

STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT

State: _____ UTAH _____

ELIGIBILITY CONDITIONS AND REQUIREMENTS

Citation	Condition or Requirement
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A. General Conditions of Eligibility (Continued)

- 3. d. Is an alien granted lawful temporary resident status under section 210 of the Immigration and Nationality Act not within the scope of c. above (coverage must be restricted to certain emergency services during the five-year period beginning on the date the alien was granted such status); or
- e. Is an alien who is not lawfully admitted for permanent residence or otherwise permanently residing in the United States under color of law (coverage must be restricted to certain emergency services).

42 CFR 435.403
1902(b) of the
Act

- 4. Is a resident of the State, regardless of whether or not the individual maintains the residence permanently or maintains it at a fixed address.
 - State has interstate residency agreement with the following States:
Arkansas, Colorado, Delaware, Georgia, Hawaii, Kansas, Kentucky, Louisiana, Maine, Massachusetts, Minnesota, Mississippi, Missouri, Nebraska, Nevada, New Hampshire, New Mexico, Oklahoma, Rhode Island, South Dakota, West Virginia, Wisconsin
 - State has open agreement(s).
 - Not applicable; no residency requirement.

T.N. # _____ 91-21 _____

Approval Date _____ 12-16-91 _____

Supersedes T.N. # _____ 89-14 _____

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STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT

State: _____ UTAH _____

ELIGIBILITY CONDITIONS AND REQUIREMENTS

Citation	Condition or Requirement
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A. General Conditions of Eligibility (Continued)

6. (Continued)

An applicant or recipient must also cooperate in establishing the paternity of any eligible child and in obtaining medical support and payments for himself or herself and any other person who is eligible for Medicaid and on whose behalf the individual can make an assignment; except that individuals described in §1902(l)(1)(A) of the Social Security Act (pregnant women and women in the post-partum period) are exempt from these requirements involving paternity and obtaining support. Any individual may be exempt from the cooperation requirements by demonstrating good cause for refusing to cooperate.

An applicant or recipient must also cooperate in identifying any third party who may be liable to pay for care that is covered under the State plan and providing information to assist in pursuing these third parties. Any individual may be exempt from the cooperation requirements by demonstrating good cause for refusing to cooperate.

___ Assignment of rights is automatic because of State law.

42 CFR 435.910

7. Is required, as a condition of eligibility, to furnish his/her social security account number (or numbers, if he/she has more than one number), except for aliens seeking medical assistance for the treatment of an emergency medical condition under section 1903(v)(2) of the Social Security Act (section 1137(f)).

T.N. # _____ 91-25 _____

Approval Date _____ 7-10-92 _____

Supersedes T.N. # _____ New _____

Effective Date _____ 12-1-91 _____

STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT

State: _____ UTAH _____

ELIGIBILITY CONDITIONS AND REQUIREMENTS

Citation	Condition or Requirement
	B. <u>Post-Eligibility Treatment of Institutionalized Individuals' Incomes</u>
	1. The following items are not considered in the posteligibility process:
1902(o) of the Act	a. SSI and SSP benefits paid under §1611(e)(1)(E) and (G) of the Act to individuals who receive care in a hospital, nursing home, SNF, or ICF.
Bondi v Sullivan	b. Austrian Reparation Payments (pension [reparation] payments made under §500-506 of the Austrian General Social Insurance Act). Applies only if State follows SSI program rules with respect to the payments.
1902(r)(1) of the Act	c. German Reparations Payments (reparation payments made by the Federal Republic of Germany).
105/206 of P.L. 100-383	d. Japanese and Aleutian Restitution Payments.
1.(a) of P.L. 103-286	e. Netherlands Reparation Payments based on Nazi, but not Japanese, persecution (during World War II).
10405 of P.L. of 101-239	f. Payments from the Agent Orange Settlement Fund or any other fund established pursuant to the settlement in the In re Agent Orange product liability litigation. M.D.L No. 381 (E.D.N.Y.).
6(h)(2) of P.L. 101-426	g. Radiation Exposure Compensation.
12005 of P.L. 103-66	h. VA pensions limited to \$90 per month under 38 U.S.C. 5503.

T.N. # _____ 99-005 _____ Approval Date _____ 10-1-99 _____

Supersedes T.N. # _____ 96-003 _____ Effective Date _____ 4-1-99 _____

STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT

State: _____ UTAH _____

ELIGIBILITY CONDITIONS AND REQUIREMENTS

Citation	Condition or Requirement
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B. Post-Eligibility Treatment of Institutionalized Individuals' Incomes (Cont.)

1924 of the Act
435.725
435.733
435.832

2. The following monthly amounts for personal needs are deducted from total monthly income in the application of an institutionalized individual's or couple's income to the cost of institutionalized care.

Personal Needs Allowance (PNA) of not less than \$30 For Individuals and \$60 For Couples For All Institutionalized Persons.

- a. Aged, Blind, Disabled:
Individuals \$ 45
Couples \$ _____

For the following persons with greater need:

Supplement 12 to ATTACHMENT 2.6-A describes the greater need; describes the basis or formula for determining the deductible amount when a specific amount is not listed above; lists the criteria to be met; and, where appropriate, identifies the organizational unit which determines that a criterion is met.

- b. AFDC related:
Children \$ 45
Adults \$ 45

Supplement 12 to ATTACHMENT 2.6-A describes the greater need; describes the basis or formula for determining the deductible amount when a specific amount is not listed above; lists the criteria to be met; and, where appropriate, identifies the organizational unit which determines that a criterion is met.

- c. Individuals under age 21 covered in the plan as specified in Item B.7. of ATTACHMENT 2.2-A.
\$ 45

T.N. # _____ 99-005

Approval Date 10-1-99

Supersedes T.N. # 96-003

Effective Date 4-1-99

STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT

State: _____ UTAH _____

ELIGIBILITY CONDITIONS AND REQUIREMENTS

Citation	Condition or Requirement
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B. Post-Eligibility Treatment of Institutionalized Individuals' Incomes (Cont.)

For the following persons with greater need:
Supplement 12 to ATTACHMENT 2.6-A describes the greater need; describes the basis or formula for determining the deductible amount when a specific amount is not listed above; lists the criteria to be met; and, where appropriate, identifies the organizational unit which determines that a criterion is met.

1924 of the Act

3. In addition to the amounts under item 2., the following monthly amounts are deducted from the remaining income of an institutionalized individual with a community spouse:
 - a. The monthly income allowance for the community spouse, calculated using the formula in §1924(d)(2), is the amount by which the maintenance needs standard exceeds the community spouse's income. The maintenance needs standard can not exceed the maximum prescribed in §1924(d)(3)(C). The maintenance needs standard consists of a poverty level component plus an excess shelter allowance.
 - x The poverty level component is calculated using the applicable percentage (set out in §1924(d)(3)(B) of the Act) of the official poverty level.
 - The poverty level component is calculated using a percentage greater than the applicable percentage, equal to % of the official poverty level (still subject to maximum maintenance needs standard).
 - The maintenance needs standard for all community spouses is set at the maximum permitted by §1924(d)(3)(C).
Except that, when applicable, the State will set the community spouse's monthly income allowance at the amount by which exceptional maintenance needs, established at a fair hearing, exceed the community spouse's income, or at the amount of any court-ordered support.

T.N. # 99-005

Approval Date 10-1-99

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Effective Date 4-1-99

STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT

State: _____ UTAH _____

ELIGIBILITY CONDITIONS AND REQUIREMENTS

Citation

Condition or Requirement

B. Post-Eligibility Treatment of Institutionalized Individuals' Incomes (Cont.)

In determining any excess shelter allowance, utility expenses are calculated using:

the standard utility allowance under §5(e) of the Food Stamp Act of 1977, or

___ the actual unreimbursable amount of the community spouse's utility expenses less any portion of such amount included in condominium or cooperative charges.

- b. The monthly income allowance for other dependent family members living with the community spouse is:

one-third of the amount by which the poverty level component (calculated under §1924(d)(3)(A)(i) of the Act, using the applicable percentage specified in §1924(d)(3)(B) exceeds the dependent family member' monthly income.

___ a greater amount calculated as follows:

The following definition is used in lieu of the definition provided by the Secretary to determine the dependence of family members under §1924(d)(1):

- c. Amounts for health care expenses described below that are incurred by and for the institutionalized individual and are not subject to payments by a third party:
- (i) Medicaid, Medicare, and other health insurance premiums, deductibles, or coinsurance charges, or copayments.
 - (ii) Necessary medical or remedial care recognized under State law but not covered under the State plan. (Reasonable limits on amounts are described in Supplement 3 to ATTACHMENT 2.6-A).

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STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT

State: UTAH

ELIGIBILITY CONDITIONS AND REQUIREMENTS

Citation	Condition or Requirement
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B. Post-Eligibility Treatment of Institutionalized Individuals's Incomes (Cont.)

4. In addition to any amounts deductible under the items above, the following monthly amounts are deducted from the remaining monthly income of an institutionalized individual or an institutionalized couple:
- a. An amount for the maintenance needs of each member of a family living in the institutionalized individual's home with no community spouse living in the home. The amount must be based on a reasonable assessment of need but must not exceed the higher of the:
- AFDC level; or
 - Medically needy level:

 AFDC levels in Supplement 1
 Medically needy level in Supplement 1
 Other: \$

- b. Amounts for health care expenses described below that have not been deducted under 3.c. above (i.e., for an institutionalized individual with a community spouse), are incurred by and for the institutionalized individual or institutionalized couple, and are not subject to the payment by a third party:
- (i) Medicaid, Medicare, and other health insurance premiums, deductibles, or coinsurance charges, or copayments.
- (ii) Necessary medical or remedial care recognized under State law but not covered under the State plan. (Reasonable limits on amounts are described in Supplement 3 to ATTACHMENT 2.6-A).

435.725
435.733
435.832

5. At the option of the State, as specified below, the following is deducted from any remaining monthly income of an institutionalized individual or an institutionalized couple.

A monthly amount for the maintenance of the home of the individual or couple for not longer than 6 months if a physician has certified that the individual, or one member of the institutionalized couple, is likely to return home within that period:

 No.
 x Yes. (the applicable amount is shown on page 5a).

T.N. # 99-005

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Effective Date 4-1-99

STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT

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ELIGIBILITY CONDITIONS AND REQUIREMENTS

Citation	Condition or Requirement
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42 CFR 435.711
435.721, 435.831

C. Financial Eligibility

For individuals who are AFDC or SSI recipients, the income and resource levels and methods for determining countable income and resources of the AFDC and SSI program apply, unless the plan provides for more restrictive levels and methods than SSI for SSI recipients under section 1902(f) of the Act, or more liberal methods under section 1902(r)(2) of the Act, as specified below.

