

STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT

State of VIRGINIA

ELIGIBILITY CONDITIONS AND REQUIREMENTS

Citation	Condition or Requirement
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A. General Conditions of Eligibility

Each individual covered under the plan:

- | | | |
|-------------------------------|-------|---|
| 42 CFR Part 435,
Subpart G | 1. | Is financially eligible (using the methods and standards described in Parts B and C of this Attachment) to receive services. |
| 42 CFR Part 435,
Subpart F | 2. | Meets the applicable non-financial eligibility conditions. |
| | a. | For the categorically needy: |
| | (i) | Except as specified under items A.2.a.(ii) and (iii) below, for AFDC-related individuals, meets covered under § 1902(a)(10)(A)(i)(1), meet the non-financial eligibility conditions of the AFDC program |
| | (ii) | For SSI-related individuals, meets the non-financial criteria of the SSI program or more restrictive SSI-related categorically needy criteria. |
| 1902(l) of the Act | (iii) | For financially eligible pregnant women, infants or children covered under §§ 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, meets the non-financial criteria of §1902(l) of the Act. |
| 1902(m) of the Act | (iv) | For financially eligible aged and disabled individuals covered under §1902(a)(10)(A)(ii)(X) of the Act, meets the non-financial criteria of §1902(m) of the Act. |

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	b. For the medically needy, meets the non-financial eligibility conditions of 42 CFR Part 435.
1905(p) of the Act	c. For financially eligible qualified Medicare beneficiaries covered under §1902(a)(10)(E)(i) of the Act, meets the non-financial criteria of §1905(p) of the Act.
1905(s) of the Act	d. For financially eligible qualified disabled and working individuals covered under §1902(a)(10)(E)(ii) of the Act, meets <u>meet</u> the non-financial criteria of §1905(s).
42 CFR 435.402	3. Is residing in the United States and— a. Is a citizen or nationals of the United States; b. Is a qualified alien (QA) as defined in section 431 of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (PRWORA) as amended, and the QA's eligibility is required by section 402(b) of PRWORA, as amended, and is not prohibited by section 403 of PRWORA, as amended; and c. Is a qualified alien subject to the 5-year bar as described in section 403 of PRWORA, so that eligibility is limited to treatment of an emergency medical condition as defined in section 401 of PRWORA.

TN No. 09-09

Approval Date 02/01/10

Effective Date 04/01/10

Supersedes

TN No. 97-15

HCFA ID: 7985E

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- d. Is a non-qualified alien, so that eligibility is limited to treatment of an emergency medical condition as defined in section 401 of PRWORA;
- e. Is a qualified alien (QA) whose eligibility is authorized under section 402(b) of PRWORA as amended, and is not prohibited by section 403 of PWRORA as amended.
 - State covers all authorized QAs.
 - X State does not cover authorized QAs.
- f. State elects CHIPRA option to provide full Medicaid coverage to otherwise eligible pregnant women or children as specified below who are aliens lawfully residing in United States; consisting of the following:
 - (1) A qualified alien as defined in section 431 of PRWORA (8 U.S.C. § 1641);
 - (2) An alien in nonimmigrant status who has not violated the terms of the status under which he or she was admitted or to which he or she has changed after admission;
 - (3) An alien who has been paroled into the United States pursuant to section 212(d)(5) of the Immigration and nationality Act (INA) (8 U.S.C. § 1182(d)(5)) for less than 1 year, except for an alien paroled for prosecution, for deferred inspection or pending removal proceedings;
 - (4) An alien who belongs to one of the following classes:
 - (i) Individuals currently in temporary resident status pursuant to section 210 or 245A of the INA (8 U.S.C. §§ 1160 or 1255a, respectively);
 - (ii) Individuals currently under Temporary Protected Status (TPS) pursuant to section 244 of the INA (8 U.S.C. § 1254a), and pending applicants to TPS who have been granted employment authorization;
 - (iii) Aliens who have been granted employment authorization under 8 U.S.C. 274a.12(c)(9), (10), (16), (18)(20), (22), or (24);
 - (iv) Family Unity beneficiaries pursuant to section 301 of Public Law 101-649 as amended;
 - (v) Aliens currently under Deferred Enforced Departure (DED) pursuant to a decision made by the President;
 - (vi) Aliens currently in deferred action status; or
 - (vii) Aliens whose visa petition has been approved and who have a pending application for adjustment of status;
 - (5) A pending applicant for asylum under section 208(a) of the INA (8 U.S.C. § 1158)

TN No. 12-09

Approval Date 06/29/12

Effective Date 04/01/12

Supersedes

TN No. 11-02

HCFA ID: 7985E

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Condition or Requirement

or for withholding of removal under section 241(b)(3) of the INA (8 U.S.C. § 1231) or under the Convention Against Torture who has been granted employment authorization, and such an applicant under the age of 14 who has had an application pending for at least 180 days;

- (6) An alien who has been granted withholding of removal under the Convention Against Torture;
- (7) A child who has a pending application for Special Immigrant Juvenile status as described in § 101(a)(27)(J) of the INA (8 U.S.C. § 1101(a)(27)(J));
- (8) An alien who is lawfully present in the Commonwealth of the Northern Mariana Islands under 48 U.S.C. § 1806(e); or
- (9) An alien who is lawfully present in American Samoa under the immigration laws of American Samoa.

Elected for pregnant women.
 Elected for children under age 19.

- g. The State provides assurance that for an individual whom it enrolls in Medicaid under the CHIPRA section 214 option, it has verified, at the time of the individual's initial eligibility determination and at the time of the eligibility re-determination, that the individual continues to be lawfully residing in the United States. The State must first attempt to verify this status using information provided at the time of initial application. If the State cannot do so from the information readily available, it must require the individual to provide documentation or further evidence to verify satisfactory immigration status in the same manner as it would for anyone else claiming satisfactory immigration status under § 1137(d) of the *Act*.

