

**MEDICAID ELIGIBILITY – LOSS OF JUL FAMILY MEDICAID DUE TO CHILD OR SPOUSAL SUPPORT**

**BENEFIT DESCRIPTION**

Tribal Consultation Version 9.18.13

**TITLE 8 SOCIAL SERVICES**

**CHAPTER 227 MEDICAID ELIGIBILITY - LOSS OF JUL FAMILY MEDICAID DUE TO CHILD OR SPOUSAL SUPPORT**

**PART 600 BENEFIT DESCRIPTION**

**8.227.600.1 ISSUING AGENCY:** New Mexico Human Services Department (HSD).  
[8.227.600.1 NMAC - Rp, 8.227.600.1 NMAC, 1-1-14]

**8.227.600.2 SCOPE:** The rule applies to the general public.  
[8.227.600.2 NMAC - Rp, 8.227.600.2 NMAC, 1-1-14]

**8.227.600.3 STATUTORY AUTHORITY:** The New Mexico medicaid program and other health care programs are administered pursuant to regulations promulgated by the federal department of health and human services under Title XIX of the Social Security Act as amended or by state statute. See NMSA 1978, Section 27-1-12 et seq.  
[8.227.600.3 NMAC - Rp, 8.227.600.3 NMAC, 1-1-14]

**8.227.600.4 DURATION:** Permanent.  
[8.227.600.4 NMAC - Rp, 8.227.600.4 NMAC, 1-1-14]

**8.227.600.5 EFFECTIVE DATE:** January 1, 2014, unless a later date is cited at the end of a section.  
[8.227.600.5 NMAC - Rp, 8.227.600.5 NMAC, 1-1-14]

**8.227.600.6 OBJECTIVE:** The objective of this rule is to provide specific instructions when determining eligibility for the medicaid program and other health care programs. Generally, applicable eligibility rules are detailed in the medical assistance division (MAD) eligibility policy manual, specifically 8.200.400 NMAC, *General Medicaid Eligibility*. Processes for establishing and maintaining MAD eligibility are detailed in the income support division (ISD) general provisions 8.100 NMAC, *General Provisions for Public Assistance Programs*.  
[8.227.600.6 NMAC - Rp, 8.227.600.6 NMAC, 1-1-14]

**8.227.600.7 DEFINITIONS:** [RESERVED]

**8.227.600.8 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.  
[8.227.600.8 NMAC - N, 1-1-14]

**8.227.600.9 BENEFIT DESCRIPTION:** When a JUL medicaid assistance unit receives medicaid in three of the most recent six months, and loses medicaid wholly or in part due to new or increased child or spousal support, the assistance unit is eligible for transitional medicaid for four calendar months. A medicaid eligible recipient under this category is eligible to receive the full range of medicaid covered services. Effective January 1, 2014, the loss of JUL family medicaid from increased child or spousal support will not qualify recipients for transitional medicaid. The eligibility requirements for transitional medicaid effective January 1, 2014 can be found in 8.297.400 NMAC.  
[8.227.600.9 NMAC - Rp, 8.227.600.9 NMAC, 1-1-14]

**8.227.600.10 BENEFIT DETERMINATION:** ISD determines initial and ongoing eligibility.  
[8.227.600.10 NMAC - Rp, 8.227.600.10 NMAC, 1-1-14]

**8.227.600.11 INITIAL BENEFITS:** Notice of the ineligibility for JUL medicaid and eligibility for Category 027 medicaid benefits for four months is generated and mailed to recipients.  
[8.227.600.11 NMAC - Rp, 8.227.600.11 NMAC, 1-1-14]

**8.227.600.12 ONGOING BENEFITS:** At the end of the four month period, notice of the case closure is mailed to the recipient. If the JUL medicaid case with child support income is closed because of loss of the earned

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income disregard but eligibility would have continued if the earned income disregard were allowed, the recipient may be eligible for transitional medicaid. A separate application for transitional medicaid must be submitted. [8.227.600.12 NMAC - Rp, 8.227.600.12 NMAC, 1-1-14]

**8.227.600.13 PERIODIC REDETERMINATIONS OF ELIGIBILITY:**

A. Redetermination of eligibility is not applicable. A four month period of eligibility following JUL medicaid is established, without a new eligibility determination or application. Increases in income are disregarded. Refer to 8.227.400 NMAC.

B If the combined certification period for JUL medicaid and Category 027 is fewer than 12 months, the remaining months within the 12-month continuous eligibility period for a child is extended through the child's Category 032 program without a new eligibility determination or application.

C. All changes that may affect eligibility must be reported within 10 calendar days from the date of the change as detailed in 8.200.430 NMAC. [8.227.600.13 NMAC - N, 1-1-14]

**HISTORY OF 8.227.600 NMAC:**

**History of Repealed Material:**

8.227.600 NMAC, Benefit Description, filed 9-1-15 - Repealed effective 1-1-14.