

STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT

State: FLORIDA

ELIGIBILITY CONDITIONS AND REQUIREMENTS

Citation(s)	Condition or Requirement
	A. <u>General Conditions of Eligibility</u>
	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 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 sections 1902(a)(10)(A)(i)(IV), 1902(a)(10)(A)(i)(VI), 1902(a)(10)(A)(i)(VII), and 1902(a)(10)(A)(ii)(IX) of the Act, meets the non-financial criteria of section 1902(l) of the Act.
.1902(m) of the Act	(iv) For financially eligible aged and disabled individuals covered under section 1902(a)(10)(A)(ii)(X) of the Act, meets the non-financial criteria of section 1902(m) of the Act.

State: FLORIDA

Citation	Condition or Requirement
1905(p) of the Act	b. For the medically needy, meets the non-financial eligibility conditions of 42 CFR Part 435. c. For financially eligible qualified Medicare beneficiaries covered under section 1902(a)(10)(E)(i) of the Act, meets the non-financial criteria of section 1905(p) of the Act.
1905(s) of the Act	d. For financially eligible qualified disabled and working individuals covered under section 1902(a)(10)(E)(ii) of the Act, meets the non-financial criteria of section 1905(s).
42 CFR 435.402	3. Is residing in the United States and-- a. Is a citizen; b. Is an alien lawfully admitted for permanent residence or otherwise permanently residing in the United States under color of law, as defined in 42 CFR 435.408.
Sec. 245A of the Immigration and Nationality Act	c. Is an alien granted lawful temporary resident status under section 245A and 210A of the Immigration and Nationality Act if the individual is aged, blind, or disabled as defined in section 1614(a)(1) of the Act, under 18 years of age or a Cuban/Haitian entrant as defined in section 501(e)(1) and (2)(A) of P.L. 96-422;

TN No. 91-39  
Supersedes  
TN No. 90-40

Approval Date SEP 18 1992

Effective Date 10/1/91

HCFA ID: 7985E

Revised Submission FEB 11 1991

State: FLORIDA

Citation

Condition or Requirement

42 CFR 435.403  
1902(b) of the  
Act

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

4. Is a resident of the State, regardless of whether or not the individual maintains the residence permanently or maintains it at a fixed address.

State has interstate residency agreement with the following States:

CA	LA	MD	S.D.	AK
Miss	Minn	N.D.	KS	
WV.	N.J.	TX	ID	
S.C.	GA	NM-	KY	
TN	OH	IA	AL	

State has open agreement(s).

Not applicable; no residency requirement.

TN No. 91-39  
Supersedes  
TN No. 87-21

Approval Date SEP 18 1992

Effective Date 10/1/91

HCFA ID: 7985E

State/Territory: FLORIDA

Citation	Condition or Requirement
42 CFR 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 mentally retarded, or publicly operated community residences that serve no more than 16 residences, 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.
	<u>/X/</u> Not applicable with respect to individuals under age 22 in psychiatric facilities or programs. Such services are not provided under the plan.
42 CFR 433.145 1912 of the Act	6. Is required, as a condition of eligibility, to assign his or her own rights, or the rights of any other person who is eligible for Medicaid and on whose behalf the individual has legal authority to execute an assignment, to medical support and payments for medical care from any third party. (Medical support is defined as support specified as being for medical care by a court or administrative order.)

TN No. 91-39  
Supersedes

Approval Date SEP 18 1992

Effective Date 10/1/91

TN No. NEW

HCFA ID: 7985E

Revised Submission FEB 11 1992

State/Territory: FLORIDA

Citation	Condition or Requirement
	<p>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.</p>
	<p>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.</p>
	<p><input checked="" type="checkbox"/> Assignment of rights is automatic because of State law.</p>
42 CFR 435.910	7. Is required, as a condition of eligibility, to furnish his/her social security account number (or numbers, if he/she has more than one number) except for aliens seeking medical assistance for the treatment of an emergency medical condition under section 1903(v)(2) of the Social Security Act, (section 1137(f)), and newborn children who are eligible under Section 1902(e)(4).

TN No. 91-39  
Supersedes

**SEP 18 1992**

Approval Date

Effective Date 10/1/91

TN No. NEW

HCFA ID: 7985E

Revised Submission FEB 11 1992

State: FLORIDA

Citation

Condition or Requirement

- |                                   |   |
|-----------------------------------|---|
| 1902(c)(2)                        | 8. Is not required to apply for AFDC benefits under title IV-A as a condition of applying for, or receiving, Medicaid if the individual is a pregnant woman, infant, or child that the State elects to cover under sections 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 section 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.) |
| 1906 of the Act                   | 10. Is required to apply for enrollment in an employer-based cost-effective group health plan, if such plan is available to the individual. Enrollment is a condition of eligibility except for the individual who is unable to enroll on his/her own behalf (failure of a parent to enroll a child does not affect a child's eligibility).             |

TN No. 91-39

Supersedes

TN No. NEW

Approval Date

SEP 18 1992

Effective Date

10/1/91

HCFA ID: 7985E

State: FLORIDA

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Citation(s)	Condition or Requirement
1906 of the Act	11. Is required to apply for coverage under Medicare Parts A, B and/or D if it is likely that the individual would meet the eligibility criteria for any or all of those programs. The state agrees to pay any applicable premiums and, if eligible, cost-sharing (except those applicable under Part D) for individuals required to apply for Medicare. Application for Medicare is a condition of eligibility unless the state does 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. [This requirement is based on decision in U.S. Supreme Court case <i>New York State Department of Social Services v. Dublino</i> , 413 U.S. (1973).]