42 CFR 435.403
1902(b) of the Act

- 4. Is a resident of the Commonwealth, regardless of whether or not the individual maintains the residence permanently or maintains a fixed address.

- State has interstate residency agreement with the following States:
- State has open agreement(s).
- Not applicable; no residency requirement.

TN No. 12-09

Approval Date 06/29/12

Effective Date 04/01/12

Supersedes

TN No. 11-02

HCFA ID: 7985E

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ELIGIBILITY CONDITIONS AND REQUIREMENTS

Citation	Condition or Requirement
435.1008	5. a. Is not an inmate of a public institution. Public institutions do not include medical institutions, nursing facilities and intermediate care facilities for the intellectually disabled, or publicly operated community residences that serve no more than 16 residents, or certain child care institutions.
42 CFR 435.1008 1905(a) of the Act	b. Is not a patient under age 65 in an institution for mental diseases except as an inpatient under age 22 receiving active treatment in an accredited psychiatric facility or program. <input checked="" type="checkbox"/> Not applicable with respect to individuals under age 22 in psychiatric facilities or programs. Such services are not provided under the plan.
433.145 435.604 1912 of the Act	6. Is required, as a condition of eligibility, to assign rights to medical support and to payments for medical care from any third party, to cooperate in obtaining such support and payments, and to cooperate in identifying and providing information to assist in pursuing any liable third party. The assignment of rights obtained from an applicant or recipient is effective only for services that are reimbursed by Medicaid. The requirements of 42 CFR 433.146 through 433.148 are met.

TN No. 93-04

Approval Date 01/03/94

Effective Date 06/16/93

Supersedes

TN No. N/A

HCFA ID: 7985E

STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT

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ELIGIBILITY CONDITIONS AND REQUIREMENTS

Citation

Condition or Requirement

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(1)(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.a As 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~~ noncitizens seeking medical assistance for the treatment of an emergency medical condition under §1903(v)(2) of the Social Security Act (§1137(f)).

TN No. 06-04

Approval Date 12/19/06

Effective Date 09/01/06

Supersedes

TN No. 93-04

HCFA ID: 7985E

STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT

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Citation	Condition or Requirement
1902(c)(2)	8. Is not required to apply for AFDC public assistance cash benefits under title IV-A as a condition of applying for, or receiving Medicaid if the individual is a pregnant women, infant, or child that the State elects to cover under §1902(a)(10)(A)(i)(IV) and 1902(a)(10)(A)(ii)(IX) of the Act.
1902(e)(10)(A) and (B) of the Act	9. Is not required, as an individual child or pregnant woman, to meet requirements under §402(a)(43) of the Act to be in certain living arrangements. (Prior to terminating AFDC individuals who do not meet such requirements under a State's AFDC plan, the agency determines if they are otherwise eligible under the State's Medicaid plan.) 9. <u>Is required to apply for coverage under Medicare A, B or D, or any combination of Medicare A, B, and D, if it is likely that the individual would meet the eligibiltiy criteria for any or all of those programs. The state agrees to pay any applicable premiums and cost-sharing (except those applicable under Part D) for individauls required to apply for Medicare. Application for Medicare is a conditon of eligiblity unless the state deoes not pay the Medicare premiums, deductibles or co-insurance (except those applicable under Part D) for persons covered by the Medicaid eligibility group under which the individual is applying.</u>

TN No. 93-04

Approval Date 01/03/94

Effective Date 06/16/93

Supersedes

TN No. 87-11

HCFA ID: 7985E

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Citation

Condition or Requirement

§1917e of the Act

10. Is required, as a condition of eligibility for Medicaid payment of long-term care services, to disclose at the time of application for or renewal of Medicaid eligibility, a description of any interest the individual or his spouse has in an annuity (or similar financial instrument as may be specified by the Secretary of Health and Human Services). By virtue of the provision of medical assistance, the state shall become a remainder beneficiary for all annuities purchased on or after February 8, 2006.

§1917e of the Act

11. Is ineligible for Medicaid payment of nursing facility or other long-term care services if the individual's equity interest in his home exceeds \$500,000. This dollar amount shall be increased beginning with 2011 from year to year base on the percentage increase in the Consumer Price Index for all Urban Consumers rounded to the nearest \$1,000.

This provision shall not apply if the individual's spouse, or the individual's child who is under age 21 years or who is disabled, as defined in § 1614 of the Social Security Act, is lawfully residing in the individual's home.

The state has a process under which this limitation will be waived in the case of undue hardship.

TN No. 09-07

Approval Date 12/15/09

Effective Date 07/01/09

Supersedes

TN No. 06-04

HCFA ID: 7985E

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ELIGIBILITY CONDITIONS AND REQUIREMENTS

Citation

Condition or Requirement

435.725
435.733
435.832

B. Post-Eligibility Treatment of Institutionalized Individuals

The following amounts are deducted from gross income when computing the application of an individual's or couple's income to the cost of institutional care:

1. Personal Needs Allowance

a. Aged, blind, disabled--

Individuals \$ 40 PLUS *

Couples \$ 60 PLUS *

For the following individuals with greater need-- * (1) Patients in institutions who participate in work programs as part of treatment. The first \$75.00 of earnings plus 1/2 the remainder, up to a maximum of \$190.00 monthly is allowed to be retained for personal needs. * (2) Patients receiving institutional or home- and community-based waiver services who pay guardianship fees, the actual cost of guardian fees up to a maximum of 5% of gross income.

b. AFDC related--

Children \$ 40

Adults \$ 40

c. Individuals under age 21 covered in this plan as specified in Item b.7 of ATTACHMENT 2.2-A.
\$ 40

435.725
435.733
435.832

2. For maintenance of the non-institutionalized spouse only. The amount must be based on a reasonable assessment of need but must not exceed the highest of--

SSI level \$ _____

SSP level \$ _____

Monthly medically needy level \$ _____

Other as follows \$ _____

See Attachment 2.6 A pages 5a and 5b.

