

VA - Submission Package - VA2023MS00030 - (VA-24-0004) - Eligibility

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CMS-10434 OMB 0938-1188

Package Information

Package ID	VA2023MS00030	Submission Type	Official
Program Name	N/A	State	VA
SPA ID	VA-24-0004	Region	Philadelphia, PA
Version Number	4	Package Status	Approved
Submitted By	Meredith Lee	Submission Date	1/8/2024
Package Disposition		Approval Date	4/4/2024 12:35 PM EDT
Priority Code	P2		
Lead Division	DMEP		

DEPARTMENT OF HEALTH & HUMAN SERVICES
Centers for Medicare & Medicaid Services
Medicaid and CHIP Operations Group
601 E. 12th Street Room 355
Kansas City, MO 64106



Center for Medicaid & CHIP Services

April 04, 2024

Cheryl J. Roberts
Director
Department of Medical Assistance Services
600 E. Broad Street
Richmond, VA 23219

Re: Approval of State Plan Amendment VA-24-0004

Dear Cheryl J. Roberts,

On January 08, 2024, the Centers for Medicare and Medicaid Services (CMS) received Virginia State Plan Amendment (SPA) VA-24-0004, in which the state proposed to increase the income standard for its Ticket to Work Basic eligibility group and disregard "Work Incentive Accounts" in determining resource eligibility for certain non-MAGI eligibility groups.

We approve Virginia State Plan Amendment (SPA) VA-24-0004 with an effective date(s) of January 01, 2024.

If you have any questions regarding this amendment, please contact Margaret Kosherzenko at Margaret.Kosherzenko@cms.hhs.gov.

Sincerely,
James G. Scott
Director, Division of Program
Operations
Center for Medicaid & CHIP Services

Medicaid State Plan Eligibility

Optional Eligibility Groups

MEDICAID | Medicaid State Plan | Eligibility | VA2023MS00030 | VA-24-0004

Package Header

Package ID	VA2023MS00030	SPA ID	VA-24-0004
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Approval Date	04/04/2024	Effective Date	1/1/2024
Superseded SPA ID	VA-23-0004		
	System-Derived		

A. Options for Coverage

The state provides Medicaid to specified optional groups of individuals.

Yes No














The optional eligibility groups covered in the state plan are (elections made in this screen may not be comprehensive during the transition period from the paper-based state plan to MACPro):

Families and Adults

Eligibility Group Name		Covered In State Plan	Include RU In Package	Included in Another Submission Package	Source Type
Optional Coverage of Parents and Other Caretaker Relatives		<input type="checkbox"/>	<input type="checkbox"/>	<input type="radio"/>	NEW
Reasonable Classifications of Individuals under Age 21		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="radio"/>	CONVERTED
Children with Non-IV-E Adoption Assistance		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="radio"/>	CONVERTED
Independent Foster Care Adolescents		<input type="checkbox"/>	<input type="checkbox"/>	<input type="radio"/>	NEW
Optional Targeted Low Income Children		<input type="checkbox"/>	<input type="checkbox"/>	<input type="radio"/>	NEW
Individuals above 133% FPL under Age 65		<input type="checkbox"/>	<input type="checkbox"/>	<input type="radio"/>	NEW
Individuals Needing Treatment for Breast or Cervical Cancer		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="radio"/>	NEW
Individuals Eligible for Family Planning Services		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="radio"/>	CONVERTED
Individuals with Tuberculosis		<input type="checkbox"/>	<input type="checkbox"/>	<input type="radio"/>	NEW
Individuals Electing COBRA Continuation Coverage		<input type="checkbox"/>	<input type="checkbox"/>	<input type="radio"/>	NEW

Aged, Blind and Disabled

Eligibility Group Name		Covered In State Plan	Include RU In Package	Included in Another Submission Package	Source Type
Individuals Eligible for but Not Receiving Cash Assistance		<input type="checkbox"/>	<input type="checkbox"/>	<input type="radio"/>	NEW

Eligibility Group Name		Covered In State Plan	Include RU In Package 	Included in Another Submission Package	Source Type 
Individuals Eligible for Cash Except for Institutionalization		<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="radio"/>	APPROVED
Individuals Receiving Home and Community-Based Waiver Services under Institutional Rules		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="radio"/>	NEW
Optional State Supplement Beneficiaries		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="radio"/>	NEW
Individuals in Institutions Eligible under a Special Income Level		<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="radio"/>	APPROVED
PACE Participants		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="radio"/>	NEW
Individuals Receiving Hospice		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="radio"/>	NEW
Children under Age 19 with a Disability		<input type="checkbox"/>	<input type="checkbox"/>	<input type="radio"/>	NEW
Age and Disability-Related Poverty Level		<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="radio"/>	APPROVED
Work Incentives		<input type="checkbox"/>	<input type="checkbox"/>	<input type="radio"/>	NEW
Ticket to Work Basic		<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="radio"/>	APPROVED
Ticket to Work Medical Improvements		<input type="checkbox"/>	<input type="checkbox"/>	<input type="radio"/>	NEW
Family Opportunity Act Children with a Disability		<input type="checkbox"/>	<input type="checkbox"/>	<input type="radio"/>	NEW
Individuals Receiving State Plan Home and Community-Based Services		<input type="checkbox"/>	<input type="checkbox"/>	<input type="radio"/>	NEW
Individuals Receiving State Plan Home and Community-Based Services Who Are Otherwise Eligible for HCBS Waivers		<input type="checkbox"/>	<input type="checkbox"/>	<input type="radio"/>	NEW

Optional Eligibility Groups

MEDICAID | Medicaid State Plan | Eligibility | VA2023MS00030 | VA-24-0004

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B. Medically Needy Options for Coverage

The state provides Medicaid to specified groups of individuals who are medically needy.

Yes No

The medically needy eligibility groups covered in the state plan are:

1. Mandatory Medically Needy:

Families and Adults

Eligibility Group Name		Covered In State Plan	Include RU In Package ?	Included in Another Submission Package	Source Type ?
Medically Needy Pregnant Women		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="radio"/>	NEW
Medically Needy Children under Age 18		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="radio"/>	NEW

Aged, Blind and Disabled

Eligibility Group Name		Covered In State Plan	Include RU In Package ?	Included in Another Submission Package	Source Type ?
Protected Medically Needy Individuals Who Were Eligible in 1973		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="radio"/>	NEW

2. Optional Medically Needy:

Families and Adults

Eligibility Group Name		Covered In State Plan	Include RU In Package ?	Included in Another Submission Package	Source Type ?
Medically Needy Reasonable Classifications of Individuals under Age 21		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="radio"/>	NEW
Medically Needy Parents and Other Caretaker Relatives		<input type="checkbox"/>	<input type="checkbox"/>	<input type="radio"/>	NEW

Aged, Blind and Disabled

Eligibility Group Name		Covered In State Plan	Include RU In Package ?	Included in Another Submission Package	Source Type ?
Medically Needy Populations Based on Age, Blindness or Disability		<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="radio"/>	APPROVED

Optional Eligibility Groups

MEDICAID | Medicaid State Plan | Eligibility | VA2023MS0003O | VA-24-0004

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	System-Derived		

C. Additional Information (optional)

Eligibility Groups Deselected from Coverage

The following eligibility groups were previously covered in the source approved version of the state plan and deselected from coverage as part of this submission package:

- N/A

Medicaid State Plan Eligibility

Eligibility Groups - Options for Coverage

Individuals Eligible for Cash Except for Institutionalization

MEDICAID | Medicaid State Plan | Eligibility | VA2023MS00030 | VA-24-0004

Individuals who would be eligible for federal cash assistance or an optional state supplement, except for institutionalization.

