

Department of Health & Human Services  
Centers for Medicare & Medicaid Services  
233 North Michigan Avenue, Suite 600  
Chicago, Illinois 60601-5519



CENTERS for MEDICARE & MEDICAID SERVICES

NOV 24 2008

Ms. Christine Bronson  
Medicaid Director  
Minnesota Department of Human Services  
P.O. Box 64998  
St. Paul, Minnesota 55164

Dear Ms. Bronson:

Enclosed for your records is an approved copy of the following State Plan Amendment:

Transmittal #08-009

More Liberal Income and Asset Methods for I-35 Bridge  
Collapse Compensation - Effective Date - July 1, 2008

If you have any additional questions, please have a member of your staff contact Doris Ross at [REDACTED] or by e-mail at [REDACTED].

Sincerely,

A handwritten signature in black ink, appearing to read "Verlon Johnson", written over a horizontal line.

Verlon Johnson  
Associate Regional Administrator  
Division of Medicaid and Children's Health Operations

cc: Lisa Knazan, MDHS

Enclosure

<b>TRANSMITTAL AND NOTICE OF APPROVAL OF STATE PLAN MATERIAL</b>  <b>FOR: HEALTH CARE FINANCING ADMINISTRATION</b>		1. TRANSMITTAL NUMBER:  08-009	2. STATE  Minnesota
		3. PROGRAM IDENTIFICATION: TITLE XIX OF THE SOCIAL SECURITY ACT (MEDICAID)	
TO: REGIONAL ADMINISTRATOR HEALTH CARE FINANCING ADMINISTRATION DEPARTMENT OF HEALTH AND HUMAN SERVICES		4. PROPOSED EFFECTIVE DATE  July 1, 2008 <del>December 1, 2007</del>	
5. TYPE OF PLAN MATERIAL (Check One):			
<input type="checkbox"/> NEW STATE PLAN <input type="checkbox"/> AMENDMENT TO BE CONSIDERED AS NEW PLAN <input checked="" type="checkbox"/> AMENDMENT			
COMPLETE BLOCKS 6 THRU 10 IF THIS IS AN AMENDMENT (Separate Transmittal for each amendment)			
6. FEDERAL STATUTE/REGULATION CITATION: §1902(r)(2) of the Social Security Act § 1931 of the Social Security Act		7. FEDERAL BUDGET IMPACT: a. FFY '08: \$0 b. FFY '09: \$0	
8. PAGE NUMBER OF THE PLAN SECTION OR ATTACHMENT: Page 5, new page 6 of Supplement 8a, New page 4 of Supplement 8b, and pages 2 & 3 of Supplement 13, all to Attachment 2.6-A		9. PAGE NUMBER OF THE SUPERSEDED PLAN SECTION OR ATTACHMENT (If Applicable): page 5 of Supplement 8a Pages 2 & 3 of Supplement 13	
10. SUBJECT OF AMENDMENT:  More liberal income and asset methods for I-35 bridge collapse compensation			

11. GOVERNOR'S REVIEW (Check One):	
<input checked="" type="checkbox"/> GOVERNOR'S OFFICE REPORTED NO COMMENT <input type="checkbox"/> OTHER, AS SPECIFIED: <input type="checkbox"/> COMMENTS OF GOVERNOR'S OFFICE ENCLOSED <input type="checkbox"/> NO REPLY RECEIVED WITHIN 45 DAYS OF SUBMITTAL	
12. SIGNATURE OF STATE AGENCY OFFICIAL:  <i>Christine Bronson</i>	16. RETURN TO: Ann Berg Minnesota Department of Human Services 540 Cedar Street, PO Box 64998 St. Paul, MN 55164-0983
13. TYPED NAME: Christine Bronson	
14. TITLE: Medicaid Director	
15. DATE SUBMITTED: August 22, 2008	

<b>FOR REGIONAL OFFICE USE ONLY</b>	
17. DATE RECEIVED: August 26, 2008	18. DATE APPROVED: August 25, 2008
19. EFFECTIVE DATE OF APPROVED MATERIAL: July 1, 2008	
21. TYPED NAME: Verlon Johnson	20. SIGNATURE OF REGIONAL OFFICIAL: <i>[Signature]</i>
22. TITLE: Assistant Regional Administrator	