TN No. 07-08

Approval Date 12/03/07

Effective Date 07/01/07

Supersedes

TN No. 94-03

HCFA ID: 7985E

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ELIGIBILITY CONDITIONS AND REQUIREMENTS

Citation

Condition or Requirement

3. For children, each family member. (Applies only to children not living with the community spouse.)

AFDC level \$ _____

Medically needy level \$ *See below*

Other as follows \$ _____

For children living with the community spouse, see 5a and 5b.

4. Amounts for incurred medical expenses not subject to payment by a third party

a. Health insurance premiums, deductibles and co-insurance charges

b. Necessary medical or remedial care not covered under the Medicaid plan (Reasonable limits on amounts are described in Supplement 3 to ATTACHMENT 2.6-A.)

5. An amount for maintenance of a single individual's home for not longer than 6 months, if a physician has certified he or she is likely to return home within that period.

1902(l) of the Act

Yes. Amount for maintenance of home

\$ *See below*

No.

6. SSI benefits paid under §1611(e)(1)(E) of the Act to individuals who receive care in a hospital or NF.

* Ref. B.3. Group I: \$216.67; Group II: \$250; Group III: \$325. For appropriate family size see Supplement 1 to Attachment 2.6 A, p 2.

TN No. 93-04

Approval Date 01/03/94

Effective Date 06/16/93

Supersedes

TN No. _____

HCFA ID: 7985E

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ELIGIBILITY CONDITIONS AND REQUIREMENTS

Citation

Condition or Requirement

7. Maintenance Standard for community spouse and other dependent family members under §1924 of the Act.

a. Community Spouses

1. Standard based on formula contained in §1924(d) is used.

2. Maximum standard contained in §1924(d)3.

3. A fixed standard which is greater than the minimum standard described in §1924(d) plus actual shelter costs not to exceed maximum standard contained in §1924(d)(3)(c).

The standard used is _____.

b. Other family members who are dependent.

1. Standard based on the formula contained in §1924(d)(1)(c) is used.

2. A fixed standard greater than the amount which would be used if the formula described in §1924(d)(1)(c) were used.

The standard used is _____.

c. The standards described above are used for individuals receiving home and community based services in lieu of services provided in medical or remedial institutions.

d. The Definition of Dependency

The definition of dependency below is used to define dependent children, parents and siblings for purposes of deducting allowances under §1924.

The definition used is:

TN No. 89-21

Approval Date 12/27/89

Effective Date 10/01/89

Supersedes

TN No. 87-11

HCFA ID:

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Citation

Condition or Requirement

Dependent Children – A child under age 21 and a child age 21 years old and older of either spouse who lives with a community spouse and who may be claimed as a dependent by either member of a couple for tax purposes under the Internal Revenue Services Code.

Dependent Parents – Parents of either member of a couple who reside with the community spouse and who may be claimed as dependents by either spouse for tax purposes under the Internal Revenue Services Code.

Dependent Siblings -- A brother or sister of either member of a couple (including half-brothers and half-sisters and siblings gained through adoption) who reside with the community spouse and who may be claimed by either member of the married couple for tax purposes under the Internal Revenue Services Code.

TN No. 01-03

Approval Date 09-24-01

Effective Date 04-11-01

Supersedes

TN No. 89-21

HCFA ID:

STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT

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Dependent Children --A child under age 21 and a child age 21 years old and older of either spouse who lives with a community spouse and who may be claimed as a dependents by either member of a couple for tax purposes under the Internal Revenue Services Code.

Dependent Parents -- Parents of either member of a couple who reside with the community spouse and who may be claimed as dependents by either spouse for tax purposes under the Internal Revenue Services Code.

Dependent Siblings -- A brother or sister of either member of a couple (including half-brothers and half-sisters and siblings gained through adoption) who reside with the community spouse and who may be claimed by either member of the married couple for tax purposes under the Internal Revenue Services Code.

TN No. 01-03

Approval Date 09/24/01

Effective Date 04/11/01

Supersedes

TN No. 89-21

HCFA ID: 7985E

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ELIGIBILITY CONDITIONS AND REQUIREMENTS

Citation

Condition or Requirement

42 CFR 435.711
42 CFR 435.721
42 CFR 435.831

C. Financial Eligibility

For individuals who are AFDC-related medically needy 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 §1902(f) of the Act, or more liberal methods under §1902(r)(2) of the Act, as specified in this section.

For individuals who are not AFDC-related medically needy 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 specified 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 §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 §1902(a)(10)(A)(ii)(X) of the Act--and for mandatory groups of qualified Medicare beneficiaries covered under §1902(a)(10)(E)(i) of the Act.

TN No. 01-03

Approval Date 09/24/01

Effective Date 04/11/01

Supersedes

TN No. 89-21

HCFA ID: 7985E

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Condition or Requirement

- 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 §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 §1902(f) of the Act.
- 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 §1902(r)(2) of the Act.
- 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 §1902(r)(2) of the Act.

TN No. 95-16

Approval Date 01/31/96

Effective Date 1/01/95

Supersedes

TN No. 93-04

HCFA ID: 7985E

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Citation	Condition or Requirement
1902(r)(2) of the Act	<p>1. Methods of Determining Income</p> <p>a. AFDC-related (except for poverty level related pregnant women, infants, and children).</p> <p>(1) In determining countable income for AFDC-related individuals, the following methods are used:</p> <p><input type="checkbox"/> (a) The methods under the State's approved AFDC plan only; or</p> <p><input checked="" type="checkbox"/> (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.</p> <p>(2) In determining relative financial responsibility, the agency considers only the income of spouses living in the same household as available to children living with parents until the children become 21.</p>
1902(e)(6) the Act	<p>(3) Agency continues to treat women eligible under the provisions of §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.</p>

TN No. 01-03

Approval Date 09/24/01

Effective Date 04/11/01

Supersedes

TN No. 93-04

HCFA ID: 7985E

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Citation

Condition or Requirement

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

b. Aged individuals. In determining countable income for aged individuals, including aged individuals with incomes up to the Federal poverty level described in 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.