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Superseded SPA ID	New User-Entered		

The state covers the optional Individuals Eligible for Cash Except for Institutionalization eligibility group in accordance with the following provisions:

A. Characteristics

Individuals qualifying under this eligibility group must meet the following criteria:

1. Are in a medical institution.
2. Would meet the eligibility requirements for at least one of the following cash assistance programs, but for the lower income standards used to determine eligibility for institutionalized individuals:
 - a. SSI
 - b. Optional State Supplement
 - c. AFDC

Individuals Eligible for Cash Except for Institutionalization

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B. Individuals Covered

1. The state covers all individuals who meet the characteristics described in section A.

- Yes
 No

2. The state covers the following populations:

- a. Individuals age 65 or older
- b. Individuals who have blindness
- c. Individuals who have a disability
- d. All children under a specified age limit:
- i. Under age 21
 - ii. Under age 20
 - iii. Under age 19
 - iv. Under age 18
- e. Reasonable classifications of children

Name of classification	Age Range
Individuals placed in foster care homes by public agencies	Under age 21
Individuals placed in private institutions by public agencies	Under age 21
Individuals in adoptions subsidized in full or part by a public agency	Under age 21
Individuals in nursing facilities, if nursing facility services are provided under this plan	Under age 21
Also individuals in Intermediate Care Facilities for Individuals with Intellectual Disabilities (ICF-IID), if these services are provided under this plan.	Under age 21
Department of Juvenile Justice Children	Under age 21

Name: Department of Juvenile Justice Children

Description: Children are in the custody of DJJ.

Age Covered: Under age 21

- f. Parents and other caretaker relatives
- g. Pregnant women
- h. Other population

Individuals Eligible for Cash Except for Institutionalization

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C. Financial Methodologies

1. In calculating household income and resources for individuals who are seeking eligibility on the basis of being age 65 or older or having blindness or disability, SSI methodologies are used. Please refer as necessary to Non-MAGI Methodologies, completed by the state.

- a. SSI methodologies. Please refer as necessary to Non-MAGI Methodologies, completed by the state.
- b. More restrictive requirements than SSI. Please refer as necessary to More Restrictive Requirements than SSI under 1902(f), completed by the state.

2. In calculating household income and resources for populations for which AFDC is the most closely related program, the following methodology(ies) are used:

- a. MAGI-like methodologies. Please refer as necessary to Non-MAGI Methodologies, completed by the state.
- b. AFDC methodologies. Please refer as necessary to Non-MAGI Methodologies, completed by the state.

3. Less restrictive methodologies are used in calculating countable income.

- Yes
- No

4. Less restrictive methodologies are used in calculating countable resources.

- Yes
- No

The less restrictive resource methodologies are:

- The state uses a less restrictive methodology with respect to resources set aside for burial.
 - Specified methodology for the treatment of resources set aside for burial:

Name of methodology:	Description:
Burial expenses	Resources set aside to meet the burial expenses of an applicant/recipient or that individual's spouse are excluded from countable assets. In determining eligibility for benefits for medically needy individuals, disregarded from countable resources is an amount not in excess of \$3,500 for the individual and an amount not in excess of \$3,500 for his spouse when such resources have been set aside to meet the burial expenses of the individual or his spouse. The amount disregarded shall be reduced by: A. the face value of life insurance on the life of an individual owned by the individual or his spouse if the cash surrender value of such policies has been excluded from countable resources; and B. the amount of any other revocable or irrevocable trust, contract, or other arrangement specifically designated for the purpose of meeting the individual's or his spouse's burial expenses.

- The state uses a less restrictive methodology with respect to the treatment of motor vehicles.

The value of a countable motor vehicle is totally disregarded, without limits or conditions.

- One motor vehicle
- More than one motor vehicle

Household goods and services are disregarded as a resource.

Description of disregard: The value of all household goods and personal effects are disregarded as resources.

A specified type of resource is disregarded:

Name of resource type:	Description:
Life insurance less than \$1500	Life, retirement, and other related types of insurance policies with face values totaling \$1,500, or less on any one person 21 years old and over are not considered resources. When the face values of such policies of any one person exceeds \$1,500, the cash surrender value of the policies is counted as a resource.
Cemetery plots	Cemetery plots are not counted as resources regardless of the number owned.
Life rights	Life rights to real property are not counted as a resource. The purchase of a life right in another individual's home is subject to transfer of asset rules.
Reasonable effort to sell.	<p>Once the applicant has demonstrated that his property is unsaleable by following the procedures in 3 below, the property is disregarded in determining eligibility starting the first day of the month in which the most recent application was filed, or up to three months prior to this month of application if retroactive coverage is requested and the applicant met all other eligibility requirements in the period. A recipient must continue his reasonable efforts to sell the property as required in 4 below.</p> <p>2. Reasonable Effort to Sell. For purposes of this section "current market value" is defined as the current tax assessed value. If the property is listed by a realtor, then the realtor may list it at an amount higher than the tax assessed value. In no event, however, shall the realtor's list price exceed 150% of the assessed value.</p> <p>3. A reasonable effort to sell is considered to have been made:</p> <p>a. As of the date the property becomes subject to a realtor's listing agreement if</p> <p>(i) it is listed at a price at current market value, and</p> <p>(ii) the listing realtor verifies that it is unlikely to sell within 90 days of listing given the particular circumstances involved (e.g., owner's fractional interest; zoning restrictions; poor topography; absence of road frontage or access; absence of improvements; clouds on title, right of way or easement; local market conditions) OR</p>

Name of resource type:

Description:

b. When at least two realtors refuse to list the property. The reason for refusal must be that the property is unsaleable at current market value. Other reasons for refusal are not sufficient, OR

c. When the applicant has personally advertised his property at or below current market value for 90 days by use of a "Sale By Owner" sign located on the property and by other reasonable efforts such as newspaper advertisements, or reasonable inquiries with all adjoining land-owners or other potential interested purchasers.

4. Notwithstanding the fact that the recipient made a reasonable effort to sell the property and failed to sell it, and although the recipient has become eligible, the recipient must make a continuing reasonable effort to sell by:

a. Repeatedly renewing any initial listing agreement until the property is sold. If the list price was initially higher than the tax-assessed value, the listed sales price must be reduced after 12 months to no more than 100% of the tax-assessed value.

b. In the case where at least 2 realtors have refused to list the property, the recipient must personally try to sell the property by efforts described in 2c above, for 12 months.

c. In the case of recipient who has personally advertised his property for a year without success (the newspaper advertisements, "for sale" sign, do not have to be continuous; these efforts must be done for at least 90 days within a 12 month period), the recipient must then

(i) subject his property to a realtor's listing agreement at price or below current market value; or

(ii) meet the requirements of 2b above which are that the recipient must try to list the property and at least two realtors refuse to list it because it is unsaleable at current market value; other reasons for refusal to list are not sufficient.