For individuals who are not AFDC or SSI recipients in a non-section 1902(f) State and those who are deemed to be cash assistance recipients, the financial eligibility requirements specified in this section C apply.

— Supplement 1 to ATTACHMENT 2.6-A specifies the income levels for mandatory and optional categorically needy groups of individuals, including individuals with incomes related to the Federal income poverty level--pregnant women and infants or children covered under sections 1902(a)(10)(A)(i)(IV), 1902(a)(10)(A)(i)(VI), 1902(a)(10)(A)(i)(VII), and 1902(a)(10)(A)(ii)(IX) of the Act and aged and disabled individuals covered under section 1902(a)(10)(A)(ii)(X) of the Act--and for mandatory groups of qualified Medicare beneficiaries covered under section 1902(a)(10)(E)(i) of the Act.

T.N. # _____ 92-02 _____

Approval Date _____ 5-20-92 _____

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Effective Date _____ 1-1-92 _____

STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT

State: _____ UTAH _____

ELIGIBILITY CONDITIONS AND REQUIREMENTS

Citation

Condition or Requirement

C. Financial Eligibility (Continued)

- Supplement 2 to ATTACHMENT 2.6-A specifies the resource levels for mandatory and optional categorically needy poverty level related groups, and for medically needy groups.
- Supplement 7 to ATTACHMENT 2.6-A specifies the income levels for categorically needy aged, blind and disabled persons who are covered under requirements more restrictive than SSI.
- Supplement 4 to ATTACHMENT 2.6-A specifies the methods for determining income eligibility used by States that have more restrictive methods than SSI, permitted under section 1902(f) of the Act.
- Supplement 5 to ATTACHMENT 2.6-A specifies the methods for determining resource eligibility used by States that have more restrictive methods than SSI, permitted under section 1902(f) of the Act.
- X Supplement 8a to ATTACHMENT 2.6-A specifies the methods for determining income eligibility used by States that are more liberal than the methods of the cash assistance programs, permitted under section 1902(r)(2) of the Act.
- X Supplement 8b to ATTACHMENT 2.6-A specifies the methods for determining resource eligibility used by States that are more liberal than the methods of the cash assistance programs, permitted under section 1902(r)(2) of the Act.
- X Supplement 14 to ATTACHMENT 2.6-A specifies income levels used by States for determining eligibility of Tuberculosis-infected individuals whose eligibility is determined under section 1902(z)(1) of the Act.

T.N. # _____ 03-017 _____

Approval Date _____ 10-09-03 _____

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Effective Date _____ 7-1-03 _____

STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT

State: UTAH

ELIGIBILITY CONDITIONS AND REQUIREMENTS

Citation	Condition or Requirement
	C. <u>Financial Eligibility</u> (Continued)
1902(r)(2) of the Act	1. <u>Methods of Determining Income</u> a. <u>AFDC-related individuals (except for poverty level related pregnant women, infants, and children).</u> (1) In determining countable income for AFDC-related individuals, the following methods are used: — (a) The methods under the State's approved AFDC plan only; or <u>X</u> (b) The methods under the State's approved AFDC plan and/or any more liberal methods described in Supplement 8a to ATTACHMENT 2.6-A. (2) In determining relative financial responsibility, the agency considers only the income of spouses living in the same household as available to spouses and the income of parents as available to children living with parents until the children become 21.
1902(e)(6) of the Act	(3) Agency continues to treat women eligible under the provisions of sections 1902(a)(10) of the Act as eligible, without regard to any changes in income of the family of which she is a member, for the 60-day period after her pregnancy ends and any remaining days in the month in which the 60th day falls.

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STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT

State: _____ UTAH _____

ELIGIBILITY CONDITIONS AND REQUIREMENTS

Citation	Condition or Requirement
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C. Financial Eligibility (Continued)

42 CFR 435.721
435.831, and
1902(m)(1)(B)(m)(4)
and 1902(r)(2)
of the Act

1. b. Aged individuals. In determining countable income for aged individuals, including aged individuals with incomes up to the Federal poverty level described in section 1902(m)(1) of the Act, the following methods are used:

The methods of the SSI program only.

The methods of the SSI program and/or any more liberal methods described in Supplement 8a to ATTACHMENT 2.6-A.

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State: _____ UTAH _____

ELIGIBILITY CONDITIONS AND REQUIREMENTS

Citation	Condition or Requirement
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C. Financial Eligibility (Continued)

- ___ For individuals other than optional State supplement recipients, more restrictive methods than SSI, applied under the provisions of section 1902(f) of the Act, as specified in Supplement 4 to ATTACHMENT 2.6-A; and any more liberal methods described in Supplement 8a to ATTACHMENT 2.6-A.
- ___ For institutional couples, the methods specified under section 1611(e)(5) of the Act.
- ___ For optional State supplement recipients under §435.230, income methods more liberal than SSI, as specified in Supplement 4 to ATTACHMENT 2.6-A.
- ___ For optional State supplement recipients in section 1902(f) States and SSI criteria States without section 1616 or 1634 agreements --
 - ___ SSI methods only.
 - ___ SSI methods and/or any more liberal methods than SSI described in Supplement 8a to ATTACHMENT 2.6-A.
 - ___ Methods more restrictive and/or more liberal than SSI. More restrictive methods are described in Supplement 4 to ATTACHMENT 2.6-A and more liberal methods are described in Supplement 8a to ATTACHMENT 2.6-A.

In determining relative financial responsibility, the agency considers only the income of spouses living in the same household as available to spouses.

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STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT

State: _____ UTAH _____

ELIGIBILITY CONDITIONS AND REQUIREMENTS

Citation	Condition or Requirement
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C. Financial Eligibility (Continued)

42 CFR 435.721 and
435.831
1902(m)(1)(B),
(m)(4), and
1902(r)(2) of
the Act

1. c. Blind individuals. In determining countable income for blind individuals, the following methods are used:

— The methods of the SSI program only.

X SSI methods and/or any more liberal methods described in Supplement 8a to ATTACHMENT 2.6-A.

— For individuals other than optional State supplement recipients, more restrictive methods than SSI, applied under the provisions of section 1902(f) of the Act, as specified in Supplement 4 to ATTACHMENT 2.6-A, and any more liberal methods described in Supplement 8a to ATTACHMENT 2.6-A.

— For institutional couples, the methods specified under section 1611(e)(5) of the Act.

— For optional State supplement recipients under §435.230, income methods more liberal than SSI, as specified in Supplement 4 to ATTACHMENT 2.6-A.

— For optional State supplement recipients in section 1902(f) States and SSI criteria States without section 1616 or 1634 agreements--

— SSI methods only.

— SSI methods and/or any more liberal methods than SSI described in Supplement 8a to ATTACHMENT 2.6-A.

— Methods more restrictive and/ or more liberal than SSI. More restrictive methods are described in Supplement 4 to ATTACHMENT 2.6-A and more liberal methods are described in Supplement 8a to ATTACHMENT 2.6-A.

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STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT

State: _____ UTAH _____

ELIGIBILITY CONDITIONS AND REQUIREMENTS

Citation	Condition or Requirement
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C. Financial Eligibility (Continued)

In determining relative responsibility, the agency considers only the income of spouses living in the same household as available to spouses and the income of parents as available to children living with parents until the children become 21.

42 CFR 435.721,
and 435.831
1902(m)(1)(B),
(m)(4), and
1902(r)(2) of the Act

d. Disabled individuals. In determining countable income of disabled individuals, including individuals with incomes up to the Federal poverty level described in section 1902(m) of the Act the following methods are used:

- The methods of the SSI program.
- SSI methods and/or any more liberal methods described in Supplement 8a to ATTACHMENT 2.6-A.
- For institutional couples: the methods specified under section 1611(e)(5) of the Act.
- For optional State supplement recipients under §435.230: income methods more liberal than SSI, as specified in Supplement 4 to ATTACHMENT 2.6-A.
- For individuals other than optional State supplement recipients (except aged and disabled individuals described in section 1903(m)(1) of the Act): more restrictive methods than SSI, applied under the provisions of section 1902(f) of the Act, as specified in Supplement 4 to ATTACHMENT 2.6-A; and any more liberal methods described in Supplement 8a to ATTACHMENT 2.6-A.

T.N. # _____ 05-012 _____

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Effective Date 7-1-05

STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT

State: _____ UTAH _____

ELIGIBILITY CONDITIONS AND REQUIREMENTS

Citation	Condition or Requirement
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C. Financial Eligibility (Continued)

- For optional State supplement recipients in section 1902(f) States and SSI criteria States without section 1616 or 1634 agreements--
 - SSI methods only.
 - SSI methods and/or any more liberal methods than SSI described in Supplement 8a to ATTACHMENT 2.6-A.
 - Methods more restrictive and/or more liberal than SSI, except for aged and disabled individuals described in section 1902(m)(1) of the Act. More restrictive methods are described in Supplement 4 to ATTACHMENT 2.6-A and more liberal methods are specified in Supplement 8a to ATTACHMENT 2.6-A.

In determining relative financial responsibility, the agency considers only the income of spouses living in the same household as available to spouses and the income of parents as available to children living with parents until the children become 21.

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STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT

State: _____ UTAH _____

ELIGIBILITY CONDITIONS AND REQUIREMENTS

Citation	Condition or Requirement
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C. Financial Eligibility (Continued)

1902(1)(3)(E)
and 1902(r)(2)
of the Act

1. e. Poverty level pregnant women, infants, and children. For pregnant women and infants or children covered under the provisions of sections 1902(a)(10)(A)(i)(IV), (VI), and (VII), and 1902(a)(10)(A)(ii)(IX) of the Act --

(1) The following methods are used in determining countable income:

- The methods of the State's approved AFDC plan.
- The methods of the approved title IV-E plan.
- The methods of the approved AFDC State plan and/or any more liberal methods described in Supplement 8a to ATTACHMENT 2.6-A.
- The methods of the approved title IV-E plan and/or any more liberal methods described in Supplement 8a to ATTACHMENT 2.6-A.

