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**TITLE 8 SOCIAL SERVICES**  
**CHAPTER 295 MEDICAID ELIGIBILITY - CHILDREN UNDER 19**  
**PART 600 BENEFIT DESCRIPTION**

**8.295.600.1 ISSUING AGENCY:** New Mexico Human Services Department (HSD).  
[8.295.600.1 NMAC - Rp, 8.295.600.1 NMAC, 1/1/2019]

**8.295.600.2 SCOPE:** The rule applies to the general public.  
[8.295.600.2 NMAC - Rp, 8.295.600.2 NMAC, 1/1/2019]

**8.295.600.3 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 and XXI of the Social Security Act as amended or by state statute. See Section 27-1-12 *et seq.*, NMSA 1978.  
[8.295.600.3 NMAC - Rp, 8.295.600.3 NMAC, 1/1/2019]

**8.295.600.4 DURATION:** Permanent.  
[8.295.600.4 NMAC - Rp, 8.295.600.4 NMAC, 1/1/2019]

**8.295.600.5 EFFECTIVE DATE:** January 1, 2019, or upon a later approval date by the federal centers for medicare and medicaid services (CMS), unless a later date is cited at the end of the section.  
[8.295.600.5 NMAC - Rp, 8.295.600.5 NMAC, 1/1/2019]

**8.295.600.6 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.  
[8.295.600.6 NMAC - Rp, 8.295.600.6 NMAC, 1/1/2019]

**8.295.600.7 DEFINITIONS:** Refer to 8.291.400.7 NMAC.  
[8.295.600.7 NMAC - Rp, 8.295.600.7 NMAC, 1/1/2019]

**8.295.600.8 [RESERVED]**  
[8.295.600.8 NMAC - Rp, 8.295.600.8 NMAC, 1/1/2019]

**8.295.600.9 BENEFIT DESCRIPTION:** This category provides full range of medicaid-covered services for eligible children.

**A.** An eligible child age five and under, whose budget group’s countable income is less than two hundred forty percent of the federal poverty level (FPL) guidelines, receives the full range of medicaid services.

**B.** An eligible child age six through 18, whose budget group’s countable income is less than one hundred ninety percent of the FPL guidelines, receives the full range of medicaid services.

**C.** An eligible child age five and under, whose budget group’s countable income is greater than two hundred forty percent but less than three hundred percent of the FPL guidelines receives the full range of medicaid services.

**D.** An eligible recipient child age six through 18, whose budget group’s countable income is greater than one hundred ninety percent but less than two hundred forty percent of the FPL guidelines, receives the full range of medicaid services.

[8.295.600.9 NMAC - Rp, 8.295.600.9 NMAC, 1/1/2019]

**8.295.600.10 BENEFIT DETERMINATION:** The HSD income support division determines initial and ongoing eligibility. Refer to affordable care general provision chapters located at 8.291.400 through 8.291.430 NMAC for eligibility requirements. Retroactive medicaid coverage is provided in accordance with 8.200.400.14 NMAC.

[8.295.600.10 NMAC - Rp, 8.295.600.10 NMAC, 1/1/2019]

**8.295.600.11 PERIODIC REDETERMINATIONS OF ELIGIBILITY:**

**A.** A redetermination of eligibility is made in accordance with 8.291.410 NMAC.

- B.** Continuous eligibility is applicable for medicaid eligible children. Refer to 8.291.400 NMAC.
- C.** All changes that may affect eligibility must be reported within 10 calendar days of the date of the change as detailed in 8.291.400 NMAC.  
[8.295.600.11 NMAC - Rp, 8.295.600.11 NMAC, 1/1/2019]

**HISTORY OF 8.295.600 NMAC:**

**History of Repealed Material:**

- 8.295.600 NMAC, Benefit Description, filed 9/17/2013 - Duration expired 12/31/2013.
- 8.295.600 NMAC, Benefit Description, filed 12/17/2013 – Repealed effective 1/1/2019.