5. If the recipient has made a continuing effort to sell the property for 12 months, then the recipient may sell the property between 75% and 100% of its tax assessed value and such sale shall not result in disqualification under the transfer of property rules. If the recipient requests to sell his property at less than 75% of assessed value, he must submit documentation from the listing realtor, or knowledgeable source if the property is not listed with a realtor, that the requested sale price is the best price the recipient can expect to receive for the property at this time. Sale at such a

Name of resource type:	Description:
Payments for involuntary sterilization.	documented price shall not result in disqualification under the transfer of property rules. The proceeds of the sale will be counted as a resource in determining continuing eligibility. *
Disregard excess resources due to COVID-19	The Commonwealth shall disregard as resources amounts received as payment for involuntary sterilization under the Virginia Eugenical Sterilization Act, beyond the allowable nine-month exclusion by the SSI program's resource methodologies.
Work Incentive Account (WIN accounts)	Income that would have otherwise been part of an individual's liability for his or her institutional or home and community based waiver services based on the application of the post-eligibility treatment of income (PETI) rules, but which became countable resources on or after March 18, 2020, will be disregarded until the individual's second Medicaid renewal that follows the end of the COVID-19 public health emergency.
Work Incentive Account (WIN accounts)	Resources accumulated in the Work Incentive Account (WIN) shall be disregarded in determining eligibility for one year after the individual leaves the Medicaid buy-in program, unless the WIN account is an IRS-recognized account, in which case the disregard of the account will not be time-limited (subject to the account meeting the conditions described in the "Ticket to Work Basic" section of the state plan). IRS-recognized WIN accounts are: retirement accounts (e.g., 401(k)/403(b)/457(b)/503(b) accounts, traditional Individual Retirement Accounts (IRAs), Roth IRAs, SEP-IRAs, SIMPLE IRAs, and Thrift Savings Plans), medical savings accounts (e.g., Archer Medical Savings Account), medical reimbursement accounts (e.g., Health Savings Accounts), education accounts (e.g., 529 Plans) and independence accounts (e.g., Fostering Independence Account).

A beneficiary of a "qualified state long-term care insurance partnership" policy (partnership policy), as defined in section 1917(b)(1)(C) of the Social Security Act and 45 CFR 144.200 et seq., is provided a resource disregard, equal to the amount of the insurance benefit payments made to or on behalf of the individual from the partnership policy.

Individuals Eligible for Cash Except for Institutionalization

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D. Income Standard Used

The income standard used is the standard of the most closely related cash assistance program.

E. Resource Standard Used

The resource standard used is the standard of the most closely related cash assistance program.

Individuals Eligible for Cash Except for Institutionalization

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F. Additional Information (optional)

When an SSI recipient has real property not excluded by our rules then all recipient resources must be verified and evaluated to determine if the SSI recipient meets Medicaid resource requirements.

Medicaid State Plan Eligibility

Eligibility Groups - Options for Coverage

Individuals in Institutions Eligible under a Special Income Level

MEDICAID | Medicaid State Plan | Eligibility | VA2023MS00030 | VA-24-0004

Individuals who are in medical institutions for at least 30 consecutive days who are eligible under a special income level.

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The state covers Individuals in Institutions Eligible under a Special Income Level in accordance with the following provisions:

A. Characteristics

Individuals qualifying under this eligibility group must meet the following criteria:

1. Have been in a medical institution for at least 30 consecutive days.
2. Have income at or below a standard described in section D.

Individuals in Institutions Eligible under a Special Income Level

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B. Individuals Covered

1. The state covers all individuals who meet the characteristics described in section A.

- Yes
- No

Individuals in Institutions Eligible under a Special Income Level

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C. Financial Methodologies

- 1. The methodologies of the most closely related cash assistance program are used in calculating income and resources, except that income disregards are not applied. Please refer as necessary to Non-MAGI Methodologies, completed by the state.
- 2. More restrictive requirements than the most closely related cash assistance program are used in calculating countable income and/or resources, except that income disregards are not applied. Please refer as necessary to More Restrictive Requirements than SSI under 1902(f), completed by the state.
- 3. Less restrictive methodologies are used in calculating countable resources.
 - Yes
 - No

The less restrictive resource methodologies are:

- The state uses a less restrictive methodology with respect to resources set aside for burial.
 - Specified methodology for the treatment of resources set aside for burial:

Name of methodology:	Description:
Burial expenses	Resources set aside to meet the burial expenses of an applicant/recipient or that individual's spouse are excluded from countable assets. In determining eligibility for benefits for medically needy individuals, disregarded from countable resources is an amount not in excess of \$3,500 for the individual and an amount not in excess of \$3,500 for his spouse when such resources have been set aside to meet the burial expenses of the individual or his spouse. The amount disregarded shall be reduced by: A. the face value of life insurance on the life of an individual owned by the individual or his spouse if the cash surrender value of such policies has been excluded from countable resources; and B. the amount of any other revocable or irrevocable trust, contract, or other arrangement specifically designated for the purpose of meeting the individual's or his spouse's burial expenses.

- The state uses a less restrictive methodology with respect to the treatment of motor vehicles.
 - The value of a countable motor vehicle is totally disregarded, without limits or conditions.
 - One motor vehicle
 - More than one motor vehicle

- Household goods and services are disregarded as a resource.

Description of disregard: The value of all household goods and personal effects are disregarded as resources.

- A specified type of resource is disregarded:

Name of resource type:	Description:
Work Incentive Account (WIN accounts)	<p>Resources accumulated in the Work Incentive Account (WIN) shall be disregarded in determining eligibility for one year after the individual leaves the Medicaid buy-in program, unless the WIN account is an IRS-recognized account, in which case the disregard of the account will not be time-limited (subject to the account meeting the conditions described in the "Ticket to Work Basic" section of the state plan). IRS-recognized WIN accounts are: retirement accounts (e.g., 401(k)/403(b)/457(b)/503(b) accounts, traditional Individual Retirement Accounts (IRAs), Roth IRAs, SEP-IRAs, SIMPLE IRAs, and Thrift Savings Plans), medical savings accounts (e.g., Archer Medical Savings Account), medical reimbursement accounts (e.g., Health Savings Accounts), education accounts (e.g., 529 Plans) and independence accounts (e.g., Fostering Independence Account).</p>
Reasonable effort to sell.	<p>Once the applicant has demonstrated that his property is unsaleable by following the procedures in 3 below, the property is disregarded in determining eligibility starting the first day of the month in which the most recent application was filed, or up to three months prior to this month of application if retroactive coverage is requested and the applicant met all other eligibility requirements in the period. A recipient must continue his reasonable efforts to sell the property as required in 4 below.</p> <p>2. Reasonable Effort to Sell. For purposes of this section "current market value" is defined as the current tax assessed value. If the property is listed by a realtor, then the realtor may list it at an amount higher than the tax assessed value. In no event, however, shall the realtor's list price exceed 150% of the assessed value.</p> <p>3. A reasonable effort to sell is considered to have been made:</p> <p>a. As of the date the property becomes subject to a realtor's listing agreement if</p> <p>(i) it is listed at a price at current market value, and</p> <p>(ii) the listing realtor verifies that it is unlikely to sell within 90 days of listing given the particular circumstances involved (e.g., owner's fractional interest; zoning restrictions; poor topography; absence of road frontage or access; absence of improvements; clouds on title, right of way or easement; local market conditions) OR</p> <p>b. When at least two realtors refuse to list the property. The reason for refusal must be that the property is unsaleable at current market value.</p>

Name of resource type:

Description:

Other reasons for refusal are not sufficient, OR

c. When the applicant has personally advertised his property at or below current market value for 90 days by use of a "Sale By Owner" sign located on the property and by other reasonable efforts such as newspaper advertisements, or reasonable inquiries with all adjoining land-owners or other potential interested purchasers.

