

**TITLE 8 SOCIAL SERVICES**  
**CHAPTER 299 MEDICAID ELIGIBILITY - FAMILY PLANNING SERVICES**  
**PART 500 INCOME AND RESOURCE STANDARDS**

**8.299.500.1 ISSUING AGENCY:** New Mexico Human Services Department (HSD).  
[8.299.500.1 NMAC - N, xx-xx-xx]

**8.299.500.2 SCOPE:** The rule applies to the general public.  
[8.299.500.2 NMAC - N, xx-xx-xx]

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

**8.299.500.4 DURATION:** Permanent.  
[8.299.500.4 NMAC - N, xx-xx-xx]

**8.299.500.5 EFFECTIVE DATE:** July 1, 2017, unless a later date is cited at the end of a section.  
[8.299.500.5 NMAC - N, xx-xx-xx]

**8.299.500.6 OBJECTIVE:** The objective of this rule is to provide specific instructions when determining eligibility for the medicaid program and other health care programs. 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.  
[8.299.500.6 NMAC - N, xx-xx-xx]

**8.299.500.7 DEFINITIONS:** [RESERVED]

**8.299.500.8** [RESERVED]

**8.299.500.9 RESOURCE STANDARDS:** Resources are not an eligibility factor for this category of eligibility.  
[8.299.500.9 NMAC - N, xx-xx-xx]

**8.299.500.10 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 family planning medicaid, the total countable income of the budget group must be less than two hundred fifty percent of the federal poverty guidelines found at 8.291.430 NMAC.

[8.299.500.10 NMAC - N, xx-xx-xx]

**8.299.500.11 INCOME ELIGIBILITY:** Income from a 30 day-period is used to determine eligibility. 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. Income received more frequently than monthly will be converted using the following multipliers:

A. four (paid weekly);

B. two (paid biweekly/semi-monthly).

[8.299.500.10 NMAC - N, xx-xx-xx]

**8.296.500.12 DISREGARD:** An income disregard according to 8.291.430 NMAC will be given only to individuals whose countable modified adjusted gross income (MAGI) is at or above two hundred fifty percent of the federal poverty level for the size of the budget group.

[8.299.500.10 NMAC - N, xx-xx-xx]

**HISTORY OF 8.299.500 NMAC:**