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**MEDICAID ELIGIBILITY – QUALIFIED INDIVIDUALS
WHOSE INCOME EXCEEDS QMB AND SLIMB (CATEGORY 045)
INCOME AND RESOURCE STANDARDS**

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TITLE 8 SOCIAL SERVICES
CHAPTER 250 MEDICAID ELIGIBILITY - QUALIFIED INDIVIDUALS WHOSE INCOME EXCEEDS QMB AND SLIMB (CATEGORY 045)
PART 500 INCOME AND RESOURCE STANDARDS

8.250.500.1 ISSUING AGENCY: New Mexico Human Services Department.
[4/30/98; 8.250.500.1 NMAC - Rn, 8 NMAC 4.QIS.000.1, 12/1/09]

8.250.500.2 SCOPE: The rule applies to the general public.
[4/30/98; 8.250.500.2 NMAC - Rn, 8 NMAC 4.QIS.000.2, 12/1/09]

8.250.500.3 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; 8.250.500.3 NMAC - Rn, 8 NMAC 4.QIS.000.3, 12/1/09]

8.250.500.4 DURATION: Permanent
[4/30/98; 8.250.500.4 NMAC - Rn, 8 NMAC 4.QIS.000.4, 12/1/09]

8.250.500.5 EFFECTIVE DATE: April 30, 1998, unless a later date is cited at the end of a section.
[4/30/98; 8.250.500.5 NMAC - Rn, 8 NMAC 4.QIS.000.5 & A, 12/1/09]

8.250.500.6 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; 8.250.500.6 NMAC - Rn, 8 NMAC 4.QIS.000.6, 12/1/09]

8.250.500.7 DEFINITIONS: [RESERVED]

8.250.500.8 MISSION: To reduce the impact of poverty on people living in New Mexico by providing support services that help families break the cycle of dependency on public assistance.
[8.250.500.8 NMAC - N, 12/1/09; A, 10/1/12]

8.250.500.9 NEED DETERMINATION: QI1s applicants/recipients must apply for and take all necessary steps to obtain any resources to which they may be entitled.
[4/30/98; 8.250.500.9 NMAC - Rn, 8 NMAC 4.QIS.500, 12/1/09]

8.250.500.10 RESOURCE STANDARDS: The value of an applicant/recipient's countable resources must not exceed the amount set forth in 8.200.510.14 NMAC, *resource amounts for supplemental security income (SSI) related medicare savings programs (QMB and SLIMB/QI1)*. The resource limit for an applicant couple is cannot exceed the amount for a couple set forth in 8.200.510.14 NMAC. An applicant/recipient with an ineligible spouse is eligible if the couple's countable resources do not exceed the amount set forth in 8.200.510.14 NMAC, when resources are deemed. A 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 the 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. See 8.215.500.13 NMAC, *countable resources*, and 8.215.500.14 NMAC, *resource exclusions*, for information on exclusions, disregards, and countable resources.
[4/30/98; 8.250.500.10 NMAC - Rn, 8 NMAC 4.QIS.510 & A, 12/1/09; A, 7/15/10]

MAD-MR: 12-10 MEDICAID ELIGIBILITY - QUALIFIED INDIVIDUALS WHOSE INCOME EXCEEDS QMB AND SLIMB (CATEGORY 045) EFF: 10-1-12
INCOME AND RESOURCE STANDARDS

8.250.500.11 RESOURCE TRANSFERS: The social security administration excluded transfer of resources as a factor of eligibility for non-institutionalized SSI recipients. Transfer of resources is not a factor for consideration in categories that use SSI methodology in the eligibility determination.
[4/30/98; 8.250.500.11 NMAC - Rn, 8 NMAC 4.QIS.515, 12/1/09]

8.250.500.12 TRUSTS: See 8.281.510 NMAC and following subsections.
[4/30/98; 8.250.500.12 NMAC - Rn, 8 NMAC 4.QIS.520 & A, 12/1/09; 8.250.500.12 NMAC - N, 10/1/12]

8.250.500.13 INCOME STANDARDS: Income standards for this category are at least 120 percent but less than 135 percent of the federal income poverty guidelines. The federal income poverty guidelines are adjusted annually, effective April 1. See 8.200.520 NMAC, *Income Standards*, and 8.215.500.19 NMAC, *income standards*, for information on exclusions, disregards and countable income. Verification of income must be documented in the case file.
[4/30/98; 8.250.500.13 NMAC - Rn, 8 NMAC 4.QIS.522 & A, 12/1/09; 8.250.500.13 NMAC - Rn, 8.250.500.12 NMAC, 10/1/12]

8.250.500.14 UNEARNED INCOME: Unearned income exclusions: All social security and railroad retirement beneficiaries receive cost of living adjustments (COLAs) in January of each year. The ISD caseworker must disregard the COLA from January through March when (re)determining QI1s eligibility. For redeterminations made in January, February and March and for new QI1 applications registered in January, February or March, the ISD caseworker uses the December social security and railroad retirement benefit amounts. For QI1 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.
[4/30/98; 8.250.500.14 NMAC - Rn, 8 NMAC 4.QIS.523 & A, 12/1/09; A, 7/15/10; 8.250.500.14 NMAC - Rn, 8.250.500.13 NMAC, 10/1/12]

8.250.500.15 DEEMED INCOME: If an applicant/recipient is a minor who lives with a parent(s), deemed income from the parent(s) must be considered. 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*, for information on deemed income.
[8.250.500.15 NMAC - Rn, 8.250.500.14 NMAC, 10/1/12]

HISTORY OF 8.250.500 NMAC: [RESERVED]