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STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT

State: _____ UTAH _____

ELIGIBILITY CONDITIONS AND REQUIREMENTS

Citation	Condition or Requirement
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C. Financial Eligibility (Continued)

- | | |
|---|---|
| 1902(e)(6) of the Act | 1. e. (2) In determining relative financial responsibility, the agency considers only the income of spouses living in the same household as available to spouses and the income of parents as available to children living with parents until the children become 21. |
| 1905(p)(1), 1902(m)(4), and 1902(r)(2) of the Act | (3) The agency continues to treat women eligible under the provisions of sections 1902(a)(10) of the Act as eligible, without regard to any changes in income of the family of which she is a member, for the 60-day period after her pregnancy ends and any remaining days in the month in which the 60th day falls. |
| | f. <u>Qualified Medicare Beneficiaries</u> . In determining countable income for qualified Medicare beneficiaries covered under section 1902(a)(10)(E)(i) of the Act, the following methods are used: |
| | <input type="checkbox"/> The methods of the SSI program only. |
| | <input checked="" type="checkbox"/> SSI methods and/or any more liberal methods than SSI described in Supplement 8a to ATTACHMENT 2.6-A. |
| | <input type="checkbox"/> For institutional couples, the methods specified under section 1611(e)(5) of the Act. |

T.N. # _____ 05-012 _____ Approval Date _____ 12-22-05 _____

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STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT

State: _____ UTAH _____

ELIGIBILITY CONDITIONS AND REQUIREMENTS

Citation	Condition or Requirement
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C. Financial Eligibility (Continued)

If an individual receives a title II benefit, any amounts attributable to the most recent increase in the monthly insurance benefit as a result of a title II COLA is not counted as income during a "transition period" beginning with January, when the title II benefit for December is received, and ending with the last day of the month following the month of publication of the revised annual Federal poverty level.

For individuals with title II income, the revised poverty levels are not effective until the first day of the month following the end of the transition period.

For individuals not receiving title II income, the revised poverty levels are effective no later than the date of publication.

1905(s) of the Act

g. (1) Qualified Disabled and Working Individuals

In determining countable income for qualified disabled and working individuals covered under 1902(a)(10)(E)(ii) of the Act, the methods of the SSI program are used.

1905(p) of the Act

(2) Specified Low-income Medicare Beneficiaries

In determining countable income for specified low-income Medicare beneficiaries covered under 1902(a)(10)(E)(iii) of the Act, the same method as in f. is used.

T.N. # _____ 93-007 _____

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STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT

State: UTAH

ELIGIBILITY CONDITIONS AND REQUIREMENTS

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C. Financial Eligibility (Continued)

1902(a)(10)(A)(ii) (XIII) of the Act	<p>1. j. In determining countable income and resources for working disabled individuals who buy in to Medicaid the following methodologies are applied:</p> <ul style="list-style-type: none"> <input type="checkbox"/> The methodologies of the SSI program; <input type="checkbox"/> The agency uses methodologies for treatment of income and resources more restrictive than the SSI program. These more restrictive methodologies are described in Supplement 4 to Attachment 2.6-A. <input checked="" type="checkbox"/> The agency uses more liberal income and/or resource methodologies than the SSI program. More liberal methodologies are described in Supplement 8a to ATTACHMENT 2.6-A. More liberal resource methodologies are described in Supplement 8b to ATTACHMENT 2.6-A. <input checked="" type="checkbox"/> The agency requires individuals to pay premiums or other cost-sharing charges. The premiums or other cost-sharing charges, and how they are applied, are described below:
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T.N. # 02-009 Approval Date 11-26-02

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STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT

State: _____ UTAH _____

ELIGIBILITY CONDITIONS AND REQUIREMENTS

Citation

Condition or Requirement

C. Financial Eligibility (Continued)

42 CFR 435.732,
435.831

4. Handling of Excess Income - Spend-down for the Medically
Needy in All States and the Categorically Needy in 1902(f)
States Only

a. Medically Needy

(1) Income in excess of the MNIL is considered as
available for payment of medical care and services.
The Medicaid agency measures available income for
periods of one or one month(s) (not to exceed 6
months) to determine the amount of excess countable
income applicable to the cost of medical care and
services.

(2) If countable income exceeds the MNIL standard, the
agency deducts the following incurred expenses in the
following order:

(a) Health insurance premiums, deductibles and
coinsurance charges.

(b) Expenses for necessary medical and remedial
care not included in the plan.

(c) Expenses for necessary medical and remedial
care included in the plan.

— Reasonable limits on amounts of expenses
deducted from income under a.(2)(a) and (b)
above are listed below.

1902(a)(17) of the
Act

Incurred expenses that are subject to payment by a third
party are not deducted unless the expenses are subject to
payment by a third party that is a publicly funded program
(other than Medicaid) of a State or local government.

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STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT

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ELIGIBILITY CONDITIONS AND REQUIREMENTS

Citation	Condition or Requirement
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C. Financial Eligibility (Continued)

42 CFR
435.732

4. b. Categorically Needy - Section 1902 (f) States

The agency applies the following policy under the provisions of section 1902(f) of the Act. The following amounts are deducted from income to determine the individual's countable income:

- (1) Any SSI benefit received.
- (2) Any State supplement received that is within the scope of an agreement described in sections 1616 or 1634 of the Act, or a State supplement within the scope of section 1902(a)(10)(A)(ii)(XI) of the Act.
- (3) Increases in OASDI that are deducted under §§435.134 and 435.135 for individuals specified in that section, in the manner elected by the State under that section.
- (4) Other deductions from income described in this plan at Attachment 2.6-A, Supplement 4.
- (5) Incurred expenses for necessary medical and remedial services recognized under State law.

1902(a)(17) of the
Act, P.L. 100-203

Incurred expenses that are subject to payment by a third party are not deducted unless the expenses are subject to payment by a third party that is a publicly funded program (other than Medicaid) of a State or local government.

T.N. # _____ 91-21 _____ Approval Date _____ 12-16-91 _____

Supersedes T.N. # _____ 88-29 _____ Effective Date _____ 10-1-91 _____

STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT

State: _____ UTAH _____

ELIGIBILITY CONDITIONS AND REQUIREMENTS

Citation	Condition or Requirement
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4.b. Categorically Needy - Section 1902(f) States
Continued

1903(f)(2) of
the Act

_____ (6) Spenddown payments made to the State by
the individual.

NOTE: FFP will be reduced to the extent a State is paid a
spenddown payment by the individual.

T.N. # _____ 91-025 _____

Approval Date _____ 7-10-92 _____

Supersedes T.N. # _____ New _____

Effective Date _____ 12-1-91 _____

STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT

State: _____ UTAH _____

ELIGIBILITY CONDITIONS AND REQUIREMENTS

Citation	Condition or Requirement
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C. Financial Eligibility (Continued)

5. Methods for Determining Resources

a. AFDC-related individuals (except for poverty level related pregnant women, infants, and children).

(1) In determining countable resources for AFDC-related individuals, the following methods are used:

___ (a) The methods under the State's approved AFDC plan; and

X (b) The methods under the State's approved AFDC plan and/or any more liberal methods described in Supplement 8b to ATTACHMENT 2.6-A.

(2) In determining relative financial responsibility, the agency considers only the resources of spouses living in the same household as available to spouses and the resources of parents as available to children living with parents until the children become 21.

T.N. # _____ 91-21 _____

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STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT

State: UTAH

ELIGIBILITY CONDITIONS AND REQUIREMENTS

Citation	Condition or Requirement
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C. Financial Eligibility (Continued)

1902(a)(10)(A),
1902(a)(10)(C),
1902(m)(1)(B)
and (C), and
1902(r) of the Act

5. b. Aged individuals. For aged individuals covered under section 1902(a)(10)(A)(ii)(X) of the Act, the agency used the following methods for treatment of resources:
- The methods of the SSI program.
 - SSI methods and/or any more liberal methods described in Supplement 8b to ATTACHMENT 2.6-A.
 - Methods that are more restrictive (except for individuals described in section 1902(m)(1) of the Act) and/or more liberal than those of the SSI program. Supplement 5 to ATTACHMENT 2.6-A describes the more restrictive methods and Supplement 8b to ATTACHMENT 2.6-A specifies the more liberal methods.

T.N. # 05-012

Approval Date 12-22-05

Supersedes T.N. # 91-21

Effective Date 7-1-05

STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT

State: UTAH

ELIGIBILITY CONDITIONS AND REQUIREMENTS

Citation	Condition or Requirement
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C. Financial Eligibility (Continued)

5. b. In determining relative financial responsibility, the agency considers only the resources of spouses living in the same household as available to spouses.

1902(a)(10)(A),
1902(a)(10)(C),
1902(m)(1)(B), and
1902(r) of the Act

c. Blind individuals. For blind individuals the agency uses the following methods for treatment of resources:

The methods of the SSI program.

SSI methods and/or any more liberal methods described in Supplement 8b to ATTACHMENT 2.6-A.

Methods that are more restrictive and/or more liberal than those of the SSI program. Supplement 5 to ATTACHMENT 2.6-A describe the more restrictive methods and Supplement 8b to ATTACHMENT 2.6-A specify the more liberal methods.

In determining relative financial responsibility, the agency considers only the resources of spouses living in the same household as available to spouses and the resources of parents as available to children living with parents until the children become 21.

T.N. # 05-012

Approval Date 12-22-05

Supersedes T.N. # 91-21

Effective Date 7-1-05

STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT

State: _____ UTAH _____

ELIGIBILITY CONDITIONS AND REQUIREMENTS

Citation	Condition or Requirement
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C. Financial Eligibility (Continued)

1902(a)(10)(A),
1902(a)(10)(C),
1902(m)(1)(B)
and (C), and
1902(r)(2) of
the Act

5. d. Disabled individuals, including individuals covered under Section 1902(a)(10)(A)(ii)(X) of the Act. The agency uses the following methods for the treatment of resources:

- The methods of the SSI program.
- SSI methods and/or any more liberal methods described in Supplement 8a to ATTACHMENT 2.6-A.
- Methods that are more restrictive (except for individuals described in section 1902(m)(1) of the Act) and/or more liberal than those under the SSI program. More restrictive methods are described in Supplement 5 to ATTACHMENT 2.6-A and more liberal methods are specified in Supplement 8b to ATTACHMENT 2.6-A.

In determining relative financial responsibility, the agency considers only the resources of spouses living in the same household as available to spouses and the resources of parents as available to children living with parents until the children become 21.

1902(2)(3)
and 1902(r)(2)
of the Act

e. Poverty level pregnant women covered under sections 1902(a)(10)(A)(i)(IV) and 1902(a)(10)(A)(ii)(IX)(A) of the Act

The agency uses the following methods in the treatment of resources.

- The methods of the SSI program only.
- The methods of the SSI program and/or any more liberal methods described in Supplement 5a or Supplement 8b to ATTACHMENT 2.6-A.