4. Notwithstanding the fact that the recipient made a reasonable effort to sell the property and failed to sell it, and although the recipient has become eligible, the recipient must make a continuing reasonable effort to sell by:

a. Repeatedly renewing any initial listing agreement until the property is sold. If the list price was initially higher than the tax-assessed value, the listed sales price must be reduced after 12 months to no more than 100% of the tax-assessed value.

b. In the case where at least 2 realtors have refused to list the property, the recipient must personally try to sell the property by efforts described in 2c above, for 12 months.

c. In the case of recipient who has personally advertised his property for a year without success (the newspaper advertisements, "for sale" sign, do not have to be continuous; these efforts must be done for at least 90 days within a 12 month period), the recipient must then

(i) subject his property to a realtor's listing agreement at price or below current market value; or

(ii) meet the requirements of 2b above which are that the recipient must try to list the property and at least two realtors refuse to list it because it is unsaleable at current market value; other reasons for refusal to list are not sufficient.

5. If the recipient has made a continuing effort to sell the property for 12 months, then the recipient may sell the property between 75% and 100% of its tax assessed value and such sale shall not result in disqualification under the transfer of property rules. If the recipient requests to sell his property at less than 75% of assessed value, he must submit documentation from the listing realtor, or knowledgeable source if the property is not listed with a realtor, that the requested sale price is the best price the recipient can expect to receive for the property at this time. Sale at such a documented price shall not result in disqualification under the transfer of property rules. The proceeds of the sale will be

Name of resource type:	Description:
Life insurance less than \$1500	<p>counted as a resource in determining continuing eligibility. *</p> <p>Life, retirement, and other related types of insurance policies with face values totaling \$1,500, or less on any one person 21 years old and over are not considered resources. When the face values of such policies of any one person exceeds \$1,500, the cash surrender value of the policies is counted as a resource.</p>
Cemetery plots	Cemetery plots are not counted as resources regardless of the number owned.
Life rights	Life rights to real property are not counted as a resource. The purchase of a life right in another individual's home is subject to transfer of asset rules.
Payments for involuntary sterilization.	The Commonwealth shall disregard as resources amounts received as payment for involuntary sterilization under the Virginia Eugenic Sterilization Act, beyond the allowable nine-month exclusion by the SSI program's resource methodologies.
Disregard excess resources due to COVID-19	Income that would have otherwise been part of an individual's liability for his or her institutional or home and community based waiver services based on the application of the post-eligibility treatment of income (PETI) rules, but which became countable resources on or after March 18, 2020, will be disregarded until the individual's second Medicaid renewal that follows the end of the COVID-19 public health emergency.

A beneficiary of a "qualified state long-term care insurance partnership" policy (partnership policy), as defined in section 1917(b)(1)(C) of the Social Security Act and 45 CFR 144.200 et seq., is provided a resource disregard, equal to the amount of the insurance benefit payments made to or on behalf of the individual from the partnership policy.

Individuals in Institutions Eligible under a Special Income Level

MEDICAID | Medicaid State Plan | Eligibility | VA2023MS00030 | VA-24-0004

Package Header

Package ID	VA2023MS00030	SPA ID	VA-24-0004
Submission Type	Official	Initial Submission Date	1/8/2024
Approval Date	04/04/2024	Effective Date	1/1/2024
Superseded SPA ID	VA-23-0004		
	System-Derived		

D. Income Standard Used

The income standard for this group is:

- 1. 300% of the SSI Federal Benefit Rate (FBR) for an individual
- 2. Other lower income level

Individuals in Institutions Eligible under a Special Income Level

MEDICAID | Medicaid State Plan | Eligibility | VA2023MS0003O | VA-24-0004

Package Header

Package ID	VA2023MS0003O	SPA ID	VA-24-0004
Submission Type	Official	Initial Submission Date	1/8/2024
Approval Date	04/04/2024	Effective Date	1/1/2024
Superseded SPA ID	VA-23-0004		
	System-Derived		

E.Resource Standard Used

The resource standard for this group is the one used for the most closely-related cash assistance program.

Individuals in Institutions Eligible under a Special Income Level

MEDICAID | Medicaid State Plan | Eligibility | VA2023MS0003O | VA-24-0004

Package Header

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Superseded SPA ID	VA-23-0004		
	System-Derived		

F.Additional Information (optional)

Reasonable effort to sell, continued:

6. Once the applicant has demonstrated that his property is unsaleable by following the procedures in 2 above, the property is disregarded in determining eligibility starting the first day of the month in which the most recent application was filed, or up to three months prior to this month of application if retroactive coverage is requested and the applicant met all other eligibility requirements in the period. A recipient must continue his reasonable efforts to sell the property as required in 3 above.

Medicaid State Plan Eligibility

Eligibility Groups - Options for Coverage

Age and Disability- Related Poverty Level

MEDICAID | Medicaid State Plan | Eligibility | VA2023MS00030 | VA-24-0004

Individuals who are age 65 or older or who have a disability, with income no higher than 100% FPL.

Package Header

Package ID	VA2023MS00030	SPA ID	VA-24-0004
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The state covers the optional Age and Disability-Related Poverty Level eligibility group in accordance with the following provisions:

A. Characteristics

Individuals qualifying under this eligibility group must meet the following criteria:

1. Meet at least one of the following condition(s):
 - a. Are age 65 or older; or
 - b. Have a disability.
2. Have income and resources at or below the standard for this group.

Age and Disability- Related Poverty Level

MEDICAID | Medicaid State Plan | Eligibility | VA2023MS00030 | VA-24-0004

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Superseded SPA ID	VA-23-0004		
	System-Derived		

B. Individuals Covered

1. The state covers all individuals who meet the characteristics described in section A.

- Yes
- No

Age and Disability- Related Poverty Level

MEDICAID | Medicaid State Plan | Eligibility | VA2023MS00030 | VA-24-0004

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Superseded SPA ID	VA-23-0004		
	System-Derived		

C. Financial Methodologies

1. SSI methodologies are used in calculating household income and resources. Please refer as necessary to Non-MAGI Methodologies, completed by the state.

2. Less restrictive methodologies are used in calculating countable income.

Yes

No

a. The state uses the same less restrictive income methodologies for all individuals covered.

Yes

No

The less restrictive income methodologies are:

Census Bureau wages are disregarded.

Description of disregard: All census income is disregarded.

The following less restrictive methodologies are used:

Name of methodology:	Description:
Disregard of in-kind support and maintenance.	The Commonwealth of Virginia shall disregard the value of in-kind support and maintenance when determining eligibility. In-kind support and maintenance means food, clothing, or shelter or any combination of these provided to an individual.

3. Less restrictive methodologies are used in calculating countable resources.

Yes

No

a. The state uses the same less restrictive resource methodologies for all individuals covered.

Yes

No

The less restrictive resource methodologies are:

The state uses a less restrictive methodology with respect to resources set aside for burial.

