

**MEDICAID ELIGIBILITY – CHILDREN UNDER 19
INCOME AND RESOURCE STANDARDS
Tribal Consultation Version 9.18.13**

**TITLE 8 SOCIAL SERVICES
CHAPTER 295 MEDICAID ELIGIBILITY - CHILDREN UNDER 19
PART 500 INCOME AND RESOURCE STANDARDS**

8.295.500.1 ISSUING AGENCY: New Mexico Human Services Department (HSD)
[8.295.500.1 NMAC - N, 10-1-13]

8.295.500.2 SCOPE: The rule applies to the general public.
[8.295.500.2 NMAC - N, 10-1-13]

8.295.500.3 STATUTORY AUTHORITY: The New Mexico medicaid program is administered pursuant to regulations promulgated by the federal department of health and human services under Titles XIX and XXI of the Social Security Act as amended or by state statute. See NMSA 1978, Section 27-1-12 et seq.
[8.295.500.3 NMAC - N, 10-1-13]

8.295.500.4 DURATION: December 31, 2013.
[8.295.500.4 NMAC - N, 10-1-13]

8.295.500.5 EFFECTIVE DATE: October 1, 2013, unless a later date is cited at the end of a section.
[8.295.500.5 NMAC - N, 10-1-13]

8.295.500.6 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.
[8.295.500.6 NMAC - N, 10-1-13]

8.295.500.7 DEFINITIONS: Refer to 8.291.400.7 NMAC.
[8.295.500.7 NMAC - N, 10-1-13]

8.295.500.8 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.
[8.295.500.8 NMAC - N, 10-1-13]

8.295.500.9 RESOURCE STANDARDS: Resources are not an eligibility factor for this category of eligibility.
[8.295.500.9 NMAC - N, 10-1-13]

8.295.500.10 INCOME STANDARD:

A. Financial eligibility: An individual's financial eligibility is based on the rules in this chapter and 8.291.430 NMAC.

B. Income test: In order to become eligible for children's medicaid, the total countable income of the budget group must be less than the income standard for eligibility found at 8.291.430 NMAC.

(1) If the assistance unit consists of a child under the age of six, the assistance unit and budget group's countable income must be less than 300 percent of FPL for the countable household size.

(2) If the assistance unit consists of a child age six to age 19, the assistance unit and budget group's countable income must be less than 240 percent of FPL for the countable household size.

[8.295.500.10 NMAC; N, 10-1-13]

8.295.500.11 INCOME ELIGIBILITY: Income from a 30 day-period is used to determine eligibility. Income from a terminated source is not counted. If an amount of income is received less frequently than monthly, that amount is converted by dividing the total income by the number of months the income is intended to cover to determine a modified adjusted gross income for financial eligibility. For the purposes of this calculation, a partial month is considered to be one full month. Income received more frequently than monthly will be converted using the following multipliers:

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- A. four (paid weekly);
- B. two (paid biweekly/semi-monthly).

[8.295.500.11 NMAC - N, 10-1-13]

8.295.500.12 DISREGARDS: An income disregard according to 8.291.430 NMAC, will be given only to the following:

A. individuals whose budget group’s countable MAGI income is at or above 190 percent of the FPL if the assistance unit consists of a child age six to age 19, or 240 percent of the FPL if the assistance unit consists of a child under the age of six; when a child has a QHP, an income disregard will be given when the existence of the QHP makes the individual ineligible due to CHIP requirements found at 8.295.400 NMAC; or

B. individuals whose budget group’s countable MAGI income is at or above 240 percent of the FPL if the assistance unit consists of a child age six to age 19, or 300 percent of the FPL if the assistance unit consists of a child under the age of six.

[8.295.500.12 NMAC - N, 10-1-13]

HISTORY OF 8.295.500 NMAC: [RESERVED]