T.N. # _____ 05-012 _____ Approval Date _____ 12-22-05 _____

Supersedes T.N. # _____ 04-014 _____ Effective Date _____ 7-1-05 _____

STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT

State: _____ UTAH _____

ELIGIBILITY CONDITIONS AND REQUIREMENTS

Citation	Condition or Requirement
	<p>C. <u>Financial Eligibility</u> (Continued)</p> <p>5. e. <input type="checkbox"/> Methods that are more liberal than those of SSI. The more liberal methods are specified in Supplement 5a or Supplement 8b to ATTACHMENT 2.6-A.</p> <p><input type="checkbox"/> Not applicable. The agency does not consider resources in determining eligibility.</p> <p>In determining relative financial responsibility, the agency considers only the resources of spouses living in the same household as available to spouses and the resources of parents as available to children living with parents until the children become 21.</p>
1902(1)(3) and 1902(r)(2) of the Act	<p>f. <u>Poverty level infants covered under section 1902(a)(10)(A)(i)(IV) of the Act.</u></p> <p>The agency uses the following methods for the treatment of resources:</p> <p><input type="checkbox"/> The methods of the State's approved AFDC plan.</p> <p><input type="checkbox"/> Methods more liberal than those in the State's approved AFDC plan (but not more restrictive), in accordance with section 1902(1)(3)(C) of the Act, as specified in Supplement 5a to ATTACHMENT 2.6-A.</p> <p><input type="checkbox"/> Methods more liberal than those in the State's approved AFDC plan (but not more restrictive), as described in Supplement 5a or Supplement 8b to ATTACHMENT 2.6-A.</p> <p><input checked="" type="checkbox"/> Not applicable. The Agency does not consider resources in determining eligibility.</p>

T.N. # _____ 04-014 _____

Approval Date _____ 10-21-04 _____

Supersedes T.N. # _____ 91-21 _____

Effective Date _____ 7-1-04 _____

STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT

State: UTAH

ELIGIBILITY CONDITIONS AND REQUIREMENTS

Citation	Condition or Requirement
	<p>C. <u>Financial Eligibility</u> (Continued)</p>
1902(1)(3) and 1902(r)(2) of the Act	<p>5. g. (1) <u>Poverty level children covered under section 1902(a)(10)(A)(i)(VI) of the Act.</u></p> <p>The agency uses the following methods for the treatment of resources:</p> <ul style="list-style-type: none"><input type="checkbox"/> The methods of the State's approved AFDC plan.<input type="checkbox"/> Methods more liberal than those in the State's approved AFDC plan (but not more restrictive), in accordance with section 1902(1)(3)(C) of the Act, as specified in <u>Supplement 5a of ATTACHMENT 2.6-A.</u><input type="checkbox"/> Methods more liberal than those in the State's approved AFDC plan (but not more restrictive), as described in Supplement 8b to ATTACHMENT 2.6-A.<input checked="" type="checkbox"/> Not applicable. The agency does not consider resources in determining eligibility. <p>In determining relative financial responsibility, the agency considers only the resources of spouses living in the same household as available to spouses and the resources of parents as available to children living with parents until the children become 21.</p>
1902(1)(3)(C) of the Act	
1902(r)(2) of the Act	

T.N. # 92-02

Approval Date 5-20-92

Supersedes T.N. # 91-21

Effective Date 1-1-92

STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT

State: UTAH

ELIGIBILITY CONDITIONS AND REQUIREMENTS

Citation	Condition or Requirement
	<p>C. <u>Financial Eligibility</u> (Continued)</p>
1902(1)(3) and 1902(r)(2) of the Act	<p>5. g. (2) <u>Poverty level children under section 1902(a)(10)(A)(i)(VII)</u></p> <p>The agency uses the following methods for the treatment of resources:</p> <p><input type="checkbox"/> The methods of the State's approved AFDC plan.</p>
1902(1)(3)(C) of the Act	<p><input type="checkbox"/> Methods more liberal than those in the State's approved AFDC plan (but not more restrictive) as specified in Supplement 5a of ATTACHMENT 2.6-A.</p>
1902(r)(2) of the Act	<p><input checked="" type="checkbox"/> Methods more liberal than those in the State's approved AFDC plan (but not more restrictive), as described in Supplement 8a to ATTACHMENT 2.6-A.</p> <p><input type="checkbox"/> Not applicable. The agency does not consider resources in determining eligibility.</p> <p>In determining relative responsibility, the agency considers only the resources of spouses living in the same household as available to spouses and the resources of parents as available to children living with parents until the children become 21.</p>

T.N. # 05-012 Approval Date 12-22-05

Supersedes T.N. # 92-02 Effective Date 7-1-05

STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT

State: _____ UTAH _____

ELIGIBILITY CONDITIONS AND REQUIREMENTS

Citation

Condition or Requirement

C. Financial Eligibility (Continued)

1905(p)(1)
(C) and (D) and
1902(r)(2) of
the Act

5. h. For Qualified Medicare beneficiaries covered under section 1902(a)(10)(E)(i) of the Act the agency uses the following methods for treatment of resources:

The methods of the SSI program only.

The methods of the SSI program and/or more liberal methods as described in Supplement 8b to ATTACHMENT 2.6-A.

1905(s) of the
Act

i. For qualified disabled and working individuals covered under section 1902(a)(10)(E)(ii) of the Act, the agency uses SSI program methods for the treatment of resources.

1902(u) of the
Act

j. For COBRA continuation beneficiaries, the agency uses the following methods for treatment of resources:

The methods of the SSI program only.

More restrictive methods applied under section 1902(f) of the Act as described in Supplement 5 to Attachment 2.6-A.

T.N. # _____ 05-012 _____

Approval Date _____ 12-22-05 _____

Supersedes T.N. # _____ 91-025 _____

Effective Date _____ 7-1-05 _____

STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT

State: _____ UTAH _____

ELIGIBILITY CONDITIONS AND REQUIREMENTS

Citation	Condition or Requirement
<u>C. Financial Eligibility (Continued)</u>	
1902(a)(10)(E)(iii) of the Act	5. k. <u>Specified low-income Medicare beneficiaries covered under section 1902(a)(10)(E)(iii) of the Act--</u> The agency uses the same method as in 5.h. of <u>Attachment 2.6-A.</u>
1902(z) of the Act	(1) For individuals infected with tuberculosis, the agency uses the following methods for treatment of resources: <input checked="" type="checkbox"/> The methods of the SSI program only. <input type="checkbox"/> More restrictive methods applied under section 1902(f) of the Act as described in Supplement 5 to ATTACHMENT 2.6-A.
6. <u>Resource Standard - Categorically Needy</u>	
a. 1902(f) States (except as specified under items 6.c. and d. below) for aged, blind and disabled individuals:	
<input type="checkbox"/> Same as SSI resource standards. <input type="checkbox"/> More restrictive.	
The resource standards for other individuals are the same as those in the related cash assistance program.	
b. Non-1902(f) States (except as specified under items 6.c. and d. below)	
The resource standards are the same as those in the related cash assistance program.	
<u>Supplement 8 to ATTACHMENT 2.6-A</u> specifies for 1902(f) States the categorically needy resource levels for all covered categorically needy groups.	
T.N. # <u>94-003</u>	Approval Date <u>11-22-94</u>
Supersedes T.N. # <u>93-022</u>	Effective Date <u>1-1-94</u>

STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT

State: _____ UTAH _____

ELIGIBILITY CONDITIONS AND REQUIREMENTS

Citation	Condition or Requirement
<p>C. <u>Financial Eligibility</u> (Continued)</p>	
1902(1)(3)(A), (B) and (C) of the Act	<p>6. c. For pregnant women and infants covered under the provisions of section 1902(a)(10)(A)(i)(IV) and 1902(a)(10)(A)(ii)(IX) of the Act, the agency applies a resource standard.</p> <p><input type="checkbox"/> Yes. Supplement 2 to ATTACHMENT 2.6-A specifies the standard which, for pregnant women, is no more restrictive than the standard under the SSI program; and for infants is no more restrictive than the standard applied in the State's approved AFDC plan.</p> <p><input checked="" type="checkbox"/> No. The agency does not apply a resource standard to these individuals.</p>
1902(1)(3)(A) and (C) of the Act	<p>d. For children covered under the provisions of section 1902(a)(10)(A)(i)(VI) of the Act, the agency applies a resource standard.</p> <p><input type="checkbox"/> Yes. Supplement 2 to ATTACHMENT 2.6-A specifies the standard which is no more restrictive than the standard applied in the State's approved AFDC plan.</p> <p><input checked="" type="checkbox"/> No. The agency does not apply a resource standard to these individuals.</p>
1902(1)(3)(D) of the Act	<p>e. For children covered under the provisions of section 1902(a)(10)(A)(i)(VII) of the Act, the agency applies a resource standard.</p> <p><input checked="" type="checkbox"/> Yes. Supplement 2 to ATTACHMENT 2.6-A specifies the standard which is no more restrictive than the standard applied in the State's approved AFDC plan.</p> <p><input type="checkbox"/> No. The agency does not apply a resource standard to these individuals.</p>

T.N. # 92-02 Approval Date 5-20-92
Supersedes T.N. # 91-21 Effective Date 1-1-92

STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT

State: _____ UTAH _____

ELIGIBILITY CONDITIONS AND REQUIREMENTS

Citation	Condition or Requirement
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C. Financial Eligibility (Continued)

1902(m)(1)(C)
and (m)(2)(B)
of the Act

6. f. For aged and disabled individuals described in section 1902(m)(1) of the Act who are covered under section 1902(a)(10)(A)(ii)(X) of the Act, the resource standard is:

Same as SSI resource standards.

Same as the medically needy resource standards, which are higher than the SSI resource standards (if the State covers the medically needy).

Supplement 2 to ATTACHMENT 2.6-A specifies the resource levels for these individuals.

