

**Testimony before the Health and Human Services Committee  
Representative Robin Weisz, Chairman  
March 23, 2010**

Chairman Weisz, members of the Health and Human Services Committee, I am Maggie Anderson, Director of the Medical Services Division, for the Department of Human Services. I appear before you to provide information on the number of pregnant women who were denied Medicaid coverage because of excess income; the household size of the individuals receiving Medicaid prenatal and delivery services; the number of teens receiving prenatal services through the Children's Health Insurance Program (CHIP); and information on the eligibility requirements for Medicaid and the Children's Health Insurance Program.

Pregnant Women Denied Medicaid Coverage

The Department reviewed eligibility information for denied applications for 2007, 2008, and 2009. There were no women denied coverage; however, there are pregnant women who were approved, with a recipient liability. Sometimes the monthly recipient liability is greater than the "medical need"; therefore, the pregnant woman may not receive services that are paid for by Medicaid. Each case is different, depending on the medical need of the woman, and her household income.

Household Size of Pregnant Women approved for Medicaid Coverage

The following Table shows the number of pregnant women, by household size, along with the maximum monthly income allowed at 133%\* (January 2010).

| Unit Size | Under 21 | 21 and Over | Maximum at 133% of FPL      |
|-----------|----------|-------------|-----------------------------|
| 2         | 134      | 372         | \$1615                      |
| 3         | 26       | 277         | \$2030                      |
| 4         | 6        | 182         | \$2444                      |
| 5+        | 2        | 149         | \$2859 (for unit size of 5) |

\*women may qualify at incomes above 133%; however, they would need to pay a recipient liability equal to the amount greater than the medically needy income level, plus the amount of income they have that exceeds the 133% income limit.

#### Teens Receiving Prenatal Services through CHIP

For 2009, the Children's Health Insurance Program (CHIP) provided prenatal services to 28 individuals; and there were 795 CHIP members during this same period who were female ages 14 to 19.

#### Eligibility Requirements

Please refer to Attachments A and B for additional information on Medicaid and CHIP eligibility requirements.

I would be happy to address any questions that you may have.

# INCOME LEVELS EFFECTIVE \* JULY 1, 2009

Attachment A

| Family Size | Family Coverage (1931) | Medically Needy<br>83% of Poverty | SSI<br>(Effective 01/01/09) | Children Age 6 to 19 and QMB<br>100% of Poverty | SLMB<br>120% of Poverty | Pregnant Women & Child to Age 6<br>133% of Poverty | QI-1<br>135% of Poverty | Healthy Steps<br>160% of Poverty | Transitional Medicaid<br>185% of Poverty | Caring for Children & Children with Disabilities & Women's Way<br>200% of Poverty | Workers with Disabilities<br>225% of Poverty |
|-------------|------------------------|-----------------------------------|-----------------------------|-------------------------------------------------|-------------------------|----------------------------------------------------|-------------------------|----------------------------------|------------------------------------------|-----------------------------------------------------------------------------------|----------------------------------------------|
| 1           | \$311                  | \$ 750                            | \$674                       | \$ 903                                          | \$1,083                 | \$1,201                                            | \$1,219                 | \$1,444                          | \$1,670                                  | \$1,805                                                                           | \$2,031                                      |
| 2           | 417                    | 1008                              | 1011                        | 1,215                                           | 1,457                   | 1,615                                              | 1,640                   | 1,943                            | 2,247                                    | 2,429                                                                             | 2,732                                        |
| 3           | 523                    | 1267                              |                             | 1,526                                           | 1,831                   | 2,030                                              | 2,060                   | 2,442                            | 2,823                                    | 3,052                                                                             | 3,434                                        |
| 4           | 629                    | 1526                              |                             | 1,838                                           | 2,205                   | 2,444                                              | 2,481                   | 2,940                            | 3,400                                    | 3,675                                                                             | 4,135                                        |
| 5           | 735                    | 1784                              |                             | 2,150                                           | 2,579                   | 2,859                                              | 2,902                   | 3,439                            | 3,976                                    | 4,299                                                                             | 4,836                                        |
| 6           | 841                    | 2,043                             |                             | 2,461                                           | 2,953                   | 3,273                                              | 3,323                   | 3,938                            | 4,553                                    | 4,922                                                                             | 5,537                                        |
| 7           | 947                    | 2,302                             |                             | 2,773                                           | 3,327                   | 3,688                                              | 3,743                   | 4,436                            | 5,130                                    | 5,545                                                                             | 6,239                                        |
| 8           | 1,053                  | 2,560                             |                             | 3,085                                           | 3,701                   | 4,102                                              | 4,164                   | 4,935                            | 5,706                                    | 6,169                                                                             | 6,940                                        |
| 9           | 1,159                  | 2,819                             |                             | 3,396                                           | 4,075                   | 4,517                                              | 4,585                   | 5,435                            | 6,283                                    | 6,792                                                                             | 7,641                                        |
| 10          | 1,265                  | 3,078                             |                             | 3,708                                           | 4,449                   | 4,931                                              | 5,006                   | 5,935                            | 6,859                                    | 7,415                                                                             | 8,342                                        |
| +1*         | 107                    | 259                               |                             | 312                                             | 374                     | 415                                                | 421                     | 500                              | 577                                      | 624                                                                               | 702                                          |