Specified methodology for the treatment of resources set aside for burial:

Name of methodology:	Description:
Burial expenses	<p>Resources set aside to meet the burial expenses of an applicant/recipient or that individual's spouse are excluded from countable assets. In determining eligibility for benefits for medically needy individuals, disregarded from countable resources is an amount not in excess of \$3,500 for the individual and an amount not in excess of \$3,500 for his spouse when such resources have been set aside to meet the burial expenses of the individual or his spouse. The amount disregarded shall be reduced by:</p> <p>A. the face value of life insurance on the life of an individual owned by the individual or his spouse if the cash surrender value of such policies has been excluded from countable resources; and</p> <p>B. the amount of any other revocable or irrevocable trust, contract, or other arrangement specifically designated for the purpose of meeting the individual's or his spouse's burial expenses.</p>

The state uses a less restrictive methodology with respect to the treatment of motor vehicles.

The value of a countable motor vehicle is totally disregarded, without limits or conditions.

One motor vehicle
 More than one motor vehicle

Household goods and services are disregarded as a resource.

Description of disregard: The value of all household goods and personal effects are disregarded.

d as
resources.

A specified type of resource is disregarded:

Name of resource type:	Description:
Life insurance less than \$1500	Life, retirement, and other related types of insurance policies with face values totaling \$1,500, or less on any one person 21 years old and over are not considered resources. When the face values of such policies of any one person exceeds \$1,500, the cash surrender value of the policies is counted as a resource.
Cemetery plots	Cemetery plots are not counted as resources regardless of the number owned.
Life rights	Life rights to real property are not counted as a resource. The purchase of a life right in another individual's home is subject to transfer of asset rules.
Reasonable effort to sell.	Once the applicant has demonstrated that his property is unsaleable by following the procedures in 3 below, the property is disregarded in determining eligibility starting the first day of the month in which the most recent application was filed, or up to three months prior to this month of application if retroactive coverage is requested and the applicant met all other eligibility requirements in the period. A recipient must continue his reasonable efforts to sell the property as required in 4 below. 2. Reasonable Effort to Sell. For purposes of this section "current market

Name of resource type:

Description:

value" is defined as the current tax assessed value. If the property is listed by a realtor, then the realtor may list it at an amount higher than the tax assessed value. In no event, however, shall the realtor's list price exceed 150% of the assessed value.

3. A reasonable effort to sell is considered to have been made:

a. As of the date the property becomes subject to a realtor's listing agreement if (i) it is listed at a price at current market value, and (ii) the listing realtor verifies that it is unlikely to sell within 90 days of listing given the particular circumstances involved (e.g., owner's fractional interest; zoning restrictions; poor topography; absence of road frontage or access; absence of improvements; clouds on title, right of way or easement; local market conditions) OR

b. When at least two realtors refuse to list the property. The reason for refusal must be that the property is unsaleable at current market value. Other reasons for refusal are not sufficient, OR

c. When the applicant has personally advertised his property at or below current market value for 90 days by use of a "Sale By Owner" sign located on the property and by other reasonable efforts such as newspaper advertisements, or reasonable inquiries with all adjoining land-owners or other potential interested purchasers.

4. Notwithstanding the fact that the recipient made a

Name of resource type:

Description:

reasonable effort to sell the property and failed to sell it, and although the recipient has become eligible, the recipient must make a continuing reasonable effort to sell by:

a. Repeatedly renewing any initial listing agreement until the property is sold. If the list price was initially higher than the tax-assessed value, the listed sales price must be reduced after 12 months to no more than 100% of the tax-assessed value.

b. In the case where at least 2 realtors have refused to list the property, the recipient must personally try to sell the property by efforts described in 2c above, for 12 months.

c. In the case of recipient who has personally advertised his property for a year without success (the newspaper advertisements, "for sale" sign, do not have to be continuous; these efforts must be done for at least 90 days within a 12 month period), the recipient must then

(i) subject his property to a realtor's listing agreement at price or below current market value; or
(ii) meet the requirements of 2b above which are that the recipient must try to list the property and at least two realtors refuse to list it because it is unsaleable at current market value; other reasons for refusal to list are not sufficient.

5. If the recipient has made a continuing effort to sell the property for 12 months, then the

Name of resource type:	Description:
	<p>recipient may sell the property between 75% and 100% of its tax assessed value and such sale shall not result in disqualification under the transfer of property rules. If the recipient requests to sell his property at less than 75% of assessed value, he must submit documentation from the listing realtor, or knowledgeable source if the property is not listed with a realtor, that the requested sale price is the best price the recipient can expect to receive for the property at this time. Sale at such a documented price shall not result in disqualification under the transfer of property rules. The proceeds of the sale will be counted as a resource in determining continuing eligibility. *</p>
Payments for involuntary sterilization.	<p>The Commonwealth shall disregard as resources amounts received as payment for involuntary sterilization under the Virginia Eugenic Sterilization Act, beyond the allowable nine-month exclusion by the SSI program's resource methodologies.</p>
Disregard excess resources due to COVID-19	<p>Income that would have otherwise been part of an individual's liability for his or her institutional or home and community based waiver services based on the application of the post-eligibility treatment of income (PETI) rules, but which became countable resources on or after March 18, 2020, will be disregarded until the individual's second Medicaid renewal</p>

Name of resource type:	Description:
Work Incentive Account (WIN accounts)	<p>that follows the end of the COVID-19 public health emergency.</p> <p>Resources accumulated in the Work Incentive Account (WIN) shall be disregarded in determining eligibility for one year after the individual leaves the Medicaid buy-in program, unless the WIN account is an IRS-recognized account, in which case the disregard of the account will not be time-limited (subject to the account meeting the conditions described in the "Ticket to Work Basic" section of the state plan). IRS-recognized WIN accounts are: retirement accounts (e.g., 401(k)/403(b)/457(b)/503(b) accounts, traditional Individual Retirement Accounts (IRAs), Roth IRAs, SEP-IRAs, SIMPLE IRAs, and Thrift Savings Plans), medical savings accounts (e.g., Archer Medical Savings Account), medical reimbursement accounts (e.g., Health Savings Accounts), education accounts (e.g., 529 Plans) and independence accounts (e.g., Fostering Independence Account).</p>

- A beneficiary of a "qualified state long-term care insurance partnership" policy (partnership policy), as defined in section 1917(b)(1)(C) of the Social Security Act and 45 CFR 144.200 et seq., is provided a resource disregard, equal to the amount of the insurance benefit payments made to or on behalf of the individual from the partnership policy.

Age and Disability- Related Poverty Level

MEDICAID | Medicaid State Plan | Eligibility | VA2023MS00030 | VA-24-0004

Package Header

Package ID	VA2023MS00030	SPA ID	VA-24-0004
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Superseded SPA ID	VA-23-0004		
	System-Derived		

D. Income Standard Used

The income standard for this eligibility group is:

- 1. 100% FPL
- 2. A lower percent of the FPL:

80.00% FPL

Age and Disability- Related Poverty Level

MEDICAID | Medicaid State Plan | Eligibility | VA2023MS00030 | VA-24-0004

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E. Resource Standard Used

The resource standard used is:

- 1. The resource limit for the SSI program; or
- 2. The resource limit used in the state's medically needy program, if higher.

Age and Disability- Related Poverty Level

MEDICAID | Medicaid State Plan | Eligibility | VA2023MS0003O | VA-24-0004

Package Header

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	System-Derived		

F. Additional Information (optional)

Reasonable effort to sell, continued:

6. Once the applicant has demonstrated that his property is unsaleable by following the procedures in 2 above, the property is disregarded in determining eligibility starting the first day of the month in which the most recent application was filed, or up to three months prior to this month of application if retroactive coverage is requested and the applicant met all other eligibility requirements in the period. A recipient must continue his reasonable efforts to sell the property as required in 3 above.