POLICY	HOW POLICY IS MORE LIBERAL	GROUPS TO WHICH POLICY IS APPLIED
<p><b>Income disregard for low income families.</b> Disregard the difference between the 1931 income standard (Supplement 1 to Attachment 2.6 A, page 1) and 100 percent of the Federal poverty levels. Adjust annually on July 1.</p>	<p>AFDC applied a \$50 child support exclusion from income and a \$90 disregard of earned income to applicants and recipients. AFDC also applied a \$30 earned income disregard for 12 months to recipients. This income disregard replaces all of the above methods.</p>	<p>Low income families. §1931</p>
<p><b>Income disregard for mandatory and optional categorically needy groups related to AFDC, and medically needy families.</b> Disregard the difference between the medically needy applicable income standard (Supplement 1 to Attachment 2.6-A, page 7) and 100 percent of the Federal poverty levels. Adjust annually on July 1.</p>	<p>AFDC applied a \$50 child support exclusion and a \$90 disregard of earned income. This income disregard replaces these two methods.</p>	<p>Qualified pregnant women, children and families. §§ 1902(a)(10)(A)(i)(III) and 1905(n). Optional categorically needy - families and children. §§ 1902(a)(10)(A)(ii), 1905(a)(i) and 1905(a)(ii). Medically needy - families and children. §§ 1902(a)(10)(C)(i)(III), 1905(a)(i) and 1905(a)(ii).</p>
<p><b>Earned income disregard for low income families and children.</b> Disregard 17 percent of earned income for four months for applicants or recipients.</p>	<p>AFDC had no similar disregard for applicants. AFDC applied to recipients a disregard of 1/3 of earned income for four months. This disregard applies to applicants, and for recipients replaces the four months of a 1/3 disregard of earned income.</p>	<p>Low income families. §1931</p>
<p><b>Earned income disregard for mandatory and optional categorically needy groups related to AFDC, and medically needy families.</b> Disregard 17 percent of earned income for four months for applicants or recipients.</p>	<p>AFDC had no similar disregard for applicants. This disregard applies to applicants and recipients.</p>	<p>Qualified pregnant women, children and families. §§ 1902(a)(10)(A)(i)(III) and 1905(n) Optional categorically needy - families and children. §§ 1902(a)(10)(A)(ii), 1905(a)(i) and 1905(a)(ii). Medically needy - families and children. §§ 1902(a)(10)(C)(i)(III), 1905(a)(i) and 1905(a)(ii).</p>
<p><b>Income Disregard for certain poverty level children.</b> Disregard the difference between the income standard and income up to 150 percent of poverty. Adjust annually on July 1.</p>	<p>AFDC applied a \$50 child support exclusion from income. This income disregard replaces this methods.</p>	<p>Children age one through five. §1902(a)(10)(A)(i)(VI)  Children age six up to age 19, born after September 30, 1983. §1902(a)(10)(A)(i)(VII).</p>

POLICY	HOW POLICY IS MORE LIBERAL	GROUPS TO WHICH POLICY IS APPLIED
<p><u>Disregard of State Catastrophe Funds.</u> Disregard Minnesota I-35 Catastrophe Relief Fund payments.</p>	<p><u>AFDC and SSI have no similar disregard.</u></p>	<p><u>Eligibility Groups under the following sections of the Act:</u>  <u>1902(a)(10)(A)(i)(III)</u>  <u>1902(a)(10)(A)(i)(IV)</u>  <u>1902(a)(10)(A)(i)(VI)</u>  <u>1902(a)(10)(A)(i)(VII)</u>  <u>1902(f)</u>  <u>1902(a)(10)(A)(ii) (I)</u>  <u>1902(a)(10)(A)(ii)(IV)</u>  <u>1902(a)(10)(A)(ii) (VIII)</u>  <u>1902(a)(10)(A)(ii) (IX)</u>  <u>1902(a)(10)(A)(ii) (X)</u>  <u>1902(a)(10)(A)(ii) (XI)</u>  <u>1902(a)(10)(A)(ii) (XIV)</u>  <u>1902(a)(10)(A)(ii) (XV)</u>  <u>OMB, SLMB &amp; QI under 1902(a)(10)(E) and 1905(p).</u>  <u>Medically needy groups under §1902(a)(10)(C).</u></p>

STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT  
State: MINNESOTA  
MORE LIBERAL METHODS OF TREATING RESOURCES  
UNDER §1902(r)(2) OF THE ACT

POLICY	HOW POLICY IS MORE LIBERAL	GROUPS TO WHICH POLICY IS APPLIED
<p><u>Disregard of Catastrophe Relief Funds.</u> Disregard payments from the Minnesota I-35 Catastrophe Relief Funds</p>	<p>AFDC and SSI have no similar disregard.</p>	<p>Eligibility Groups under the following sections of the Act:  <u>1902(a)(10)(A)(i)(III)</u>  <u>1902(a)(10)(A)(i)(IV)</u>  <u>1902(a)(10)(A)(i)(VI)</u>  <u>1902(a)(10)(A)(i)(VII)</u>  <u>1902(f)</u>  <u>1902(a)(10)(A)(ii)(I)</u>  <u>1902(a)(10)(A)(ii)(IV)</u>  <u>1902(a)(10)(A)(ii)(V)</u>  <u>1902(a)(10)(A)(ii)(VIII)</u>  <u>1902(a)(10)(A)(ii)(IX)</u>  <u>1902(a)(10)(A)(ii)(X)</u>  <u>1902(a)(10)(A)(ii)(XI)</u>  <u>1902(a)(10)(A)(ii)(XIV)</u>  <u>1902(a)(10)(A)(ii)(XV)</u>  <u>OMB, SLMB &amp; QI under 1902(a)(10)(E) and 1905(p)</u>  <u>Medically needy groups under §1902(a)(10)(C).</u></p>

TN No. 08-009  
Supersedes  
TN No. N/A

Approval Date NOV 24 2008

Effective Date 07/01/08  
HCFA ID: 7985E

X The agency uses less restrictive income and/or resource methodologies than those in effect as of July 16, 1996, as follows:

For purposes of the gross income test, all income in excess of 185% will be disregarded.

A lump sum payment will be considered income in the month received and an asset thereafter.

The difference between the July 16, 1996 AFDC income standard and 100 percent of the current FPL, plus the cost of child (or incapacitated adult) care necessary for employment, plus the amount of any payments of court ordered child support, plus 17 percent of earned income for the first four months in which earnings are counted is disregarded; or the AFDC disregards in effect on July 16, 1996, whichever is to the family's advantage.

The agency disregards the difference between the 1931 income standard and 100 percent of the Federal poverty levels, adjusted annually on July 1st to reflect the levels previously published in the Federal Register for the year.

The agency disregards 17 percent of earned income for four months for applicants and recipients.

The agency disregards all payments received from the Minnesota I-35 Catastrophe Relief Fund from income or resources.

The agency excludes one vehicle for each person that uses a vehicle for employment or for seeking employment.

The agency excludes IRA's, 401(k) plans, 403(b) plans, Keogh plans and other individually-owned pension and retirement funds.

The agency excludes court-ordered settlements up to \$10,000

The agency excludes \$9,000 in property not subject to other exclusions for one person and \$19,000 not subject to other exclusions for two or more people.

The agency excludes all assets established under the Uniform Gift to Minors Act, and the child-owned portion of an account held jointly by an adult and child.

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TN: 08-009  
Superseded by:  
TN: 03-18

Approval Date: NOV 24 2008

Effective Date: 7/01/08

The agency terminates medical assistance (except for certain pregnant women and children) for individuals who fail to meet TANF work requirements.

  X   The agency continues to apply the following waivers of provisions of Part A of title IV in effect as of July 16, 1996, or submitted prior to August 22, 1996 and approved by the Secretary on or before July 1, 1997.

- Waiver of §§402(a)(41) and 407 of the Act, 45 CFR 233.100(a)(1) and (c)(1)(iii). A child will be considered deprived if family income is below the applicable income standard, regardless of the number of hours that the principal wage earner is employed.

[In the 7/16/96 AFDC State plan, the principal wage earner cannot be employed over 100 hours per month

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TN: 08-009

Superseded by:

TN: 02-06

Approval Date: NOV 24 2008

Effective Date: 07/01/08