T.N. # _____ 03-017 _____

Approval Date _____ 10-09-03 _____

Supersedes T.N. # _____ 91-21 _____

Effective Date _____ 7-1-03 _____

STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT

State: _____ UTAH _____

ELIGIBILITY CONDITIONS AND REQUIREMENTS

Citation	Condition or Requirement
	<p>C. <u>Financial Eligibility</u> (Continued)</p>
1902(a)(10)(C)(i) of the Act	<p>7. <u>Resource Standard - Medically Needy</u></p> <ul style="list-style-type: none">a. Resource standards are based on family size.b. A single standard is employed in determining resource eligibility for all groups.— c. In 1902(f) States, the resource standards are more restrictive than in 7.b. above for--<ul style="list-style-type: none">— Aged— Blind— Disabled <p><u>Supplement 2 to ATTACHMENT 2.6-A</u> specifies the resource standards for all covered medically needy groups. If the agency chooses more restrictive levels under 7.c., <u>Supplement 2</u> so indicates.</p>
1905(p)(1)(D) and (p)(2)(B) of the Act	<p>8. Resource Standard - Qualified Medicare Beneficiaries and Specified Low-Income Medicare Beneficiaries</p> <p>For qualified Medicare beneficiaries covered under section 1902(a)(10)(E)(i) of the Act and specified low-income Medicare beneficiaries covered under section 1902(a)(10)(E)(iii) of the Act, the resource standard is twice the SSI standard.</p>
1905(s) of the Act	<p>9. Resource Standard - Qualified Disabled and Working Individuals</p> <p>For qualified disabled and working individuals covered under section 1902(a)(10)(E)(ii) of the Act, the resource standard for an individual or a couple (in the case of an individual with a spouse) is twice the SSI resource standard.</p>
T.N. # _____ 93-22 _____	Approval Date _____ 7-19-93 _____
Supersedes T.N. # _____ 91-21 _____	Effective Date _____ 4-1-93 _____

STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT

State: _____ UTAH _____

ELIGIBILITY CONDITIONS AND REQUIREMENTS

Citation	Condition or Requirement
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C. Financial Eligibility (Continued)

1902(u) of the
Act

9.1 For COBRA continuation beneficiaries, the resource
standard is:

- Twice the SSI resource standard for an individual.
- More restrictive standard as applied under section 1902(f) of the Act as described in Supplement 8 to Attachment 2.6-A.

T.N. # _____ 91-025 _____

Approval Date _____ 7-10-92 _____

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Effective Date _____ 12-1-91 _____

STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT

State: _____ UTAH _____

ELIGIBILITY CONDITIONS AND REQUIREMENTS

Citation	Condition or Requirement
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C. Financial Eligibility (Continued)

1902(u) of the Act	10. Excess Resources
	a. Categorically Needy, Qualified Medicare Beneficiaries, Qualified Disabled and Working Individuals, and Specified Low-Income Medicare Beneficiaries
	Any excess resources make the individual ineligible.
	b. Categorically Needy Only
	— This State has a section 1634 agreement with SSI. Receipt of SSI is provided for individuals while disposing of excess resources.
	c. Medically Needy
	Any excess resources make the individual ineligible.

T.N. # _____ 93-22 _____

Approval Date _____ 7-19-93 _____

Supersedes T.N. # _____ 91-21 _____

Effective Date _____ 4-1-93 _____

STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT

State: UTAH

ELIGIBILITY CONDITIONS AND REQUIREMENTS

Citation	Condition or Requirement
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C. Financial Eligibility (Continued)

42 CFR
435.914

11. Effective Date of Eligibility

a. Groups Other Than Qualified Medicare Beneficiaries

(1) For the prospective period.

Coverage is available for the full month if the following individuals are eligible at any time during the month.

Aged, blind, disabled.

AFDC-related.

Coverage is available only for the period during the month for which the following individuals meet the eligibility requirements.

Aged, blind, disabled.

AFDC-related.

(2) For the retroactive period.

Coverage is available for three months before the date of application if the following individuals would have been eligible had they applied:

Aged, blind, disabled.

AFDC-related.

Coverage is available beginning the first day of the third month before the date of application if the following individuals would have been eligible at any time during that month, had they applied.

Aged, blind, disabled.

AFDC-related.

T.N. # 01-020 Approval Date 11-20-01

Supersedes T.N. # 91-21 Effective Date 10-1-01

STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT

State: UTAH

ELIGIBILITY CONDITIONS AND REQUIREMENTS

Citation	Condition or Requirement
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C. Financial Eligibility (Continued)

1920(b)(1) of
the Act

11. X (3) For a presumptive eligibility for pregnant women only.

Coverage is available for ambulatory prenatal care for the period that begins on the day a qualified provider determines that a woman meets any of the income eligibility levels specified in ATTACHMENT 2.6-A of this approved plan. If the woman files an application for Medicaid by the last day of the month following the month in which the qualified provider made the determination of presumptive eligibility, the period ends on the day that the State agency makes the determination of eligibility based on that application. If the woman does not file an application for Medicaid by the last day of the month following the month in which the qualified provider made the determination, the period ends on that last day.

1902(e)(8) and
1905(a) of the
Act

X b. For qualified Medicare beneficiaries defined in section 1905(p)(1) of the Act coverage is available beginning with the first day of the month after the month in which the individual is first determined to be a qualified Medicare beneficiary under section 1905(p)(1). The eligibility determination is valid for--

X 12 months

— 6 months

— months (no less than 6 months and no more than 12 months)

T.N. # 92-02

Approval Date 5-20-92

Supersedes T.N. # 91-21

Effective Date 1-1-92

STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT

State: UTAH

ELIGIBILITY CONDITIONS AND REQUIREMENTS

Citation	Condition or Requirement
	<p>C. <u>Financial Eligibility (Continued)</u></p>
1902(a)(18) and 1902(f) of the Act	<p>12. <u>Pre-OBRA 93 Transfer of Resources - Categorically and Medically Needy, Qualified Medicare Beneficiaries, and Qualified Disabled and Working Individuals</u></p> <p>The agency complies with the provisions of section 1917 of the Act with respect to the transfer of resources.</p> <p>Disposal of resources at less than fair market value affects eligibility for certain services as detailed in Supplement 9 to ATTACHMENT 2.6-A.</p>
1917(c)	<p>13. <u>Transfer of Assets - All Eligibility Groups</u></p> <p>The agency complies with the provisions of section 1917(c) of the Act, as enacted by OBRA 93, with regard to the transfer of assets.</p> <p>Disposal of assets at less than fair market value affects eligibility for certain services as detailed in Supplements 9(a) and (b) to ATTACHMENT 2.6-A, except in instances where the agency determines that the transfer rules would work an undue hardship.</p>
1917(d)	<p>14. <u>Treatment of Trusts - All Eligibility Groups</u></p> <p>The agency complies with the provisions of section 1917(d) of the Act, as amended by OBRA 93, with regard to trusts.</p> <ul style="list-style-type: none">— The agency uses more restrictive methodologies under section 1902(f) of the Act, and applies those methodologies in dealing with trusts;— The agency meets the requirements in section 1917(d)(f)(B) of the Act for use of <u>Miller</u> trusts. <p>The agency does not count the funds in a trust in any instance where the agency determines that the transfer would work an undue hardship, as described in Supplement 10 to ATTACHMENT 2.6-A.</p>
T.N. # <u>06-012</u>	Approval Date <u>12-26-06</u>
Supersedes T.N. # <u>95-09</u>	Effective Date <u>7-1-06</u>

STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT

State: _____ UTAH _____

INCOME ELIGIBILITY LEVELS

A. MANDATORY CATEGORICALLY NEEDY (Continued)

3. For children under Section 1902(a)(10)(i)(VI) of the Act (children who have attained age 1 but have not attained age 6), the income eligibility level is 133 percent of the Federal poverty level (as revised annually in the Federal Register) for the size family involved.
4. For children under Section 1902 (a)(10)(i)(VII) of the Act (children who were born after September 30, 1983 and have attained age 6 but have not attained age 19), the income eligibility level is 100 percent of the Federal poverty level (as revised annually in the Federal Register) for the size family involved.

T.N. # _____ 92-02 _____

Approval Date _____ 5-20-92 _____

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Effective Date _____ 1-1-92 _____

STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT

State: _____ UTAH _____

INCOME ELIGIBILITY LEVELS (Continued)

B. OPTIONAL CATEGORICALLY NEEDY GROUPS WITH INCOMES RELATED TO FEDERAL POVERTY LEVEL

1. Pregnant Women and Infants

The levels for determining income eligibility for optional groups of pregnant women and infants under the provisions of sections 1902(a)(1)(A)(ii)(IX) and 1902(1)(2) of the Act are as follows:

Based on _____ percent of the official Federal income poverty level (no less than 133 percent and no more than 185 percent).

<u>Family Size</u>	<u>Income Level</u>
<u>1</u>	\$ _____
<u>2</u>	\$ _____
<u>3</u>	\$ _____
<u>4</u>	\$ _____
<u>5</u>	\$ _____

N/A

T.N. # _____ 92-06

Approval Date 4-17-92

Supersedes T.N. # _____ 91-21

Effective Date 1-1-92

STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT

State: UTAH

INCOME ELIGIBILITY LEVELS (Continued)

B. OPTIONAL CATEGORICALLY NEEDY GROUPS WITH INCOMES RELATED TO FEDERAL POVERTY LEVEL

2. Children Between Ages 6 and 8

The levels for determining income eligibility for groups of children who are born after September 30, 1983 and who have attained 6 years of age but are under 8 years of age under the provisions of Section 1902(1)(2) of the Act are as follows:

Based on 100 percent (no more than 100 percent) of the official Federal income poverty line.

<u>Family Size</u>	<u>Income Level</u>
<u> 1 </u>	<u>\$ _____</u>
<u> 2 </u>	<u>\$ _____</u>
<u> 3 </u>	<u>\$ _____</u>
<u> 4 </u>	<u>\$ _____</u>
<u> 5 </u>	<u>\$ _____</u>
<u> 6 </u>	<u>\$ _____</u>
<u> 7 </u>	<u>\$ _____</u>
<u> 8 </u>	<u>\$ _____</u>
<u> 9 </u>	<u>\$ _____</u>
<u> 10 </u>	<u>\$ _____</u>

N/A

T.N. # 92-06

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Effective Date 1-1-92

STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT

State: _____ UTAH _____

INCOME ELIGIBILITY LEVELS (Continued)

3. Aged and Disabled Individuals

The levels for determining income eligibility for groups of aged and disabled individuals under the provisions of Section 1902(m)(1) of the Act are as follows:

Based on 100 percent of the official Federal income poverty line.

<u>Family Size</u>	<u>Income Level</u>
<u> 1 </u>	\$ _____
<u> 2 </u>	\$ _____
<u> 3 </u>	\$ _____
<u> 4 </u>	\$ _____
<u> 5 </u>	\$ _____

If an individual receives a Title II benefit, any amount attributable to the most recent increase in the monthly insurance benefit as a result of a Title II COLA is not counted as income during a "transition period" beginning with January, when the Title II benefit for December is received, and ending with the last day of the month following the month of publication of the revised annual Federal poverty level.

For individuals with Title II income, the revised poverty levels are not effective until the first day of the month following the end of the transition period.

For individuals not receiving Title II income, the revised poverty levels are effective no later than the beginning of the month following the date of publication.

T.N. # _____ 95-08 _____

Approval Date _____ 9-14-95 _____

Supersedes T.N. # _____ 93-22 _____

Effective Date _____ 7-1-95 _____

STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT

State: _____ UTAH _____

INCOME ELIGIBILITY LEVELS (Continued)

SPECIAL INCOME LEVEL INCOME STANDARDS 435.231

Income must not exceed 300% of the SSI benefit amount under Section 1611(b)(1) of the Social Security Act, to an individual in his own home who has no income or resources.