TN No. 03-14

Approval Date 03/25/04

Effective Date 12/03/03

Supersedes

TN No. 01-03

HCFA ID: 7985E

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Condition or Requirement

- For individuals other than optional State supplement recipients, more restrictive methods than SSI, applied under the provisions of §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 §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 §1902(f) States and SSI criteria States without §1616 or 1634 agreements--
 - SSI methods only.
 - SSI methods ~~and/or~~, any more liberal methods than SSI, or both, 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.

TN No. 03-14

Approval Date 03/25/04

Effective Date 12/03/03

Supersedes

TN No. 93-04

HCFA ID: 7985E

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Citation	Condition or Requirement
42 CFR 435.721 and 435.831 1902(m)(1)(B), (m)(4), and 1902(r)(2) of the Act	<p>F. Blind individuals. In determining countable income for blind individuals, the following methods are used:</p> <ul style="list-style-type: none"><input type="checkbox"/> The methods of the SSI program only.<input checked="" type="checkbox"/> The methods of the SSI program <u>and/or</u> any more liberal methods, <u>or both</u>, described in <u>Supplement 8a to ATTACHMENT 2.6-A</u>.<input type="checkbox"/> For individuals other than optional State supplement recipients, more restrictive methods than SSI, applied under the provisions of §1902(f) of the Act, as specified in <u>Supplement 4 to ATTACHMENT 2.6-A</u>; and any more liberal methods described in <u>Supplement 8a to ATTACHMENT 2.6-A</u>.<input type="checkbox"/> For institutional couples, the methods specified under §1611(e)(5) of the Act. For optional State supplement recipients under §435.230, income methods more liberal than SSI, as specified in <u>Supplement 4 to ATTACHMENT 2.6-A</u>.<input checked="" type="checkbox"/> For optional State supplement recipients in §1902(f) States and SSI criteria States without §1616 or 1634 agreements--<ul style="list-style-type: none"><input type="checkbox"/> SSI methods only.<input checked="" type="checkbox"/> SSI methods <u>and/or</u> any more liberal methods than SSI, <u>or both</u>, described in <u>Supplement 8a to ATTACHMENT 2.6-A</u>.<input type="checkbox"/> Methods more restrictive and/or more liberal than SSI. More restrictive methods are described in <u>Supplement 4 to ATTACHMENT 2.6-A</u> and more liberal methods are described in <u>Supplement 8a to ATTACHMENT 2.6-A</u>.

TN No. 03-14

Approval Date 03/25/04

Effective Date 12/03/04

Supersedes

TN No. 93-04

HCFA ID: 7985E

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Citation

Condition or Requirement

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

G. Disabled individuals. In determining countable income of disabled individuals, including disabled individuals with incomes up to the Federal poverty level described in §1902(m) 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, or both, described in Supplement 8a to ATTACHMENT 2.6-A.

For institutional couples, the methods specified under §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 §1903(m)(1) of the Act): more restrictive methods than SSI, applied under the provisions of §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.

TN No. 03-14

Approval Date 03/25/04

Effective Date 12/03/03

Supersedes

TN No. 93-04

HCFA ID: 7985E

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Citation

Condition or Requirement

- For optional State supplement recipients in §1902(f) States and SSI criteria States without §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 and the income of parents as available to children living with parents until the children become 21.

TN No. 03-14

Approval Date 03/25/04

Effective Date 12/03/03

Supersedes

TN No. 93-04

HCFA ID: 7985E

STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT

State of VIRGINIA

ELIGIBILITY CONDITIONS AND REQUIREMENTS

Citation

Condition or Requirement

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

e. Poverty level pregnant women, infants, and children. For pregnant women and infants or children covered under the provisions of §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.

TN No. 01-03

Approval Date 09/24/01

Effective Date 04/11/01

Supersedes

TN No. 93-04

HCFA ID: 7985E

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	(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) The agency continues to treat women eligible under the provisions of §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.
1905(p)(1), 1902(m)(4), and 1902(r)(2) of the Act	H. Qualified Medicare beneficiaries. In determining countable income for qualified Medicare beneficiaries covered under §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"/> The methods of the SSI program and/or any more liberal methods described in <u>Supplement 8a to ATTACHMENT 2.6-A</u> . <input type="checkbox"/> For institutional couples, the methods specified under §1611(e)(5) of the Act.

TN No. 03-14

Approval Date 03/25/04

Effective Date 12/03/03

Supersedes

TN No. 93-04

HCFA ID: 7985E

STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT

State of VIRGINIA

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Citation

Condition or Requirement

1905(s) of the Act

- I. 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.

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.

TN No. 93-04

Approval Date 01/03/94

Effective Date 06/16/93

Supersedes

TN No. _____

HCFA ID: 7985E

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Citation

Condition or Requirement

1902(u)
of the Act

(h) COBRA Continuation Beneficiaries

In determining countable income for COBRA continuation beneficiaries, the following disregards are applied:

- The disregards of the SSI program;
- The agency uses methodologies for treatment of income more restrictive than the SSI program. These more restrictive methodologies are described in Supplement 4 to Attachment 2.6-a.

NOTE: For COBRA continuation beneficiaries specified at 1902(u)(4), costs incurred from medical care or for any other type of remedial care shall not be taken into account in determining income, except as provided in section 1612(b)(4)(B)(ii).

TN No. 93-04

Approval Date 01/03/94

Effective Date 06/16/93

Supersedes

TN No. N/A

HCFA ID: 7985E

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Citation

Condition or Requirement

Citation	Condition or Requirement
1902(a)(10)(A)(ii) (XIII) of the Act	(i) <u>Working Individuals With Disabilities –BBA.</u>
	In determining countable income and resources for working individuals with disabilities under BBA, the following methodologies are applied:
	_____ The methodologies of the SSI program.
	_____ 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 (income) and Supplement 5 (resources) to Attachment 2.6-A.
	_____ The agency uses more liberal income and/or resource 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.