Medicaid State Plan Eligibility

Eligibility Groups - Options for Coverage

Ticket to Work Basic

MEDICAID | Medicaid State Plan | Eligibility | VA2023MS00030 | VA-24-0004

Individuals between ages 16 and 64 with a disability, who have earned income.

Package Header

Package ID	VA2023MS00030	SPA ID	VA-24-0004
Submission Type	Official	Initial Submission Date	1/8/2024
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	User-Entered		

The state covers the optional Ticket to Work basic eligibility group in accordance with the following provisions:

Ticket to Work Basic

MEDICAID | Medicaid State Plan | Eligibility | VA2023MS00030 | VA-24-0004

Package Header

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Approval Date	04/04/2024	Effective Date	1/1/2024
Superseded SPA ID	13-20, 93-04, 06-08		
	User-Entered		

A. Characteristics

Individuals qualifying under this eligibility group must meet the following criteria:

1. Are at least age 16 but less than 65 years of age.
2. Have earned income.
3. But for earned income, meet the SSI definition of disability.
4. Have income and resources that do not exceed the standards established by the state.

Ticket to Work Basic

MEDICAID | Medicaid State Plan | Eligibility | VA2023MS00030 | VA-24-0004

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Superseded SPA ID	13-20, 93-04, 06-08		
	User-Entered		

B. Financial Methodologies

1. SSI methodologies are used in calculating household income and resources.

- Yes
- No

Please refer as necessary to Non-MAGI Methodologies, completed by the state.

2. Less restrictive methodologies are used in calculating countable income.

- Yes
- No

The less restrictive income methodologies are:

- Census Bureau wages are disregarded.
- A specified type of income is disregarded:

Description of disregard: All census income is disregarded.

Name of income type:	Description:
Disregard of in-kind support and maintenance	The Commonwealth of Virginia shall disregard the value of in-kind support and maintenance when determining eligibility. In-kind support and maintenance means food, clothing, or shelter or any combination of these provided to an individual.
Earned Income	\$6,250 a month in earned income is disregarded. This disregard is conditional on the income being placed in a WIN account.
Spousal income	No spousal income is deemed to the individual. All spousal income is disregarded.
Parental Income	No parental income is deemed to the individual. All parental income is disregarded.
COLA increases deposited to WIN account	The Commonwealth shall disregard any increase in the amount of earned income in Social Security Disability Insurance (SSDI) payment resulting from employment as a worker with disabilities eligible for assistance under §1902(a)(10)(A)(ii) (XVI) of the Act or as a result of a COLA adjustment to the SSDI payment, if this additional amount of unearned income in SSDI payment from work and/or COLA is deposited into the individual's designated WIN account.
Unemployment	The Commonwealth shall disregard any amount of unearned income of an enrollee as a result of the receipt of unemployment

Name of income type:	Description: insurance benefits due to loss of employment through no fault of his own, if this unearned income from unemployment insurance payments is deposited into the individual's designated WIN account. This disregard shall only apply while an enrollee is in the six month safety net, or "grace" period.
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3. Less restrictive methodologies are used in calculating countable resources.

- Yes
- No

The less restrictive resource methodologies are:

Resources from household members are disregarded.

Resources of the spouse are disregarded.

Description: No spousal resources are deemed to the applicant.

Resources of parents are disregarded.

Description: No parental resources are deemed to the applicant.

The state uses a less restrictive methodology with respect to resources set aside for burial.

A higher amount is disregarded:

Amount: \$3500.00

Specified methodology for the treatment of resources set aside for burial:

Name of methodology:	Description:
Burial expenses	Resources set aside to meet the burial expenses of an applicant/recipient or that individual's spouse are excluded from countable assets. In determining eligibility for benefits for medically needy individuals, disregarded from countable resources is an amount not in excess of \$3,500 for the individual and an amount not in excess of \$3,500 for his spouse when such resources have been set aside to meet the burial expenses of the individual or his spouse. The amount disregarded shall be reduced by: A. the face value of life insurance on the life of an individual owned by the individual or his spouse if the cash surrender value of such policies has been excluded from countable resources; and B. the amount of any other revocable or irrevocable trust, contract, or other arrangement specifically designated for the purpose of meeting the individual's or his spouse's burial expenses.

The state uses a less restrictive methodology with respect to the treatment of motor vehicles.

The value of a countable motor vehicle is totally disregarded, without limits or conditions.

- One motor vehicle
- More than one motor vehicle

The state uses a less restrictive methodology with respect to the treatment of resources set aside in specified types of accounts.

Specified types of accounts:

Name of account:	Description:
WIN (Work Incentive Account)	<p>Any checking or savings accounts, or certain IRS-recognized accounts, that the member designates. "IRS-recognized" accounts in this context refers to: retirement accounts (e.g., 401(k)/403(b)/457(b)/503(b) accounts, traditional Individual Retirement Accounts (IRAs), Roth IRAs, SEP-IRAs, SIMPLE IRAs, and Thrift Savings Plans); medical savings accounts (e.g., Archer Medical Savings Account); medical reimbursement accounts (e.g., Health Savings Accounts); education accounts (e.g., 529 Plans); and independence accounts (e.g., Fostering Independence Account). The maximum amount that will be disregarded in a WIN account will be the relevant year's section 1619(b) threshold for Virginia, plus any interest a member has accrued on their designated WIN account; e.g., in 2024, the maximum WIN-account disregard will be \$45,976 plus any interest the member has accrued on the account. To be eligible for this resource disregard, WIN Accounts are subject to the following provisions: a. Deposits to this account shall derive solely from the individual's income earned after electing to enroll in the Medicaid Buy-In (MBI) program. b. The account will be held separate from non-exempt resources in accounts for which prior approval has been obtained from the Department, and for which the owner authorizes regular monitoring and/or reporting including deposits, withdrawals, and other information deemed necessary by the Department for the proper administration of this provision. c. WIN accounts shall be disregarded for one year after the individual leaves the Medicaid buy-in program, unless the WIN account is an IRS-recognized account, in which case the disregard of the account will not be time-limited (subject to the account meeting the conditions described above).</p>

Household goods and services are disregarded as a resource.

A specified type of resource is disregarded:

Description of disregard: The value of all household goods and personal effects are disregarded as resources.