T.N. # _____ 88-29

Approval Date 2-15-89

Supersedes T.N. # 85-12

Effective Date 10-1-88

STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT

State: UTAH

INCOME LEVELS (Continued)

D. MEDICALLY NEEDY

Applicable to all groups. Applicable to all groups except those specified below. Excepted group income levels are also listed on an attached page 3.

(1)	(2)	(3)	(4)	(5)
Family Size	Net income level protected for maintenance for <u>1</u> month	Amount by which Column (2) exceeds limits specified in 42 CFR 435.1007*	New income level for persons living in rural areas for <u> </u> months	Amount by which Column (4) exceeds limits specified in 42 CFR 435.1007*
	<input type="checkbox"/> urban only	<input checked="" type="checkbox"/> urban and rural		
1	\$ 382	\$	\$	\$
2	\$ 468	\$	\$	\$
3	\$ 583	\$	\$	\$
4	\$ 682	\$	\$	\$
For each additional person, add:	\$	\$	\$	\$

* The agency has methods for excluding from its claim for FFP payments made on behalf of individuals whose income exceeds these limits.

T.N. # 98-008 Approval Date 1-10-00

Supersedes T.N. # 94-026 Effective Date 7-1-98

STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT

State: UTAH

INCOME LEVELS (Continued)

D. MEDICALLY NEEDY

(1)	(2)	(3)	(4)	(5)
Family Size	Net income level protected for maintenance for <u> 1 </u> month	Amount by which Column (2) exceeds limits specified in 42 CFR 435.1007*	Net income level for persons living in rural areas for <u> </u> months	Amount by which Column (4) exceeds limits specified in 42 CFR 435.1007*
	<u> </u> urban only	<u> X </u> urban and rural		
5	\$ 777	\$	\$	\$
6	\$ 857	\$	\$	\$
7	\$ 897	\$	\$	\$
8	\$ 938	\$	\$	\$
9	\$ 982	\$	\$	\$
10	\$ 1023	\$	\$	\$
For each additional person, add:	\$	\$	\$	\$

* The agency has methods for excluding from its claim for FFP payments made on behalf of individuals whose income exceeds these limits.

T.N. # 98-008

Approval Date 1-10-00

Supersedes T.N. # 94-026

Effective Date 7-1-98

STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT

State: UTAH

RESOURCE LEVELS

A. CATEGORICALLY NEEDY GROUPS WITH INCOMES RELATED TO FEDERAL POVERTY LEVEL

1. Pregnant Women

a. Mandatory Groups

Same as SSI resources levels.

Less restrictive than SSI source levels and is as follows:

<u>Family Size</u>	<u>Resource Level</u>
<u>1</u>	<u>\$5,000</u>
<u>2</u>	<u>\$5,000</u>

b. Optional Groups

Same as SSI resources levels.

Less restrictive than SSI resource levels and is as follows:

<u>Family Size</u>	<u>Resource Level</u>
<u>1</u>	_____
<u>2</u>	_____

N/A

T.N. # 93-033

Approval Date 12-16-94

Supersedes T.N. # 91-21

Effective Date 1-1-94

STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT

State: _____ UTAH _____

RESOURCE LEVELS

2. Infants

a. Mandatory Group of Infants

___ Same as resource levels in the State's approved AFDC plan.

___ Less restrictive than the AFDC levels and are as follows:

<u>Family Size</u>	<u>Resource Level</u>
<u>1</u>	_____
<u>2</u>	_____
<u>3</u>	_____
<u>4</u>	_____
<u>5</u>	_____
<u>6</u>	_____
<u>7</u>	_____
<u>8</u>	_____
<u>9</u>	_____
<u>10</u>	_____

N/A

T.N. # _____ 91-21

Approval Date _____ 12-16-91

Supersedes T.N. # _____ 89-05

Effective Date _____ 10-1-91

STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT

State: _____ UTAH _____

RESOURCE LEVELS

b. Optional Group of Infants

___ Same as resource levels in the State's approved AFDC plan.

___ Less restrictive than the AFDC levels and are as follows:

<u>Family Size</u>	<u>Resource Level</u>
<u>1</u>	_____
<u>2</u>	_____
<u>3</u>	_____
<u>4</u>	_____
<u>5</u>	_____
<u>6</u>	_____
<u>7</u>	_____
<u>8</u>	_____
<u>9</u>	_____
<u>10</u>	_____

N/A

T.N. # 91-21

Approval Date 12-16-91

Supersedes T.N. # New

Effective Date 10-1-91

STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT

State: _____ UTAH _____

RESOURCE LEVELS

A. CATEGORICALLY NEEDY GROUPS WITH INCOMES RELATED TO FEDERAL POVERTY LEVEL (continued)

4. Aged and Disabled Individuals

Same as SSI resource levels.

More restrictive than SSI levels and are as follows:

<u>Family Size</u>	<u>Resource Level</u>
<u>1</u>	_____
<u>2</u>	_____
<u>3</u>	_____
<u>4</u>	_____
<u>5</u>	_____

Same as medically needy resource levels (applicable only if State has a medically needy program).

N/A

T.N. # 03-017

Approval Date 10-09-03

Supersedes T.N. # 91-21

Effective Date 7-1-03

STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT

State: _____ UTAH _____

RESOURCE LEVELS (Continued)

B. MEDICALLY NEEDY

Applicable to all groups --

Except those specified below under the provisions of Section 1902(f) of the Act.

<u>Family Size</u>	<u>Resource Level</u>
<u>1</u>	<u>2,000</u>
<u>2</u>	<u>3,000</u>
<u>3</u>	<u>3,025</u>
<u>4</u>	<u>3,050</u>
<u>5</u>	<u>3,075</u>
<u>6</u>	<u>3,100</u>
<u>7</u>	<u>3,125</u>
<u>8</u>	<u>3,150</u>
<u>9</u>	<u>3,175</u>
<u>10</u>	<u>3,200</u>
For each additional person	<u>25</u>

T.N. # 91-21

Approval Date 12-16-91

Supersedes T.N. # 89-10

Effective Date 10-1-91

STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT

State: _____ UTAH _____

REASONABLE LIMITS ON AMOUNTS FOR NECESSARY MEDICAL
OR REMEDIAL CARE NOT COVERED UNDER MEDICAID

1. Limit on Post-eligibility Income Deductions under 42 CFR 435.725, 435.726, 435.832 and Section 1924 of the Social Security Act.
 - A. The income deduction for paid or unpaid medical and remedial care expenses incurred through imposition of a transfer of assets penalty period is limited to zero.
 - B. Because the equity in an individual's home exceeds the amount established under Section 6014 of Pub. L. 109-171, the income deduction for paid or unpaid medical and remedial care expenses incurred by restriction of Medicaid-covered services is limited to zero.

T.N. # _____ 06-012 _____

Approval Date 12-26-06

Supersedes T.N. # 89-05

Effective Date 7-1-06

STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT

State: _____ UTAH _____

METHODS FOR TREATMENT OF INCOME THAT DIFFER FROM
THOSE OF THE SSI PROGRAM

(Section 1902(f) more restrictive methods and criteria and State supplement criteria in SSI criteria States without section 1634 agreements and in section 1902(f) States. Use to reflect more liberal methods only if you limit to State supplement recipients. DO NOT USE this supplement to reflect more liberal policies that you elect under the authority of section 1902(r)(2) of the Act. Use Supplement 8a for section 1902(r)(2) methods.)

N/A

T.N. # _____ 91-21 _____

Approval Date _____ 12-16-91 _____

Supersedes T.N. # _____ 89-05 _____

Effective Date _____ 10-1-91 _____

STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT

State: _____ UTAH _____

MORE RESTRICTIVE METHODS OF TREATING RESOURCES
THAN THOSE OF THE SSI PROGRAM - Section 1902(f) States only

N/A

T.N. # _____ 91-21 _____

Approval Date _____ 12-16-91 _____

Supersedes T.N. # _____ 89-05 _____

Effective Date _____ 10-1-91 _____

February 1985

SUPPLEMENT 6 TO ATTACHMENT 2.6-A

STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT

State: _____ UTAH _____

STANDARDS FOR OPTIONAL STATE SUPPLEMENTARY PAYMENTS

Payment Category (Reasonable Classification)	Administered by		Income Level				Income Disregards Employed
	Federal	State	<u>Gross</u>		<u>Net</u>		
(1)	(2)	(3)	1 person	Couple	1 person	Couple	(5)
	N/A						

T.N. # _____ 89-05 _____

Approval Date _____ 3-9-89 _____

Supersedes T.N. # _____ 85-12 _____

Effective Date _____ 1-1-89 _____

STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT

State: _____ UTAH _____

INCOME LEVELS FOR 1902(f) STATES - CATEGORICALLY NEEDY
WHO ARE COVERED UNDER REQUIREMENTS MORE RESTRICTIVE THAN SSI

N/A

T.N. # _____ 91-21 _____

Approval Date 12-16-91 _____

Supersedes T.N. # 89-05 _____

Effective Date 10-1-91 _____

STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT

State: _____ UTAH _____

RESOURCE STANDARDS FOR 1902(f) STATES - CATEGORICALLY NEEDY

N/A

T.N. # _____ 91-21 _____

Approval Date _____ 12-16-91 _____

Supersedes T.N. # _____ 89-05 _____

Effective Date _____ 10-1-91 _____

STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT

State: _____ UTAH _____

MORE LIBERAL METHODS OF TREATING INCOME
UNDER SECTION 1902(r)(2) OF THE ACT

-
1. Interest accrued on funds an individual contributes to a demonstration Individual Development Account will be excluded from countable income.
 2. To determine eligibility for individuals under 1902(a)(10)(A)(ii)(XIII), when the net countable income of the household does not exceed 250% of the federal poverty guideline for a household of the applicable size, the state will disregard earned and unearned income of the individual and spouse, or the minor individual and the minor individual's parents that is equal to the difference between the total countable income and the SSI federal benefit rate plus one dollar.
 3. For individuals defined in 42 CFR 435.301(b)(2)(iii), (iv) or (v), more fully defined in 42 CFR 435.320, 435.322 and 435.324, who qualify for Medicaid as medically needy individuals, the state shall deduct from income an amount equal to the difference between the federal poverty guideline defined by Health and Human Services, as updated annually, and the state's Medically Needy Income Limit for the applicable household size.
 4. For the groups at 1902(a)(10)(A)(i) (III), (IV), (VI), (VII); and 1902(a)(10)(A)(ii)(VIII), (IX); of the Social Security Act, The state will deduct from the family's combined earned and unearned income an amount equal to the amount by which the family's income standard would increase if each household member who is ineligible due to the qualified alien status requirements was included. For the medically needy group defined at 1902(a)(10)(C)(ii) of the Social Security Act, the state will deduct from the family's combined earned and unearned income an amount equal to the amount by which the family's medically needy income standard would increase if each household member who is ineligible due to the qualified alien status requirements was included.
 5. For the groups at 1902(a)(10)(A)(i) (III), (IV), (VI), (VII); and 1902(a)(10)(A)(ii)(VIII), (IX) and for the medically needy group defined at 1902(a)(10)(C)(ii) of the Social Security Act, the state will exclude the following income:
 - (a) income excluded by 1612b(20) of the Social Security Act, which refers to Hostile Fire Pay or Imminent Danger Pay received by a household member who is on active duty in the armed forces serving in a combat zone.
 - (b) income excluded by 1612b(23) of the Social Security Act, which refers to interest and dividends received on certain resources.