TN No. 06-11Approval Date 01/23/07Effective Date 10/01/06

Supersedes

TN No. NEW PAGE

HCFA ID: 7985E

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Citation

Condition or Requirement

<u>Citation</u>	<u>Condition or Requirement</u>
1902(a)(10)(A)	(ii) <u>Working Individuals with Disabilities -</u>
(ii)(XV) of the Act	<u>Basic Coverage Group – TWWIIA</u> <u>NOT IN VAC</u>
	In determining financial eligibility for working individuals with disabilities under this provision, the following standards and methodologies are applied:
	The agency does not apply any income or resource standard.
	NOTE: If the above option is chosen, no further eligibility-related options should be elected.
	<input checked="" type="checkbox"/> The agency applies the following income and/or resource standard(s):
	Income Limit: Individual's total countable income cannot exceed 80% of current Federal Poverty Level guidelines.
	Resource Limit: Individual's total countable assets cannot exceed \$2,000.

TN No. 06-11Approval Date 01/23/07Effective Date 10/01/06

Supersedes

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<u>Citation</u>	<u>Condition or Requirement</u>
1902(a)(10)(A)	<u>Income methodologies.</u>
(ii)(XV) of the Act (cont.)	In determining whether an individual meets the income standard described above, the agency uses the following methodologies.
	<u> </u> The income methodologies of the SSI program.
	<u> </u> The agency uses methodologies for treatment of income that are more restrictive than the SSI program. These more restrictive methodologies are described in Supplement 4 to Attachment 2.6 – A.
	<u> X </u> The agency uses more liberal income methodologies than the SSI program. More liberal income methodologies are described in Supplement 8a to Attachment 2.6-A.

TN No. 06-11Approval Date 01/23/07Effective Date 10/01/06

Supersedes

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<u>Citation</u>	<u>Condition or Requirement</u>
1902(a)(10)(A)	<u>Resource Methodologies</u>
(ii)(XV) of the Act (cont.)	In determining whether the individual meets the resource standard described above, the agency uses the following methodologies.
	Unless one of the following items is checked, the agency, under the authority of § 1902(r)(2) of the <i>Act</i> , disregards all funds held in retirement funds and accounts, including private retirement accounts such as IRAs and other individual accounts, and employer-sponsored retirement plans such as 401(k) plans, Keogh plans, and employer pension plans. Any disregard involving retirement accounts is separately described in Supplement 8b to Attachment 2.6-A.
	<input type="checkbox"/> The agency disregards funds held in employer-sponsored retirement plans, but not private retirement plans.
	<input checked="" type="checkbox"/> The agency disregards funds in retirement accounts in a manner other than those described above. The agency's disregards are specified in Supplement 8b to Attachment 2.6-A.

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ELIGIBILITY CONDITIONS AND REQUIREMENTS

<u>Citation</u>	<u>Condition or Requirement</u>
1902(a)(10(A))	The agency does not disregard funds in retirement accounts.
	<u>X</u> The agency uses resource methodologies in addition to any indicated above that are more liberal than those used by the SSI program. More liberal resource methodologies are described in Supplement 8b to Attachment 2.6-A.
	<u> </u> The agency uses the resource methodologies of the SSI Program
	<u> </u> The agency uses methodologies for treatment of resources that are more restrictive than the SSI program. These more restrictive methodologies are described in Supplement 5 to Attachment 2.6-A.

TN No. 06-11Approval Date 01/23/07Effective Date 10/01/06

Supersedes

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HCFA ID: 7985E

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ELIGIBILITY CONDITIONS AND REQUIREMENTS

<u>Citation</u>	<u>Condition or Requirement</u>
1902(a)(10)(A)	(ii) <u>Working Individuals with Disabilities-Employed Medically</u>
(ii)(XVI) of the Act	<u>Improved Individual - TWWIA</u>
	In determining financial eligibility for employed medically improved individuals under this provision, the following standards and methodologies are applied:
	<u> </u> The agency does not apply any income or resource standard.
	NOTE: If the above option is chosen, no further eligibility-related options should be elected.
	<u> </u> The agency applies the following income and/or resource standard(s):

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ELIGIBILITY CONDITIONS AND REQUIREMENTS

<u>Citation</u>	<u>Condition or Requirement</u>
1902(a)(10)(A)	<u>Income Methodologies</u>
(ii)(XVI) of the Act	
(cont.)	In determining whether an individual meets the income standard described above, the agency uses the following methodologies.
	<u> </u> The income methodologies of the SSI program.
	<u> </u> The agency uses methodologies for treatment of income that are more restrictive than the SSI program. These more restrictive methodologies are described in Supplement 4 to Attachment 2.6-A.
	<u> </u> The agency uses more liberal income methodologies than the SSI program. More liberal income methodologies are described in Supplement 8a to Attachment 2.6-A

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Supersedes

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HCFA ID: 7985E

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ELIGIBILITY CONDITIONS AND REQUIREMENTS

<u>Citation</u>	<u>Condition or Requirement</u>
1902(a)(10)(A) (ii)(XVI) of the Act	<u>Resource Methodologies</u>
	In determining whether the individual meets the resource standard described above, the agency uses the following methodologies.
	Unless one of the following items are checked, the agency, under the authority of 1902(r)(2) of the Act, disregards all funds held in retirement funds and accounts, including private retirement accounts such as IRAs and other individual accounts, and employer-sponsored retirement plans such as 401(k) plans, Keogh plans, and employer pension plans. Any disregard involving retirement accounts is separately described in Supplement 8b to Attachment 2.6-A.
	<input type="checkbox"/> The agency disregards funds held in employer-sponsored retirement plans, but not private retirement plans.
	<input type="checkbox"/> The agency disregards funds in retirement accounts in a manner other than those described above. The agency's disregards are specified in Supplement 8b to Attachment 2.6-A.