Name of resource type:	Description:
Payments made for involuntary sterilization.	The Commonwealth shall disregard as resources amounts received as payment for involuntary sterilization under the Virginia Eugenic Sterilization Act, beyond the allowable nine-month exclusion

Name of resource type:	Description:
	by the SSI program's resource methodologies.
Cemetery plots	Cemetery plots are not counted as resources regardless of the number owned.
Life Rights	Life rights to real property are not counted as a resource. The purchase of a life right in another individual's home is subject to transfer of asset rules.
Reasonable Effort to Sell	<p>A. For purposes of this section "current market value" is defined as the current tax assessed value. If the property is listed by a realtor, then the realtor may list it at an amount higher than the tax assessed value. In no event, however, shall the realtor's list price exceed 150% of the assessed value.</p> <p>B. A reasonable effort to sell is considered to have been made:</p> <ol style="list-style-type: none"> 1. As of the date the property becomes subject to a realtor's listing agreement if <ol style="list-style-type: none"> a. it is listed at a price at current market value, and b. the listing realtor verifies that it is unlikely to sell within 90 days of listing given the particular circumstances involved (e.g., owner's fractional interest; zoning restrictions; poor topography; absence of road frontage or access; absence of improvements; clouds on title, right of way or easement; local market conditions) OR 2. When at least two realtors refuse to list the property. The reason for refusal must be that the property is unsaleable at current market value. Other reasons for refusal are not sufficient, OR 3. When the applicant has personally advertised his property at or below current market value for 90 days by use of a "Sale By Owner" sign located on the property and by other reasonable efforts such as newspaper advertisements, or reasonable inquiries with all adjoining land-owners or other potential interested purchasers. <p>C. Notwithstanding the fact that the recipient made a reasonable effort to sell the property and failed to sell it, and although the recipient has become eligible, the recipient must make a continuing reasonable effort to sell by:</p> <ol style="list-style-type: none"> 1. Repeatedly renewing any initial listing agreement until the property is sold. If the list price was initially higher than the tax-assessed value, the listed sales price must be reduced after 12 months to no more than 100% of the tax-assessed value. 2. In the case where at least 2

Name of resource type:

Description:

realtors have refused to list the property, the recipient must personally try to sell the property by efforts described in B(3) above, for 12 months.

3. In the case of recipient who has personally advertised his property for a year without success (the newspaper advertisements, "for sale" sign, do not have to be continuous; these efforts must be done for at least 90 days within a 12 month period), the recipient must then

- a. subject his property to a realtor's listing agreement at price or below current market value; or
- b. meet the requirements of B(2) above which are that the recipient must try to list the property and at least two realtors refuse to list it because it is unsaleable at current market value; other reasons for refusal to list are not sufficient.

D. If the recipient has made a continuing effort to sell the property for 12 months, then the recipient may sell the property between 75% and 100% of its tax assessed value and such sale shall not result in disqualification under the transfer of property rules. If the recipient requests to sell his property at less than 75% of assessed value, he must submit documentation from the listing realtor, or knowledgeable source if the property is not listed with a realtor, that the requested sale price is the best price the recipient can expect to receive for the property at this time. Sale at such a documented price shall not result in disqualification under the transfer of property rules. The proceeds of the sale will be counted as a resource in determining continuing eligibility.

E. Once the applicant has demonstrated that his property is unsaleable by following the procedures in Section "B", the property is disregarded in determining eligibility starting the first day of the month in which the most recent application was filed, or up to three months prior to this month of application if retroactive coverage is requested and the applicant met all other eligibility requirements in the period. A recipient must continue his reasonable efforts to sell the property as required in Section C above.

Life insurance less than \$1500

Life, retirement, and other related types of insurance policies with face values totaling \$1,500, or less on any one person 21 years old and over are not considered resources. When the face values of such policies of any one person

Name of resource type:	Description:
	exceeds \$1,500, the cash surrender value of the policies is counted as a resource.

- A beneficiary of a "qualified state long-term care insurance partnership" policy (partnership policy), as defined in section 1917(b)(1)(C) of the Social Security Act and 45 CFR 144.200 et seq., is provided a resource disregard, equal to the amount of the insurance benefit payments made to or on behalf of the individual from the partnership policy.

Ticket to Work Basic

MEDICAID | Medicaid State Plan | Eligibility | VA2023MS00030 | VA-24-0004

Package Header

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	User-Entered		

C. Income Standard Used

The income standard for this group is:

- 1. No income standard
- 2. A percentage of the federal poverty level:
- 3. A percentage of the SSI Federal Benefit Rate:
- 4. A dollar amount
- 5. Other

FPL 138.00%

Ticket to Work Basic

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D. Resource Standard Used

The resource standard for this group is:

- 1. No resource standard
- 2. SSI resource standard
- 4. A dollar amount higher than the SSI resource standard

Ticket to Work Basic

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E. Premiums and Cost Sharing

Requirements for premiums and cost sharing for this group are found in the premium and cost sharing sections of the state plan.

Ticket to Work Basic

MEDICAID | Medicaid State Plan | Eligibility | VA2023MS00030 | VA-24-0004

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F. Additional Information (optional)

Medicaid State Plan Eligibility

Eligibility Groups - Medically Needy

Medically Needy Populations Based on Age, Blindness or Disability

MEDICAID | Medicaid State Plan | Eligibility | VA2023MS00030 | VA-24-0004

Individuals who are age 65 or older or who have blindness or a disability who do not qualify as categorically needy.

Package Header

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	System-Derived		

The state covers the optional Medically Needy Populations Based on Age, Blindness or Disability eligibility group in accordance with the following provisions:

A. Characteristics

Individuals qualifying under this eligibility group must meet the following criteria:

1. Meet at least one of the following:

- a. Are age 65 or older;
- b. Have blindness; or
- c. Have a disability.

2. Are not otherwise eligible for categorically needy coverage under the state plan.

3. Have income at or below the medically needy income level and resources at or below the medically needy resource level.

Medically Needy Populations Based on Age, Blindness or Disability

MEDICAID | Medicaid State Plan | Eligibility | VA2023MS0003O | VA-24-0004

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B. Individuals Covered

The state covers the following populations:

- 1. Individuals age 65 or older
- 2. Individuals with blindness
- 3. Individuals who have a disability

Medically Needy Populations Based on Age, Blindness or Disability

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C. Financial Methodologies

1. The state uses the same financial methodology for all individuals covered.

- Yes
 No

2. The financial methodology used is:

- a. SSI methodologies. Please refer as necessary to Non-MAGI Methodologies, completed by the state.
- b. More restrictive requirements than SSI. Please refer as necessary to More Restrictive Requirements than SSI under 1902(f), completed by the state.
- c. Less restrictive methodologies are used in calculating countable income.
 Yes No

The less restrictive income methodologies are:

- Census Bureau wages are disregarded.

Description of disregard: All census income is disregarded.

- The following less restrictive methodologies are used:

Name of methodology:	Description:
Disregard of in-kind support and maintenance.	The Commonwealth of Virginia shall disregard the value of in-kind support and maintenance when determining eligibility. In-kind support and maintenance means food, clothing, or shelter or any combination of these provided to an individual.
Disregard of income.	The Commonwealth will disregard all earned income of a child under the age of 19 years who is a student. This applies only to medically needy children.

d. Less restrictive methodologies are used in calculating countable resources.

- Yes No

The less restrictive resource methodologies are:

- The state uses a less restrictive methodology with respect to resources set aside for burial.

- Specified methodology for the treatment of resources set aside for burial:

Name of methodology:	Description:
Burial expenses	<p>Resources set aside to meet the burial expenses of an applicant/recipient or that individual's spouse are excluded from countable assets. In determining eligibility for benefits for medically needy individuals, disregarded from countable resources is an amount not in excess of \$3,500 for the individual and an amount not in excess of \$3,500 for his spouse when such resources have been set aside to meet the burial expenses of the individual or his spouse. The amount disregarded shall be reduced by:</p> <p>A. the face value of life insurance on the life of an individual owned by the individual or his spouse if the cash surrender value of such policies has been excluded from countable resources; and</p> <p>B. the amount of any other revocable or irrevocable trust, contract, or other arrangement specifically designated for the purpose of meeting the individual's or his spouse's burial expenses.</p>

The state uses a less restrictive methodology with respect to the treatment of motor vehicles.