| Spousal Impoverishment Levels                                    |                                                                  |                                                       |                                                                     |
|------------------------------------------------------------------|------------------------------------------------------------------|-------------------------------------------------------|---------------------------------------------------------------------|
| Community Spouse Minimum Asset Allowance<br>(Effective 01/01/09) | Community Spouse Maximum Asset Allowance<br>(Effective 01/01/09) | Community Spouse Income Level<br>(Effective 01/01/03) | Income Level for each Additional Individual<br>(Effective 04/01/09) |
| \$21,912                                                         | \$109,560                                                        | \$2,267                                               | \$607                                                               |

| Average Cost of Nursing Care                         |                                                    |
|------------------------------------------------------|----------------------------------------------------|
| Average Monthly Cost of Care<br>(Effective 01/01/09) | Average Daily Cost of Care<br>(Effective 01/01/09) |
| \$5,453                                              | \$179.27                                           |

Note: LTC income level increased from \$40 to \$50 effective with the benefit month of 01/01/02

\*Caring for Children eligibility guidelines changed from 141-170% FPL to 151-200% FPL as of 11/01/08

(Due to Healthy Steps eligibility guidelines change to 160% as of 07/01/09)

Rev 06/2009



## **North Dakota Department of Human Services**

### **Medicaid and SCHIP Income Disregards and Deductions**

(Last Updated December 2008)

#### **Disregarded Income - *disregards are not considered an income source***

The following types of income are disregarded in determining eligibility for Medicaid/SCHIP:

1. State or tribal money payments for foster care, subsidized guardianship, or the subsidized adoption program;
2. Temporary Assistance for Needy Families (TANF) benefit and support services payments;
3. Benefits received through the Low Income Home Energy Assistance Program;
4. Refugee cash assistance payments;
5. County general assistance payments;
6. Payments from the Child and Adult Food Program for meals and snacks to licensed families who provide day care in their home;
7. Family subsidy program payments;
8. Housing assistance payments;
9. Per capita judgment funds paid to members of any Indian tribe under Pub. L. 92-254, Pub. L. 93-134, or Pub. L. 97-403;
10. Income derived from submarginal lands, conveyed to Indian tribes and held in trust by the United States, as required by Pub. L. 94-114;
11. Income earned by a child who is a full-time student, or a part-time student who is not employed one hundred hours or more per month;
12. Supplemental Security Income (SSI) - *SCHIP disregards all SSI. Medicaid disregards lump sum SSI payments. Medicaid counts SSI if the client chooses to be eligible under the children and family category. If they choose to be eligible under the aged and disabled category, they get an income level equal to the level that established SSI eligibility.*
13. Compensation received by volunteers participating in certain federal volunteer programs;
14. Payments made to recipients under title II of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970;