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<u>Citation</u>	<u>Condition or Requirement</u>
1902(a)(10)(A)	_____ The agency does not disregard funds in retirement accounts.
(ii)(XVI) of the Act	_____ The agency uses resource methodologies in addition to any indicated above that are more liberal than those used by the SSI program. More liberal resource methodologies are described in Supplement 8b to Attachment 2.6-A.
	_____ The agency uses the resource methodologies of the SSI Program.
	_____ The agency uses methodologies for treatment of resources that are more restrictive than the SSI program. These more restrictive methodologies are described in Supplement 5 to Attachment 2.6-A.

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Supersedes

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HCFA ID: 7985E

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<u>Citation</u>	<u>Condition or Requirement</u>
1902(a)(10)(A)	Definition of Employed – Employed Medically Improved Individuals -
(ii)(XVI) of the Act	TWWIA
	_____ The agency uses the statutory definition of “employed”, i.e., earning at least the minimum wage, and working at least 40 hours per month.
	_____ The agency uses an alternative definition of “employed” that provides for substantial and reasonable threshold criteria for hours of work, wages, or other measures. The agency’s threshold criteria are described below:

N No. 06-11Approval Date 01/23/07Effective Date 10/01/06

Supersedes

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<u>Citation</u>	<u>Condition or Requirement</u>
1902(a)(10)(A)	Payment of Premiums or Other Cost Sharing (XV), Charges
(ii)(XVI) of the Act	
	For individuals eligible under the BBA eligibility group described in No. 26 on page 23c of Attachment 2.2-A:
	_____ The agency requires payment of premiums or other cost-sharing charges on a sliding scale based on income. The premiums or other cost-sharing charges, and how they are applied are described below:

N No. 06-11Approval Date 01/23/07Effective Date 10/01/06

Supersedes

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<u>Citation</u>	<u>Condition or Requirement</u>
1902(a)(10)(A) (ii)(XIII), (XV), (XVI) and 1916(g) of the Act (cont.)	For individuals eligible under the Basic Coverage Group described in No. 27 on page 23c of Attachment 2.2-A, and the Medical Improvement Group Described in No. 28 on page 23c of Attachment 2.2-A:
	NOTE: Regardless of the option selected below, the agency MUST require that individuals whose annual adjusted gross income, as defined under IRS statute, exceeds \$75,000 pay 100 percent of premiums.
	<u>X</u> The agency requires individuals to pay premiums or other cost-sharing charges on a sliding scale based on income. For individuals with net annual income below 450 percent of the Federal poverty level for a family of the size involved, the amount of premiums cannot exceed 7.5 percent of the individual's income.
	The premiums or other cost-sharing charges, and how they are applied are described on page 12o.

N No. 06-11Approval Date 01/23/07Effective Date 10/01/06

Supersedes

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<u>Citation</u>	<u>Condition or Requirement</u>
1902(a)(10)(A)	Premiums and Other Cost-Sharing Charges
(ii)(XV), (XVI), and 1916(g) of the Act (cont.)	For the Basic Coverage Group and the Medical Improvement Group, the agency's premium and other cost-sharing charges, and how they are applied, are described below
	No premiums will be charged. Routine nominal co-payments for services will be required.

N No. 06-11Approval Date 01/23/07Effective Date 10/01/06

Supersedes

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ELIGIBILITY CONDITIONS AND REQUIREMENTS

Citation

Condition or Requirement

1902(k) of the Act

2. Medicaid Qualifying Trusts

In the case of a Medicaid qualifying trust described in §1902(k)(2) of the Act, the amount from the trust that is deemed available to the individual who established the trust (or whose spouse established the trust) is the maximum amount that the trustee(s) is permitted under the trust to distribute to the individual. This amount is deemed available to the individual, whether or not the distribution is actually made. This provision does not apply to any trust or initial trust decree established before April 7, 1986, solely for the benefit of a mentally retarded individual who resides in an intermediate care facility for the mentally retarded.

The agency does not count the funds in a trust as described above in any instance where the State determines that it would work an undue hardship. Supplement 10 of ATTACHMENT 2.6-A specifies what constitutes an undue hardship.

The policy for qualifying trusts which is effective for trusts established or assets disposed of after August 10, 1993, is located in Supplement 9.

1902(a)(10) of the Act

3. Medically needy income levels (MNILs) are based on family size.

Supplement 1 to ATTACHMENT 2.6-A specifies the MNILs for all covered medically needy groups. If the agency chooses more restrictive levels under §1902(f) of the Act, Supplement 1 so indicates.

TN No. 94-09

Approval Date 08/15/94

Effective Date 04/20/94

Supersedes

TN No. 93-04

HCFA ID: 7985E

STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT

State of VIRGINIA

ELIGIBILITY CONDITIONS AND REQUIREMENTS

Citation

Condition or Requirement

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 MNIL is considered as available for payment of medical care and services. The Medicaid agency measures available income for periods of either 1 or 6 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.

TN No. 93-04

Approval Date 01/03/94

Effective Date 06/16/93

Supersedes

TN No. 91-11

HCFA ID: 7985E

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Citation

Condition or Requirement

1903(f)(2) of
the Act

a. Medically Needy (Continued)

(3) If countable income exceeds the MNIL standard, the agency deducts spenddown payments made to the State by the individual.

TN No. 93-04

Approval Date 01/03/94

Effective Date 06/16/93

Supersedes

TN No. N/A

HCFA ID: 7985E

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Citation

Condition or Requirement

42 CFR 435.732

b. Categorically Needy - §1902(f) states:

The agency applies the following policy under the provisions of §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 §1616 or 1634 of the Act, or a State supplement within the scope of §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 than 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.

