENEFIT DESCRIPTION:** Most individuals 65 or older receive free medicare part A. Those who do not receive free part A can voluntarily enroll for hospital insurance coverage and pay the monthly premium. Medicaid does not pay the medicare part A monthly premium for this category of recipients. Voluntary enrollees for premium/conditional medicare part A must enroll for supplementary medical insurance, medicare part B, and pay that premium also. After an application for QI benefits is approved, medicaid begins to pay the medicare part B premium. Applicants/recipients eligible for QI1 coverage under another medicaid category may not be eligible for QI1. QI1 eligibility is funded by limited block grant funding beginning in 1998 and ending when the congressional extension period expires. Since payment of the medicare part B premium is the only benefit, no medicaid card is issued.  
[4/30/98; 8.250.600.9 NMAC - Rn, 8 NMAC 4.QIS.600 & A, 12/1/09]

**8.250.600.10            BENEFIT DETERMINATION:** Application for QI1 is made on the assistance application form. Applications are acted on and notice of action taken is sent to the applicant within 45 days of the application.  
[4/30/98; 8.250.600.10 NMAC - Rn, 8 NMAC 4.QIS.620 & A, 12/1/09]

**MEDICAID ELIGIBILITY – QUALIFIED INDIVIDUALS      EFF: 12-1-09**  
**WHOSE INCOME EXCEEDS QMB AND SLIMB (CATEGORY 05)**  
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**8.250.600.11      INITIAL BENEFITS:** Eligibility begins the month the case is approved. When an eligibility determination is made, notice of the approval or denial is sent to the applicant. If the application is denied, this notice includes the recipient's right to request a hearing.  
[4/30/98; 8.250.600.11 NMAC - Rn, 8 NMAC 4.QIS.623, 12/1/09]

**8.250.600.12      ONGOING BENEFITS:** A redetermination of eligibility is made every 12 months.  
[4/30/98; 8.250.600.12 NMAC - Rn, 8 NMAC 4.QIS.624 & A, 12/1/09]

**8.250.600.13      RETROACTIVE BENEFIT COVERAGE:** Up to three months of retroactive coverage can be furnished to applicants who have been on medicare during the retroactive period and would have met applicable eligibility criteria had they applied during the three months prior to the month of application.

**A.      Application for retroactive benefit coverage:** Application for retroactive Medicaid is made by checking "yes" to the question on the application form about having unpaid medical bills in the three months prior to application for assistance. Applications for retroactive Medicaid benefits must be made no later than 180 days from the date of application for assistance.

**B.      Approval requirements:** To establish retroactive eligibility, the ISD worker must verify that all conditions of eligibility were met for each of the three retroactive months. Each month must be approved or denied on its own merits. In certain cases this may involve using the federal benefit rate (FBR) in effect during the retroactive months based on the applicant's living arrangement. See 8.200.520 NMAC, *Income Standards*.

**C.      Benefit coverage:** Retroactive benefits in this category of eligibility are limited to the payment of the medicare part B premium only.

**D.      Notice - Notice to applicant:** The applicant must be informed of which months are approved or denied.

[4/30/98; 8.250.600.13 NMAC - Rn, 8 NMAC 4.QIS.625 & A, 12/1/09]

**8.250.600.14      CHANGES IN ELIGIBILITY:** A case is closed, with provision of advance notice, when the recipient becomes ineligible. If a recipient dies, the case is closed effective the following month.  
[4/30/98; 8.250.600.14 NMAC - Rn, 8 NMAC 4.QIS.630, 12/1/09]

**HISTORY OF 8.250.600 NMAC:** [RESERVED]