

MEDICAID ELIGIBILITY – QUALIFIED DISABLED INDIVIDUALS (CATEGORY 042)
INCOME AND RESOURCE STANDARDS

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8.242.500 INCOME AND RESOURCE STANDARDS

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MAD-MR:

EFF DATE: 9-16-13

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**TITLE 8 SOCIAL SERVICES
CHAPTER 242 MEDICAID ELIGIBILITY - QUALIFIED DISABLED INDIVIDUALS (CATEGORY 042)
PART 500 INCOME AND RESOURCE STANDARDS**

8.242.500.1 ISSUING AGENCY: New Mexico Human Services Department.
[2/1/95; 8.242.500.1 NMAC - Rn, 8 NMAC 4.QDS.000.1, 9-15-13]

8.242.500.2 SCOPE: The rule applies to the general public.
[2/1/95; 8.242.500.2 NMAC - Rn, 8 NMAC 4.QDS.000.2, 9-15-13]

8.242.500.3 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 et seq. NMSA 1978 (Repl. Pamp. 1991).
[2/1/95; 8.242.500.3 NMAC - Rn, 8 NMAC 4.QDS.000.3, 9-15-13]

8.242.500.4 DURATION: Permanent
[2/1/95; 8.242.500.4 NMAC - Rn, 8 NMAC 4.QDS.000.4, 9-15-13]

8.242.500.5 EFFECTIVE DATE: February 1, 1995
[2/1/95; 8.242.500.5 NMAC - Rn, 8 NMAC 4.QDS.000.5, 9-15-13]

8.242.500.6 OBJECTIVE: The objective of these regulations is to provide eligibility policy and procedures for the medicaid program.
[2/1/95; 8.242.500.6 NMAC - Rn, 8 NMAC 4.QDS.000.6, 9-15-13]

8.242.500.7 DEFINITIONS: [RESERVED]

8.242.500.8 [RESERVED]

8.242.500.9 NEED DETERMINATION: Applicants/recipients for QD must apply for and take all necessary steps to obtain any resources to which they may be entitled. See 8.215.500.11 NMAC, *resource standards*, supplementation security income methodology, for information on exclusions, disregards, and countable resources.
[2/1/95; 8.242.500.9 NMAC - Rn, 8 NMAC 4.QDS.500, 9-15-13]

8.242.500.10 RESOURCE STANDARDS: The value of an applicant/recipient's countable resources must not exceed \$4,000. The resource limit for an applicant couple is \$6,000. An applicant/recipient with an ineligible spouse is eligible if the couple's countable resources do not exceed \$6,000 when resources are deemed. The resource determination is always made as of the first moment of the first day of the month. An applicant/recipient is ineligible for any month in which countable resources exceed the current resource standard as of the first moment of the first day of the month. Changes in the amount of resources during a month do not affect eligibility for that month.
[2/1/95; 8.242.500.10 NMAC - Rn, 8 NMAC 4.QDS.510, 9-15-13]

8.242.500.11 RESOURCE TRANSFERS: The social security administration excluded transfer of resources as a factor of eligible for non-institutionalized SSI recipients. Transfer of resources is not a factor for consideration in categories that use SSI methodology in the eligibility determination.
[2/1/95; 8.242.500.11 NMAC - Rn, 8 NMAC 4.QDS.515, 9-15-13]

8.242.500.12 INCOME STANDARDS: The income ceiling for QD eligibility is 200 percent of the federal income poverty guidelines. These guidelines are updated annually effective April 1. See 8.200.520 NMAC, *Income Standards* and 8.215.500.18 NMAC, *income*, supplementation security income methodology for information on exclusions, disregards, and countable income.
[2/1/95; 8.242.500.12 NMAC - Rn, 8 NMAC 4.QDS.520, 9-15-13]

8.242.500.13 UNEARNED INCOME: Unearned income exclusions: All social security and railroad

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retirement beneficiaries receive cost of living adjustments (COLAs) in January of each year. The income support specialist (ISS) must disregard the COLA from January through March when (re)determining QD eligibility. For redeterminations made in January, February and March or new QD applications registered in January, February or March, the ISS uses the December social security and railroad retirement benefit amounts. For QD applications registered from April through December, total gross income including the new COLA figures are used to determine income and compared to the new April federal poverty levels. This exclusion does not apply to other types of income.

[2/1/95; 8.242.500.13 NMAC - Rn, 8 NMAC 4.QDS.522, 9-15-13]

8.242.500.14 DEEMED INCOME: If an applicant/recipient is married and lives with a spouse, deemed income from the spouse must be considered. See 8.215.500.21 NMAC, *deemed income*, supplemental security income methodology for information on deemed income.

[2/1/95; 8.242.500.14 NMAC - Rn, 8 NMAC 4.QDS.523, 9-15-13]

HISTORY OF 8.242.500 NMAC:

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

MAD Rule 842.00, Qualified Disabled Working Individuals, filed 10/11/90.

MAD Rule 842, Qualified Disabled Working Individuals, filed 6/30/92.

MAD Rule 842, Qualified Disabled Working Individuals, filed 9/26/94.

History of Repealed Material: MAD Rule 842, Qualified Disabled Working Individuals, filed 9/26/94 - Repealed effective 2/1/95.