TN No. 93-04

Approval Date 01/03/94

Effective Date 06/16/93

Supersedes

TN No. 91-11

HCFA ID: 7985E

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Citation

Condition or Requirement

1903(f)(2) of
the Act

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

(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.

TN No. 93-04

Approval Date 01/03/94

Effective Date 06/16/93

Supersedes

TN No. N/A

HCFA ID: 7985E

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Citation

Condition or Requirement

-
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
- (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.

TN No. 93-04

Approval Date 01/03/94

Effective Date 06/16/93

Supersedes

TN No. 87-11

HCFA ID: 7985E

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Citation

Condition or Requirement

5. Methods for Determining Resources

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

b. Aged individuals. For aged individuals covered under §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 §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.

TN No. 93-04

Approval Date 01/03/94

Effective Date 06/16/93

Supersedes

TN No. N/A

HCFA ID: 7985E

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Citation

Condition or Requirement

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 describes the more restrictive methods and Supplement 8b to ATTACHMENT 2.6-A specifies 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.

TN No. 93-04

Approval Date 01/03/94

Effective Date 06/16/93

Supersedes

TN No. 87-11

HCFA ID: 7985E

STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT

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Citation

Condition or Requirement

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

d. Disabled individuals, including individuals covered under §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 8a to ATTACHMENT 2.6-A.
- Methods that are more restrictive (except for individuals described in §1902(m)(1) of the Act) and/or more liberal than those of 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(l)(3) and
1902(r)(2) of the
Act

e. Poverty level pregnant women covered under §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.
- The methods of the SSI program and/or any more liberal methods described in Supplement 8b to ATTACHMENT 2.6-A.

TN No. 93-04

Approval Date 01/03/94

Effective Date 06/16/93

Supersedes

TN No. 89-28

HCFA ID: 7985E

STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT

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ELIGIBILITY CONDITIONS AND REQUIREMENTS

Citation

Condition or Requirement

	<input type="checkbox"/>	Methods that are more liberal than those of SSI. The more liberal methods are specified in <u>Supplement 5a or Supplement 8b to ATTACHMENT 2.6-A.</u>
	<input checked="" type="checkbox"/>	Not applicable. The agency does not consider resources in determining eligibility.
		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(l)(3) and 1902(r)(2) of the Act	f.	Poverty level infants covered under §1902(a)(10)(A)(i)(IV) of the Act. The agency uses the following methods in the treatment of resources.
	<input type="checkbox"/>	The methods of the State's approved AFDC plan.
1902(l)(3)(C) of the Act	<input type="checkbox"/>	Methods that are more liberal than those in the State's approved AFDC plan (but not more restrictive), in accordance with §1902(l)(3)(C) of the Act, as specified in <u>Supplement 5a of ATTACHMENT 2.6-A.</u>
1902(r)(2) of the Act	<input type="checkbox"/>	Methods more liberal than those in the State's approved AFDC plan (but not more restrictive), as described in <u>Supplement 8b to ATTACHMENT 2.6-A.</u>
	<input checked="" type="checkbox"/>	Not applicable. The agency does not consider resources in determining eligibility.

TN No. 93-04

Approval Date 01/03/94

Effective Date 06/16/93

Supersedes

TN No. 91-11

HCFA ID: 7985E

STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT

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ELIGIBILITY CONDITIONS AND REQUIREMENTS

Citation	Condition or Requirement
1902(l)(3) and 1902(r)(2) of the Act	<p>g. Poverty level children covered under section 1902(a)(10)(A)(i)(VI) of the Act.</p> <p>The agency uses the following methods in the treatment of resources.</p> <p><input type="checkbox"/> The methods of the State's approved AFDC plan.</p>
1902(l)(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), in accordance with §1902(l)(3)(C) of the Act, as specified in <u>Supplement 5a of ATTACHMENT 2.6-A.</u></p>
1902(r)(2) of the Act	<p><input type="checkbox"/> Methods more liberal than those in the State's approved AFDC plan (but not more restrictive), as described in <u>Supplement 8b to ATTACHMENT 2.6-A.</u></p> <p><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.

TN No. 93-04

Approval Date 01/03/94

Effective Date 06/16/93

Supersedes

TN No. N/A

HCFA ID: 7985E

STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT

State of VIRGINIA

ELIGIBILITY CONDITIONS AND REQUIREMENTS

Citation	Condition or Requirement
1902(l)(3) and 1902(r)(2) of the Act	g. Poverty level children under section 1902(a)(10)(A)(i)(VIII) The agency uses the following methods in the treatment of resources. <input type="checkbox"/> The methods of the State's approved AFDC plan.
1902(l)(3)(C) the Act	<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 <u>ATTACHMENT 2.6-A</u> .
1902(r)(2) of the Act	<input type="checkbox"/> Methods more liberal than those in the State's approved AFDC plan (but not more restrictive), as described in <u>Supplement 8b to ATTACHMENT 2.6-A</u> . <input checked="" type="checkbox"/> Not applicable. The agency does not consider resources in determining eligibility.

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.

TN No. 93-04

Approval Date 01/03/94

Effective Date 06/16/93

Supersedes

TN No. N/A

HCFA ID:

STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT

State of VIRGINIA

ELIGIBILITY CONDITIONS AND REQUIREMENTS

Citation		Condition or Requirement
1905(p)(1)(C) and (D) and 1902(r)(2) of the Act	5. h.	For Qualified Medicare beneficiaries covered under §1902(a)(10)(E)(i) of the Act the agency uses the following methods for treatment of resources: <input type="checkbox"/> The methods of the SSI program only. <input checked="" type="checkbox"/> The methods of the SSI program and/or more liberal methods as described in <u>Supplement 8b to ATTACHMENT 2.6-A.</u>
1905(s) of the Act	i.	For qualified disabled and working individuals covered under §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: <input type="checkbox"/> The methods of the SSI program only. <input type="checkbox"/> More restrictive methods applied under §1902(f) of the Act as described in Supplement 5 to Attachment 2.6-A.