T.N. # 05-016

Approval Date 12-29-05

Supersedes T.N. # 04-019

Effective Date 7-1-05

SUPPLEMENT 8a TO ATTACHMENT 2.6-A
ADDENDUM

STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT

State: _____ UTAH _____

MORE LIBERAL METHODS OF TREATING INCOME
UNDER SECTION 1902(r)(2) OF THE ACT

For all eligibility groups not subject to the limitations on payment explained in Section 1903(f) of the Act: all wages paid by the Census Bureau for temporary employment related to Census 2000 activities are excluded.

Treatment of Earnings from Self-Employment:

For all eligibility groups, when determining self-employment net profit, the State will allow a 40% flat rate exclusion off the assistance unit's gross self-employment income. This exclusion is for allowable business expenses.

When the self-employed individual has actual business expenses greater than 40%, and chooses to provide verification of them, the self-employment net profit will be calculated using the same expenses as those allowed by the Internal Revenue Service.

T.N. # 01-021

Approval Date 2-5-02

Supersedes T.N. # 00-008

Effective Date 10-1-01

STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT

State: UTAH

TRANSFER OF RESOURCES

1902(f) and 1917
of the Act

The agency provides for the denial of eligibility by reason of disposal of resources for less than fair market value.

A. Except as noted below, the criteria for determining the period of ineligibility are the same as criteria specified in section 1917(c) of the Social Security Act (Act).

1. Transfer of resources other than the home of an individual who is an inpatient in a medical institution.

- a. The agency uses a procedure which provides for a total period of ineligibility greater than 24 months for individuals who have transferred resources for less than fair market value when the uncompensated value of disposed of resources exceeds \$12,000. This period bears a reasonable relationship to the uncompensated value of the transfer. The computation of the period and the reasonable relationship of this period to the uncompensated value is described as follows:

T.N. # 91-21

Approval Date 12-16-91

Supersedes T.N. # 89-22

Effective Date 10-1-91

STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT

State: _____ UTAH _____

TRANSFER OF RESOURCES

2. Transfer of the home of an individual who is an inpatient in a medical institution.

A period of ineligibility applies to inpatients in an SNF, ICF or other medical institution as permitted under section 1917(c).

- a. Subject to the exceptions on page 2 of this supplement, an individual is ineligible for 30 months after the date on which he disposed of the home. However, if the uncompensated value of the home is less than the average amount payable under this plan for 30 months of care in an NF, the period of ineligibility is a shorter time, bearing a reasonable relationship (based on the average amount payable under this plan as medical assistance for care in an NF) to the uncompensated value of the home as follows:

Utah follows the requirements under Section 1917(c).

T.N. # _____ 91-21 _____

Approval Date _____ 12-16-91 _____

Supersedes T.N. # _____ 89-22 _____

Effective Date _____ 10-1-91 _____

STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT

State: UTAH

TRANSFER OF RESOURCES

- b. Subject to the exceptions on page 2 of this supplement, if the uncompensated value of the home is more than the average amount payable under this plan as medical assistance for 24 months of care in an SNF, the period of ineligibility is more than 24 months after the date on which he disposed of the home. The period of ineligibility bears a reasonable relationship (based upon the average amount payable under this plan as medical assistance for care in an SNF) to the uncompensated value of the home as follows:

N/A

T.N. # 91-21

Approval Date 12-16-91

Supersedes T.N. # 89-22

Effective Date 10-1-91

STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT

State: _____ UTAH _____

TRANSFER OF RESOURCES

3. If the agency sets a period of ineligibility of less than 24 months and applies it to all transfers of resources (regardless of uncompensated value):
4. Other procedures:

N/A

T.N. # _____ 91-21 _____

Approval Date 12-16-91

Supersedes T.N. # 89-22

Effective Date 10-1-91

STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT

State: UTAH

TRANSFER OF RESOURCES

1917 of the Act

The agency provides for the denial of eligibility by reason of disposal of resources for less than fair market value that occurred on or before August 11, 1993, for services provided on or before October 1, 1993.

An institutionalized individual who has applied for medical assistance under the State Plan, for nursing facility service, a level of care in any institution equivalent to that of nursing facility services, and home or community-based services under a waiver granted under subsection (c) or (d) of section 1915.

A Non-institutionalized individual.

a. The criteria for determining the period of ineligibility are the same as the criteria specified in section 1917(c) of the Social Security Act.

T.N. # 93-40

Approval Date 2-22-94

Supersedes T.N. # New

Effective Date 10-1-93

STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT

State: _____ UTAH _____

TRANSFER OF RESOURCES

No individual is ineligible by reason of item A, if:

- (i) The assets were transferred to the individual's spouse, or to another, for the sole benefit of the individual's spouse;
- (ii) The assets were transferred from the individual's spouse to another, for the sole benefit of the individual's spouse;
- (iii) The assets were transferred to, or to a trust established solely for the benefit of, the individual's child who is blind or permanently and totally disabled as defined in section 1614 of the Social Security Act;
- (iv) The assets were transferred to a trust established solely for the benefit of an individual under age 65 who is disabled as defined in section 1614 of the Social Security Act;
- (v) Title to the home was transferred to the individual's spouse or child who is under age 21, or (for States eligible to participate in the State program under Title XVI of the Social Security Act) is blind or permanently and totally disabled or (for States not eligible to participate in the State program under Title XVI of the Social Security Act) is blind or disable as defined in section 1614 of the Act;
- (vi) A satisfactory showing is made to the agency (in accordance with any regulations of the Secretary of Health and Human Services) that the individual intended to dispose of the asset either at fair market value or for other valuable consideration;
- (vii) The agency determines that denial of eligibility would work an undue hardship;
- (viii) The resources were transferred exclusively for a purpose other than to qualify for medical assistance; or
- (ix) Other requirements of Section 1917(c)(2) are met.

T.N. # _____ 93-40 _____

Approval Date _____ 2-22-94 _____

Supersedes T.N. # _____ New _____

Effective Date _____ 10-1-93 _____

STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT

State: _____ UTAH _____

TRANSFER OF RESOURCES

1917(c) of the Act For transfer of resources made on or after July 1, 1988, and before August 11, 1993, the State is in compliance with the provisions of 1917(c) of the Social Security Act as amended by the provisions of the Medicare Catastrophic Coverage Act of 1988, the Family Support Act of 1988, and the Omnibus Budget Reconciliation Act of 1989.

For transfer of resources made on or after August 11, 1993, but only for services provided on or after October 1, 1993, the State is in compliance with the provisions of 1917(c) of the Social Security Act as amended by the provisions of the Omnibus Budget Reconciliation Act of 1993.

T.N. # _____ 93-40 _____ Approval Date _____ 2-22-94 _____

Supersedes T.N. # _____ New _____ Effective Date _____ 10-1-93 _____

STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT

State: _____ UTAH _____

TRANSFER OF ASSETS

6. Penalty period for amounts of transfer less than cost of nursing facility care --
- a. Where the amount of the transfer is less than the monthly cost of nursing facility care, the agency:
- Does not impose a penalty;
- Imposes a penalty for less than a full month, based on the proportion of the agency's private nursing facility rate was transferred.
- b. Where an individual makes a series of transfers, each less than the private nursing facility rate for a month, the agency:
- Does not impose a penalty;
- Imposes a series of penalties, each for less than a full month.
7. Transfers made so that penalty periods would overlap --
The agency:
- totals the value of all assets transferred to produce a single penalty period;
- calculates the individual penalty periods and imposes them sequentially.
8. Transfers Made So That the penalty Periods Would Not Overlap
The agency:
- assigns each transfer its own penalty period;
- uses the method outlined below:

T.N. # _____ 95-09 _____

Approval Date _____ 8-17-95 _____

Supersedes T.N. # _____ New _____

Effective Date _____ 7-1-95 _____

STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT

State: UTAH

TRANSFER OF ASSETS

9. Penalty periods - transfer by a spouse that results in a penalty period for the Individual --

- a. The agency apportions any existing penalty period between the spouses using the method outlined below, provided the spouse is eligible for Medicaid. A penalty can be assessed against the spouse, and some portion of the penalty against the individual remains.

If both spouses are institutionalized or placed on waiver at the same time, the penalty period would be equally divided between them. If one is institutionalized or placed on waiver after the first one, then the remaining value of transferred assets for which a sanction period exists would be divided between the two spouses and a sanction period set for each. If one spouse leaves the institution or waiver before the other while a sanction period is still in effect for each, the remaining value of transferred assets from the non-institutionalized, or non-waiver, spouse will be added to the value of the transferred assets remaining on the institutionalized or waiver client's sanction period, and a new sanction period recalculated. The spouse remaining in the institution or on the waiver will be sanctioned for the number of months determined by the recalculation.

- b. If one spouse is no longer subject to a penalty, the remaining penalty period must be served by the remaining spouse.

10. Treatment of income as an asset --

When income has been transferred as a lump sum, the agency will calculate the penalty period on the lump sum value.

The agency will impose partial month penalty periods.

When a stream of income or the right to a stream of income has been transferred, the agency will impose a penalty period for each income payment.

For transfers of individual income payments, the agency will impose partial month penalty periods.

For transfers of the right to an income stream, the agency will use the actuarial value of all payments transferred.

The agency uses an alternate method to calculate penalty periods, as described below:

The length of the sanction period will equal the value of the income transferred, divided by the average daily Medicaid payment rate.

STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT

State: _____ UTAH _____

TRANSFER OF ASSETS

11. Imposition of a penalty would work an undue hardship --

The agency does not apply the transfer of assets provisions in any case in which the agency determines that such an application would work an undue hardship. The agency will use the following procedures in making undue hardship determinations:

1. When a client is notified that a sanction will be imposed because of a transfer of assets, the notice will inform them of the undue hardship policy.
2. When a client or representative claims undue hardship exists, the eligibility worker will review the claim to decide if undue hardship criteria are met.
3. A client has a right to appeal the agency's decision.

The following criteria will be used to determine whether the agency will not count assets transferred because the penalty would work an undue hardship:

1. The client has exhausted all reasonable legal means to access or regain possession of the trust assets, or has demonstrated that efforts to access or regain possession of the trust assets would probably not succeed.
2. The client meets the following conditions:
 - a. Without Medicaid, the client would be unable to receive medical care and is at risk of death or permanent disability without the medical care; and
 - b. The client and the client's spouse or parent(s) of a minor child cannot afford to meet the cost of the client's medical needs at home.

T.N. # _____ 95-09 _____

Approval Date _____ 8-17-95 _____

Supersedes T.N. # _____ New _____

Effective Date _____ 7-1-95 _____

STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT

State: UTAH

TRANSFER OF ASSETS (Continued)

institutions, as recognized under agency law and specified in Section 1905(a)(24).

 The following other long-term care services for which payment for medical assistance is otherwise made under the agency plan:

N/A

3. Penalty Date—The beginning date of each penalty period imposed for an uncompensated transfer of assets is the later of:

- the first day of a month during or after which assets have been transferred for less than fair market value;

 The state uses the first day of the month in which the assets were transferred.

 X The state uses the first day of the month after the month in which the assets were transferred or;

- the date on which the individual is eligible for medical assistance under the level of care services described in Paragraphs 1 and 2 that, were it not for the imposition of the penalty period, would be covered by Medicaid; and

which does not occur during any other period of ineligibility for services by reason of a transfer of assets penalty.

4. Penalty Period - Institutionalized Individuals

In determining the penalty for an institutionalized individual, the agency uses:

 X the average monthly cost to a private patient of nursing facility services in the state at the time of application;

 the average monthly cost to a private patient of nursing facility services in the community in which the individual is institutionalized at the time of application.

T.N. # 06-012

Approval Date 12-26-06

Supersedes T.N. # New

Effective Date 7-1-06

STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT

State: _____ UTAH _____

TRANSFER OF ASSETS (Continued)

explain why the hardship exists.

- (b) The agency provides a timely process to determine whether an undue hardship waiver should be granted;
- (c) The notice describes the process under which a recipient may appeal an adverse determination.

These procedures shall permit the facility to file an undue hardship waiver application on behalf of the institutionalized individual. The application requires the individual's consent or the consent of the individual's personal representative.

11. Bed Hold Waivers for Hardship Applicants

Pending approval of a hardship waiver application, the following applies to a resident of a nursing facility:

- ___ Payments to the nursing facility to hold the bed for the individual will be made for a period not to exceed 30 days.

T.N. #	<u>08-005</u>	Approval Date	<u>9-24-08</u>
Supersedes T.N. #	<u>06-012</u>	Effective Date	<u>4-1-08</u>

STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT

State: _____ UTAH _____

COST EFFECTIVENESS METHODOLOGY FOR
COBRA CONTINUATION BENEFICIARIES

Citation	Condition or Requirement
----------	--------------------------

1902(u) of the Act	Premium payments are made by the agency only if such payments are likely to be cost-effective. The agency specifies the guidelines used in determining cost effectiveness by selecting one of the following methods: ___ The methodology as described in SMM section 3598. ___ Another cost-effective methodology as described below.
--------------------	---

N/A

T.N. # _____ 91-025 _____ Approval Date _____ 7-10-92 _____

Supersedes T.N. # _____ New _____ Effective Date _____ 12-1-91 _____

STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT

State: _____ UTAH _____

VARIATIONS FROM THE BASIC PERSONAL NEEDS ALLOWANCE

Disclosure Statement for Post-Eligibility Preprint

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Approval Date _____ 4-28-99 _____

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Effective Date _____ 1-1-99 _____

STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT

State: UTAH

ELIGIBILITY CONDITIONS AND REQUIREMENTS

ELIGIBILITY UNDER SECTION 1931 OF THE ACT

The State covers low-income families and children under Section 1931 of the Act.

The following groups were included in the AFDC State Plan effective July 16, 1996:

Pregnant women with no other eligible children.

AFDC children age 18 who are full-time students in a secondary school or in the equivalent level of vocational or technical training.

In determining eligibility for Medicaid, the agency uses the AFDC standards and methodologies in effect as of July 16, 1996 without modification.

In determining eligibility for Medicaid, the agency uses the AFDC standards and methodologies in effect as of July 16, 1996 with the following modifications.

The agency applies lower income standards which are no lower than the AFDC standards in effect on May 1, 1988, as follows:

The agency applies higher income standards than those in effect as of July 16, 1996, increased by no more than the percentage increases in the CPI-U since July 16, 1996, as follows: Increased the need standard and the AFDC payment standard by 2.7%; the CPI-U from July 16, 1996 through December 31, 1997.

The agency applies higher resource standards than those in effect as of July 16, 1996, increased by no more than the percentage increases in the CPI-U since July 16, 1996, as follows:

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STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT

State: _____ UTAH _____

ELIGIBILITY CONDITIONS AND REQUIREMENTS

ELIGIBILITY UNDER SECTION 1931 OF THE ACT (Cont.)

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

The State shall disregard \$1, plus the amount equal to the difference between the BMS for the household size and the corresponding State AFDC payment standard for a household the size of the Medicaid budget unit involved.

When determining net profit from self-employment, the State shall exclude 40 percent of the gross self-employment income for business expenses.

If the self-employed individual chooses to verify actual business expenses greater than 40 percent of the gross self-employment income, the State shall determine the net profit from self-employment by deducting any actual business expenses that would be allowed by the Internal Revenue Service from the gross self-employment income.

If the total gross earned income of the specified relative does not exceed 185% of the Federal poverty level for the household size in the month the household loses eligibility due to earnings, the State will disregard the earned income of the specified relative for six months. In the seventh month after the household would have initially lost eligibility due to earnings, if the total gross earned income of the specified relative does not exceed 185% of the Federal poverty level for the household size, the State will disregard the earned income of the specified relative for an additional six months.

The State shall disregard the equity value of one vehicle that meets the definition of a "passenger vehicle" as defined in UCA 26-18-2(6) or the State shall disregard \$1500 or the equity value of any one vehicle whichever provides the greatest disregard for the household.

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Effective Date _____ 1-1-01 _____

STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT

State: _____ UTAH _____

ELIGIBILITY CONDITIONS AND REQUIREMENTS

ELIGIBILITY UNDER SECTION 1931 OF THE ACT (Cont.)

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

Interest accrued on funds an individual contributes to a demonstration Individual Development Account will be excluded from countable income.

For 1931 Medicaid, retirement accounts owned by a disabled parent or disabled spouse will be excluded from available resources when the disabled parent or disabled spouse is not included in the 1931 Medicaid coverage.

Funds an individual contributes to a demonstration Individual Development Account and any interest accrued on those funds will be excluded from available resources.

The state will deduct from the family's combined earned and unearned income an amount equal to the amount by which the family's income standard would increase if each household member who is ineligible due to the qualified alien status requirements was included.

The state will exclude the following types of income:

(a) income excluded by 1612b(20) of the Social Security Act, which refers to Hostile Fire Pay or Imminent Danger Pay received by a household member who is on active duty in the armed forces serving in a combat zone.

(b) income excluded by 1612b(23) of the Social Security Act, which refers to interest and dividends received on certain resources.

The state excludes the following resources for nine months:

(a) Lump sum payments of retroactive benefits from Social Security, the Supplemental Security Income program and Railroad Retirement benefits.

(b) Payments of Earned Income Tax credits and Child Tax credits.

The state will disregard from resources up to \$1500 in funds set aside and specifically designated for the individual's burial to the extent that such funds, when combined with the value of other resources designated for the individual's burial, do not exceed \$1500. Interest earned and left to accumulate on excluded burial assets is not counted as income or as an available resource. If excluded burial funds are used for some other purpose, that amount counts as income in the month it is withdrawn for another purpose; the remaining amount, if any, counts as a resource.

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Effective Date 7-1-05

Revision: HCFA-PM-00-1
February 2000

SUPPLEMENT 12a TO ATTACHMENT 2.6-A
ADDENDUM

STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT

State: _____ UTAH _____

ELIGIBILITY CONDITIONS AND REQUIREMENTS

ELIGIBILITY UNDER SECTION 1931 OF THE ACT (Cont.)

The State covers low-income families and children under section 1931 of the Act.

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

All wages paid by the Census Bureau for temporary employment related to Census 2000 activities are excluded.

The income and/or resource methodologies that the less restrictive methodologies replace are as follows:

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Effective Date _____ 4-1-00 _____

STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT

State: _____ UTAH _____

ELIGIBILITY CONDITIONS AND REQUIREMENTS

INCOME AND RESOURCE REQUIREMENTS FOR TUBERCULOSIS (TB)
INFECTED INDIVIDUALS

For TB infected individuals under section 1902(z)(1) of the Act, the income and resource eligibility levels are as follows:

The resource standard for individuals infected with tuberculosis is the maximum amount of resources that an individual or couple may have and obtain benefits for Supplemental Security Income under Title XVI of the Social Security Act.

The gross income standard for individuals infected with tuberculosis is the maximum amount of income a disabled individual described in Section 1902(a)(10)(A)(i) of the Social Security Act may have and obtain medical assistance under the plan.

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STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT

State: _____ UTAH _____

DISQUALIFICATION FOR LONG-TERM CARE ASSISTANCE FOR INDIVIDUALS WITH
SUBSTANTIAL HOME EQUITY

1917(f) The State agency denies reimbursement for nursing facility services and other long-term care services covered under the State Plan for an individual who does not have a spouse, child under 21 or adult disabled child residing in the individual's home, when the individual's equity interest in the home exceeds the following amount:

\$500,000 (increased by the annual percentage increase in the urban component of the consumer price index beginning with 2011, rounded to the nearest \$1,000).

An amount that exceeds \$500,000 but does not exceed \$750,000 (increased by the annual percentage increase in the urban component of the consumer price index beginning with 2011, rounded to the nearest \$1,000).

The amount chosen by the State is _____.

This higher standard applies statewide.

This higher standard does not apply to statewide. It only applies in the following areas of the State:

This higher standard applies to all eligibility groups.

This higher standard only applies to the following eligibility groups:

The State has a process under which this limitation will be waived in cases of undue hardship.

T.N. # _____ 06-012 _____

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