The value of a countable motor vehicle is totally disregarded, without limits or conditions.

One motor vehicle
 More than one motor vehicle

Household goods and services are disregarded as a resource.

Description of disregard: The value of all household goods and personal effects are disregarded.

d as
resources.

A specified type of resource is disregarded:

Name of resource type:	Description:
Life insurance less than \$1500	Life, retirement, and other related types of insurance policies with face values totaling \$1,500, or less on any one person 21 years old and over are not considered resources. When the face values of such policies of any one person exceeds \$1,500, the cash surrender value of the policies is counted as a resource.
Cemetery plots	Cemetery plots are not counted as resources regardless of the number owned.
Life rights	Life rights to real property are not counted as a resource. The purchase of a life right in another individual's home is subject to transfer of asset rules.
Reasonable effort to sell.	Once the applicant has demonstrated that his property is unsaleable by following the procedures in 3 below, the property is disregarded in determining eligibility starting the first day of the month in which the most recent application was filed, or up to three months prior to this month of application if retroactive coverage is requested and the applicant met all other eligibility requirements in the period. A recipient must continue his reasonable efforts to sell the property as required in 4 below. 2. Reasonable Effort to Sell. For purposes of this section "current market

Name of resource type:

Description:

value" is defined as the current tax assessed value. If the property is listed by a realtor, then the realtor may list it at an amount higher than the tax assessed value. In no event, however, shall the realtor's list price exceed 150% of the assessed value.

3. A reasonable effort to sell is considered to have been made:

a. As of the date the property becomes subject to a realtor's listing agreement if (i) it is listed at a price at current market value, and (ii) the listing realtor verifies that it is unlikely to sell within 90 days of listing given the particular circumstances involved (e.g., owner's fractional interest; zoning restrictions; poor topography; absence of road frontage or access; absence of improvements; clouds on title, right of way or easement; local market conditions) OR

b. When at least two realtors refuse to list the property. The reason for refusal must be that the property is unsaleable at current market value. Other reasons for refusal are not sufficient, OR

c. When the applicant has personally advertised his property at or below current market value for 90 days by use of a "Sale By Owner" sign located on the property and by other reasonable efforts such as newspaper advertisements, or reasonable inquiries with all adjoining land-owners or other potential interested purchasers.

4. Notwithstanding the fact that the recipient made a

Name of resource type:

Description:

reasonable effort to sell the property and failed to sell it, and although the recipient has become eligible, the recipient must make a continuing reasonable effort to sell by:

a. Repeatedly renewing any initial listing agreement until the property is sold. If the list price was initially higher than the tax-assessed value, the listed sales price must be reduced after 12 months to no more than 100% of the tax-assessed value.

b. In the case where at least 2 realtors have refused to list the property, the recipient must personally try to sell the property by efforts described in 2c above, for 12 months.

c. In the case of recipient who has personally advertised his property for a year without success (the newspaper advertisements, "for sale" sign, do not have to be continuous; these efforts must be done for at least 90 days within a 12 month period), the recipient must then

(i) subject his property to a realtor's listing agreement at price or below current market value; or
(ii) meet the requirements of 2b above which are that the recipient must try to list the property and at least two realtors refuse to list it because it is unsaleable at current market value; other reasons for refusal to list are not sufficient.

5. If the recipient has made a continuing effort to sell the property for 12 months, then the

Name of resource type:	Description:
	<p>recipient may sell the property between 75% and 100% of its tax assessed value and such sale shall not result in disqualification under the transfer of property rules. If the recipient requests to sell his property at less than 75% of assessed value, he must submit documentation from the listing realtor, or knowledgeable source if the property is not listed with a realtor, that the requested sale price is the best price the recipient can expect to receive for the property at this time. Sale at such a documented price shall not result in disqualification under the transfer of property rules. The proceeds of the sale will be counted as a resource in determining continuing eligibility. *</p>
Payments for involuntary sterilization.	<p>The Commonwealth shall disregard as resources amounts received as payment for involuntary sterilization under the Virginia Eugenic Sterilization Act, beyond the allowable nine-month exclusion by the SSI program's resource methodologies.</p>
Disregard excess resources due to COVID-19	<p>Income that would have otherwise been part of an individual's liability for his or her institutional or home and community based waiver services based on the application of the post-eligibility treatment of income (PETI) rules, but which became countable resources on or after March 18, 2020, will be disregarded until the individual's second Medicaid renewal</p>

Name of resource type:	Description:
Work Incentive Account (WIN accounts)	<p>that follows the end of the COVID-19 public health emergency.</p> <p>Resources accumulated in the Work Incentive Account (WIN) shall be disregarded in determining eligibility for one year after the individual leaves the Medicaid buy-in program, unless the WIN account is an IRS-recognized account, in which case the disregard of the account will not be time-limited (subject to the account meeting the conditions described in the "Ticket to Work Basic" section of the state plan). IRS-recognized WIN accounts are: retirement accounts (e.g., 401(k)/403(b)/457(b)/503(b) accounts, traditional Individual Retirement Accounts (IRAs), Roth IRAs, SEP-IRAs, SIMPLE IRAs, and Thrift Savings Plans), medical savings accounts (e.g., Archer Medical Savings Account), medical reimbursement accounts (e.g., Health Savings Accounts), education accounts (e.g., 529 Plans) and independence accounts (e.g., Fostering Independence Account).</p>

- A beneficiary of a "qualified state long-term care insurance partnership" policy (partnership policy), as defined in section 1917(b)(1)(C) of the Social Security Act and 45 CFR 144.200 et seq., is provided a resource disregard, equal to the amount of the insurance benefit payments made to or on behalf of the individual from the partnership policy.

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D. Income Standard Used

The income standard used for this group is described in the Medically Needy Income Level RU.

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E. Resource Standard Used

The resource standard used for this group is described in the Medically Needy Resource Level RU.

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F. Spenddown

The state allows individuals to deduct incurred medical and remedial expenses (spend down) to become eligible under this group. Spenddown is defined in the Handling of Excess Income (Spenddown) RU.

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G. Additional Information (optional)

PRA Disclosure Statement: Centers for Medicare & Medicaid Services (CMS) collects this mandatory information in accordance with (42 U.S.C. 1396a) and (42 CFR 430.12); which sets forth the authority for the submittal and collection of state plans and plan amendment information in a format defined by CMS for the purpose of improving the state application and federal review processes, improve federal program management of Medicaid programs and Children's Health Insurance Program, and to standardize Medicaid program data which covers basic requirements, and individualized content that reflects the characteristics of the particular state's program. The information will be used to monitor and analyze performance metrics related to the Medicaid and Children's Health Insurance Program in efforts to boost program integrity efforts, improve performance and accountability across the programs. Under the Privacy Act of 1974 any personally identifying information obtained will be kept private to the extent of the law. According to the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number. The valid OMB control number for this information collection is 0938-1188. The time required to complete this information collection is estimated to range from 1 hour to 80 hours per response (see below), including the time to review instructions, search existing data resources, gather the data needed, and complete and review the information collection. If you have comments concerning the accuracy of the time estimate(s) or suggestions for improving this form, please write to: CMS, 7500 Security Boulevard, Attn: PRA Reports Clearance Officer, Mail Stop C4-26-05, Baltimore, Maryland 21244-1850.

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