TN No. 03-14

Approval Date 03/25/04

Effective Date 12/03/03

Supersedes

TN No. 93-04

HCFA ID: 7985E

STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT

State of VIRGINIA

ELIGIBILITY CONDITIONS AND REQUIREMENTS

Citation

Condition or Requirement

(k) Specified low-income Medicare beneficiaries covered under 1902(a)(10)(E)(iii) of the Act –

The agency uses the same method as in 5h of Attachment 2.6-A.

6. Resource Standard - Categorically Needy

a. 1902(f) states (except as specified under items 6.c. and d below for aged, blind and disabled individuals:

Same as SSI resource standards.

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.

Supplement 8 to ATTACHMENT 2.6-A specifies for 1902(f) states the categorically needy resource levels for all covered categorically needy groups.

TN No. 95-16

Approval Date 01/31/96

Effective Date 11/01/95

Supersedes

TN No. 93-04

HCFA ID: 7985E

STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT

State of VIRGINIA

ELIGIBILITY CONDITIONS AND REQUIREMENTS

Citation	Condition or Requirement
1902(l)(3)(A), (B) and (C) of the Act	<p>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. <u>Supplement 2 to ATTACHMENT 2.6-A</u> 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(l)(3)(A) and (C) of the Act	<p>d. For children covered under the provisions of §1902(a)(10)(A)(i)(VI) of the Act, the agency applies a resource standard:</p> <p><input type="checkbox"/> Yes. <u>Supplement 2 to ATTACHMENT 2.6-A</u> 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>

STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT

State of VIRGINIA

ELIGIBILITY CONDITIONS AND REQUIREMENTS

Citation

Condition or Requirement

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

e. For and aged and disabled individuals described in §1902(m)(1) of the Act who are covered under §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.

TN No. 93-04

Approval Date 01/03/94

Effective Date 06/16/93

Supersedes

TN No. N/A

HCFA ID: 7985E

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ELIGIBILITY CONDITIONS AND REQUIREMENTS

Citation

Condition or Requirement

1902(a)(10)(C)(i) of the Act	7. Resource Standard - Medically Needy
	a. Resource standards are based on family size.
	b. A single standard is employed in determining resource eligibility for all groups.
	<input type="checkbox"/> c. In 1902(f) States, the resource standards are more restrictive than in 7.b above for--
	<input type="checkbox"/> Aged
	<input type="checkbox"/> Blind
	<input type="checkbox"/> Disabled
	<p><u>Supplement 2</u> to ATTACHMENT 2.6-A 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>
1902(A(10)(E), 1905(p)(1)(D), 1905 (p)(2)(B) and 1860D- 14(a)(3)(D) of the Act	8. Resource Standard - Qualified Medicare Beneficiaries
	For qualified Medicare beneficiaries covered under §1902(a)(10)(E)(i) of the Act, Specified Low-Income Medicare Beneficiaries are covered under section 1902(a)(10)(E)(iii) of the Act, and Qualifying Individuals covered under 1902(a)(10)(E)(iv) of the Act, the resource standard is three times the SSI resource limit, adjusted annually by the increase in the consumer price index.
1905(s) of the Act	9. For qualified disabled and working individuals covered under §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 standard.

TN No. 13-05

Approval Date 07/11/13

Effective Date 04/01/13

Supersedes

TN No. 10-04

HCFA ID: 7985E

STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT

State of VIRGINIA

ELIGIBILITY CONDITIONS AND REQUIREMENTS

Citation

Condition or Requirement

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.

TN No. 93-04

Approval Date 01/03/94

Effective Date 06/16/93

Supersedes

TN No. N/A

HCFA ID: 7985E

STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT

State of VIRGINIA

ELIGIBILITY CONDITIONS AND REQUIREMENTS

Citation

Condition or Requirement

-
10. Excess Resources
- a. Categorically Needy, Qualified Medicare Beneficiaries, and Qualified Disabled and Working Individuals
- Any excess resources make the individual ineligible.
- b. Categorically Needy Only
- This State has a §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.

TN No. 10-04

Approval Date 06/25/10

Effective Date 01/01/10

Supersedes

TN No. 93-04

HCFA ID: 7985E

STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT

State of VIRGINIA

ELIGIBILITY CONDITIONS AND REQUIREMENTS

Citation

Condition or Requirement

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 requirement.

Aged, blind, disabled.

AFDC-related.

(2) For the retroactive period.

Coverage available earliest date, in the 3-month period before application month, for which any unpaid bill for a covered services exists and all eligibility factors are met.

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 the month, had they applied.

Aged, blind, disabled.

AFDC-related.

TN No. 93-04

Approval Date 01/03/94

Effective Date 06/16/93

Supersedes

TN No. 87-11

HCFA ID: 7985E

STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT

State of VIRGINIA

ELIGIBILITY CONDITIONS AND REQUIREMENTS

Citation

Condition or Requirement

1902(b)(1) of
the Act

(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

b.

For qualified Medicare beneficiaries defined in §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 §1905(p)(1). The eligibility determination is valid for--

12 months

6 months

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

TN No. 93-04

Approval Date 01/03/94

Effective Date 06/16/93

Supersedes

TN No. N/A

HCFA ID: 7985E

STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT

State of VIRGINIA

ELIGIBILITY CONDITIONS AND REQUIREMENTS

Citation

Condition or Requirement

1902(a)(18) and
1902(f) of the Act

12. Transfer of Resources - Categorically and Medically Needy, Qualified Medicare Beneficiaries, and Qualified Disabled and Working Individuals

The agency complies with the provisions of §1917 of the Act with respect to the transfer of resources.

Disposal of resources at less than fair market value affect eligibility for certain services as detailed in Supplement 9 to ATTACHMENT 2.6-A.

TN No. 93-04

Approval Date 01/03/94

Effective Date 06/16/93

Supersedes

TN No. N/A

HCFA ID: 7985E

