

MAD-MR: **EFF DATE: proposed**
TRANSITIONAL MEDICAID ELIGIBILITY – LOSS OF JUL FAMILY MEDICAID DUE TO CHILD OR SPOUSAL SUPPORT
RECIPIENT REQUIREMENTS
Tribal Consultation Version 9.18.13

TITLE 8 SOCIAL SERVICES
CHAPTER 227 TRANSITIONAL MEDICAID ELIGIBILITY - LOSS OF JUL FAMILY MEDICAID DUE TO CHILD OR SPOUSAL SUPPORT
PART 400 RECIPIENT REQUIREMENTS

8.227.400.1 ISSUING AGENCY: New Mexico Human Services Department (HSD).
[8.227.400.1 NMAC - Rp, 8.227.400.1 NMAC, 1-1-14]

8.227.400.2 SCOPE: The rule applies to the general public.
[8.227.400.2 NMAC - Rp, 8.227.400.2 NMAC, 1-1-14]

8.227.400.3 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.
[8.227.400.3 NMAC - Rp, 8.227.400.3 NMAC, 1-1-14]

8.227.400.4 DURATION: Permanent.
[8.227.400.4 NMAC - Rp, 8.227.400.4 NMAC, 1-1-14]

8.227.400.5 EFFECTIVE DATE: January 1, 2014, unless a later date is cited at the end of a section.
[8.227.400.5 NMAC - Rp, 8.227.400.5 NMAC, 1-1-14]

8.227.400.6 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, 8.200 NMAC, *Medicaid Eligibility – General Recipient Policies*. Processes for establishing and maintaining medicaid eligibility are detailed in the income support division (ISD) general provisions, 8.100 NMAC, *General Provisions for Public Assistance Programs*.
[8.227.400.6 NMAC - Rp, 8.227.400.6 NMAC, 1-1-14]

8.227.400.7 DEFINITIONS: [RESERVED]

8.227.400.8 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.
[8.227.400.8 NMAC - N, 1-1-14]

8.227.400.9 CASES CLOSED DUE TO CHILD OR SPOUSAL SUPPORT: When a JUL medicaid assistance unit loses medicaid eligibility, wholly or in part, due to new or increased child or spousal support, the assistance unit is eligible for transitional medicaid eligibility under Category 027 for four calendar months. Eligibility begins the first month immediately following JUL medicaid ineligibility.

A. To be a medicaid eligible recipient, the assistance unit must have:
(1) received JUL medicaid in three of the most recent six month period prior to the ineligibility for JUL medicaid;

- (2) lost JUL medicaid wholly or in part due to new or increased child or spousal support;
- (3) at least one eligible dependent recipient living in the home;
- (4) assigned medical support rights to HSD and agree to cooperate with third party liability

responsibilities pursuant to 8.200.430 NMAC.

B. A recipient must meet all the eligibility requirements in 8.200.410 NMAC and 8.200.420 NMAC.

C. Applicant or a re-determining eligible recipient may have other creditable health insurance coverage.

D. An individual who is an inmate of a public institution is not eligible pursuant to 8.200.410 NMAC.

[8.227.400.9 - Rp, 8.227.400.9 NMAC, 1-1-14]

8.227.400.10 [RESERVED]

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8.227.400.11 ENUMERATION: Refer to 8.200.410.10 NMAC.
[8.227.400.11 NMAC - Rp, 8.227.400.11 NMAC, 1-1-14]

8.227.400.12 CITIZENSHIP: Refer to 8.200.410.11 NMAC.
[8.227.400.12 NMAC - Rp, 8.227.400.12 NMAC, 1-1-14]

8.227.400.13 RESIDENCE: Refer to 8.200.410.12 NMAC.
[8.227.400.13 NMAC - Rp, 8.227.400.13 NMAC, 1-1-14]

8.227.400.14 [RESERVED]

8.227.400.15 [RESERVED]

8.227.400.16 RECIPIENT RIGHTS AND RESPONSIBILITIES: Refer to 8.200.430 NMAC.
[8.227.400.16 NMAC - Rp, 8.227.400.16 NMAC, 1-1-14]

8.227.400.17 ASSIGNMENTS OF MEDICAL SUPPORT: Refer to 8.200.430.13 NMAC.
[8.227.400.17 NMAC - Rp, 8.227.400.17 NMAC, 1-1-14]

8.227.400.18 REPORTING REQUIREMENTS: Refer to 8.200.430.19 NMAC.
[8.227.400.18 NMAC - Rp, 8.227.400.18 NMAC, 1-1-14]

HISTORY OF 8.227.400 NMAC:

History of Repealed Material:

8.227.400 NMAC, Recipient Policies, filed 6-11-03 - Repealed effective 1-1-14.