15. All income, allowances, and bonuses received as a result of participation in the Job Corps Program;
16. Occasional small gifts;
17. In-kind income except in-kind income received in lieu of wages;
18. Income tax refunds and earned income credits;
19. Homestead tax credits;
20. Educational loans, scholarships, grants, awards, Workforce Safety & Insurance vocational rehabilitation payments, and work-study received by a student.
21. Any fellowship or gift (or portion of a gift) used to pay the cost of tuition and fees at any educational institution;
22. Training funds received from Vocational Rehabilitation;
23. Training allowances of up to thirty dollars per week provided through a tribal native employment works program, or the Job Opportunities and Basic Skills Training program;
24. Needs-based payments, support services, and relocation expenses provided through programs established under the Workforce Investment Act (WIA), and through the Job Opportunities and Basic Skills program;
25. Training stipends provided to victims of domestic violence by private, charitable organizations, such as the Seeds of Hope Gift Shop, or the Abused Adult Resource Center, for attending their educational programs;
26. Tax-exempt portions of payments made as a result of the Alaska Native Claims Settlement Act;
27. Payments to certain United States citizens of Japanese ancestry, resident Japanese aliens, and eligible Aleuts made under the Wartime Relocation of Civilians Reparations Act;
28. Agent Orange payments;
29. Crime Victims Reparation payments;
30. German reparation payments made to survivors of the holocaust, and reparation payments made under sections 500 through 506 of the Austrian General Social Insurance Act;
31. Assistance received under the Disaster Relief and Emergency Assistance Act of 1974 or some other federal statute, because of a presidentially declared major disaster (but not disaster assistance unemployment compensation);
32. Allowances paid to children of Vietnam veterans who are born with spina bifida, or to children of women Vietnam veterans who are born with certain covered birth defects;



33. Netherlands Reparation payments based on Nazi, but not Japanese, persecution during World War II, Public Law 103-286;
34. Radiation Exposure Compensation, Public Law 101-426;
35. The first \$2,000 per year of lease payments deposited in IIM accounts;
36. Interest or dividend income earned on liquid assets;
37. Additional pay received by military personnel as a result of deployment to a combat zone;
38. Fifty dollars per month of current child support, received on behalf of children in the SCHIP unit;
39. All wages paid by the Census Bureau for temporary employment related to census activities.

**Income Deductions - *deductions are subtracted after the income is calculated***

The following income deductions are allowed in determining Medicaid/SCHIP eligibility:

1. Mandatory payroll deductions and union dues withheld, or ninety dollars, whichever is greater;
2. Mandatory retirement plan deductions;
3. Expenses of a blind person reasonably attributed to earning income;
4. Reasonable child care expenses, not otherwise reimbursed, that the Medicaid/SCHIP Unit is responsible to pay, if necessary to engage in employment or training;
5. Non-voluntary child and spousal support payments if actually paid;
6. For individuals who are employed or in training, thirty dollars may be deducted as a work or training allowance (does not apply to children in school);
7. The cost of premiums for health insurance for members of the unit who are not eligible for Medicaid/SCHIP; and
8. Medical expenses for necessary medical or remedial care for members of the unit who are not eligible for Medicaid/SCHIP.

### **Additional Income Deductions allowed for Medicaid**

The following additional income deductions are allowed in determining Medicaid eligibility

1. Reasonable expenses, such as food and veterinarian expenses, necessary to maintain a dog that is trained to detect seizures for a member of the Medicaid unit.
2. Premiums for long term care insurance.
3. Transportation expenses necessary to secure medical care.
4. Reasonable adult dependent care expenses.
5. The cost to purchase or rent a car safety seat for a child through age ten is allowed as a deduction if a seat is not otherwise reasonably available.
6. A disregard of \$20 per month for aged, blind and disabled applicants or recipients.
7. Guardian or conservator fees, up to a maximum of five percent of countable gross monthly income.
8. For all aged, blind, or disabled applicants or recipients, sixty-five dollars plus one-half of the remaining monthly gross earned income.