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**MAD-MR: 13-19 MEDICAID ELIGIBILITY - LOSS OF PARENT CARETAKER  
MEDICAID DUE TO SPOUSAL SUPPORT  
RECIPIENT REQUIREMENTS**

**EFF: 1-1-14**

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**TITLE 8 SOCIAL SERVICES  
CHAPTER 297 MEDICAID ELIGIBILITY - LOSS OF PARENT CARETAKER MEDICAID DUE TO  
SPOUSAL SUPPORT  
PART 400 RECIPIENT REQUIREMENTS**

**8.297.400.1 ISSUING AGENCY:** New Mexico Human Services Department (HSD).  
[8.297.400.1 NMAC - Rp, 8.297.400.1 NMAC, 1-1-14]

**8.297.400.2 SCOPE:** The rule applies to the general public.  
[8.297.400.2 NMAC - Rp, 8.297.400.2 NMAC, 1-1-14]

**8.297.400.3 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 or by state statute. See NMSA 1978, Section 27-1-12 et seq.  
[8.297.400.3 NMAC - Rp, 8.297.400.3 NMAC, 1-1-14]

**8.297.400.4 DURATION:** Permanent.  
[8.297.400.4 NMAC - Rp, 8.297.400.4 NMAC, 1-1-14]

**8.297.400.5 EFFECTIVE DATE:** January 1, 2014, unless a later date is cited at the end of a section.  
[8.297.400.5 NMAC - Rp, 8.297.400.5 NMAC, 1-1-14]

**8.297.400.6 OBJECTIVE:** The objective of this rule is to provide eligibility guidelines when determining eligibility for the medical assistance division (MAD) medicaid program and other health care programs it administers. Processes for establishing and maintaining this category of eligibility are found in the affordable care general provision chapter located at 8.291.400 NMAC through 8.291.430 NMAC.  
[8.297.400.6 NMAC - Rp, 8.297.400.6 NMAC, 1-1-14]

**8.297.400.7 DEFINITIONS:** Refer to 8.291.400.7 NMAC.  
[8.297.400.7 NMAC - Rp, 8.297.400.7 NMAC, 1-1-14]

**8.297.400.8 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.  
[8.297.400.8 NMAC - Rp, 8.297.400.8 NMAC, 1-1-14]

**8.297.400.9 WHO CAN BE AN ELIGIBLE RECIPIENT:** Eligibility begins the first month immediately following parent caretaker medicaid ineligibility.

A. To be a medicaid eligible recipient, the assistance unit must have:

- (1) received parent caretaker medicaid in at least one month of the six months prior to ineligibility for parent caretaker medicaid;
- (2) lost parent caretaker medicaid wholly or in part due to new or increased spousal support;
- (3) at least one medicaid eligible dependent child living in the home; and
- (4) an individual who meets the medicaid eligibility requirements pursuant to 8.291.400 through 2.291.430 NMAC.

B. An applicant or an eligible recipient may have a qualified health plan.  
[8.297.400.9 NMAC - Rp, 8.297.400.9 NMAC, 1-1-14]

**HISTORY OF 8.297.400 NMAC:**

History of Repealed Material:

8.297.400 NMAC, Recipient Requirements, filed 9-17-13 - Duration expired 12-31-13.