

**MEDICAID ELIGIBILITY – CHILDREN UNDER 19
RECIPIENT REQUIREMENTS
Tribal Consultation Version 9.18.13**

**TITLE 8 SOCIAL SERVICES
CHAPTER 295 MEDICAID ELIGIBILITY - CHILDREN UNDER 19
PART 400 RECIPIENT REQUIREMENTS**

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

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

8.295.400.3 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 and XXI of the Social Security Act as amended or by state statute. See NMSA 1978, Section 27-1-12 et seq.
[8.295.400.3 NMAC - N, 10-1-13]

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

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

8.295.400.6 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.
[8.295.400.6 NMAC - N, 10-1-13]

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

8.295.400.8 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.
[8.295.400.8 NMAC - N, 10-1-13]

8.295.400.9 WHO CAN BE A RECIPIENT: To be eligible, a child must meet specific eligibility requirements:
A. a child under 19 years of age; and
B. a child who meets ACA eligibility requirements pursuant to 8.291.400 through 2.291.430 NMAC.
[8.295.400.9 NMAC - N, 10-1-13]

8.295.400.10 BASIS FOR DEFINING THE ASSISTANCE UNIT AND BUDGET GROUP: To be considered in a child assistance unit, an individual must apply and be determined eligible. Individuals may be included in the budget group, provided they live with the child and meet eligibility requirements. The budget group is established in accordance with 8.291.430 NMAC.
[8.295.400.10 NMAC - N, 10-1-13]

8.295.400.11 CHILDRENS HEALTH INSURANCE PROGRAM (CHIP):
A. A budget group that includes a child and has countable income between the following federal income poverty limits (FPL) is considered to be eligible for the CHIP:
(1) if the child in the assistance unit is under the age of six and the assistance unit and budget group’s countable income is between 240 and 300 percent of FPL for the countable household size; or
(2) if the assistance unit consists of a child age six or over and the assistance unit’s and budget group’s countable income is between 190 and 240 percent of FPL for the countable household size.
B. In order to be eligible for CHIP, the child in the assistance unit cannot have other qualified health plan (QHP) coverage. Individuals who have voluntarily dropped a QHP will immediately be eligible for inclusion

MAD-MR

EFF DATE: proposed

**MEDICAID ELIGIBILITY – CHILDREN UNDER 19
RECIPIENT REQUIREMENTS
Tribal Consultation Version 9.18.13**

in the assistance unit.

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

HISTORY OF 8.295.400 NMAC: [RESERVED]