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Revision: HCFA-PM-97-2  
December 1997

ATTACHMENT 2.6-A  
Page 4  
OMB No.:0938-0673

State: FLORIDA

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

TN No. 98-16  
Supersedes

Approval Date FEB 16 2001

Effective Date 10/1/98

TN No. 95-03

Revised Submission 1/30/2001



State: FLORIDA

Citation	Condition or Requirement
1924 of the Act 435.725 435.733 435.832	<p>2. The following monthly amounts for personal needs are deducted from total monthly income in the application of an institutionalized individual's or couple's income to the cost of institutionalized care:</p> <p>Personal Needs Allowance (PNA) of not less than \$30 For Individuals and \$60 For Couples For All Institutionalized Persons.</p> <p>a. Aged, blind disabled: Individuals <u>\$ 105</u> Couples <u>\$ 210</u></p> <p>For the following persons with greater need:</p> <p>Supplement 15 to <u>Attachment 2.6-A</u> describes the greater need; describes the basis or formula for determining the deductible amount when a specific amount is not listed above; lists the criteria to be met; and, where appropriate, identifies the organizational unit which determines that a criterion is met.</p> <p>b. AFDC related: Children <u>\$ 105</u> Adults <u>\$ 105</u></p> <p>For the following persons with greater need:</p> <p>Supplement 15 to <u>Attachment 2.6-A</u> describes the greater need; describes the basis or formula for determining the deductible amount when a specific amount is not listed above; lists the criteria to be met; and, where appropriate, identifies the organizational unit which determines that a criterion is met .</p> <p>c. Individual under age 21 covered in the plan as specified in Item B.7. of Attachment 2.2-A. <u>\$ 105</u></p>

Revision: HCFA-PM-97-2  
December 1997

ATTACHMENT 2.6-A  
Page 4b  
OMB No.:0938-0673

State: FLORIDA

Citation	Condition or Requirement
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For the following persons with greater need:

Supplement 15 to Attachment 2.6-A describes the greater need; describes the basis or formula for determining the deductible amount when a specific amount is not listed above; lists the criteria to be met; and, where appropriate, identifies the organizational unit which determines that a criterion is met.

1924 of the Act

3. In addition to the amounts under item 2., the following monthly amounts are deducted from the remaining income of an institutionalized individual with a community spouse:

a. The monthly income allowance for the community spouse, calculated using the formula in §1924(d)(2), is the amount by which the maintenance needs standard exceeds the community spouse's income. The maintenance needs standard cannot exceed the maximum prescribed in §1924 (d)(3)(C). The maintenance needs standard consists of a poverty level component plus an excess shelter allowance.

X The poverty level component is calculated using the applicable percentage (set out §1924(d)(3)(B) of the Act) of the official poverty level.

       The poverty level component is calculated using a percentage greater than the applicable percentage, equal to       %, of the official poverty level (still subject to maximum maintenance needs standard).

       The maintenance needs standard for all community spouses is set at the maximum permitted by §1924(d)(3)(C).

Except that, when applicable, the State will set the community spouse's monthly income allowance at the amount by which exceptional maintenance needs, established at a fair hearing, exceed the community spouse's income, or at the amount of any court-ordered support.

TN No. 98-16  
Supersedes

Approval Date FEB 16 2001

Effective Date 10/1/98

TN No. NEW

Revised Submission 1/30/2001

Revision: HCFA-PM-97-2  
December 1997

ATTACHMENT 2.6-A  
Page 4c  
OMB No.:0938-0673

State: FLORIDA

Citation	Condition or Requirement
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In determining any excess shelter allowance, utility expenses are calculated using:

- the standard utility allowance under §5(e) of the Food Stamp Act of 1977; or
- the actual unreimbursable amount of the community spouse's utility expenses less any portion of such amount included in condominium or cooperative charges.

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

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

a greater amount calculated as follows:

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

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

TN No. 98-16  
Supersedes

Approval Date FEB 16 2001

Effective Date 10/1/98

TN No. NEW

Revised Submission 1/30/2001

Revision: HCFA-PM-97-2  
December 1997

ATTACHMENT 2.6-A  
Page 5  
OMB No.:0938-0673

State: FLORIDA

Citation Condition or Requirement

435.725  
435.733  
435.832

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

(Check one)

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

- b. Amounts for health care expenses described below that have not been deducted under 3.c. above (i.e., for an institutionalized individual with a community spouse), are incurred by and for the institutionalized individual or institutionalized couple, and are not subject to the payment by a third party:

- (i) Medicaid, Medicare, and other health insurance premiums, deductibles, or coinsurance charges, or copayments.
- (ii) Necessary medical or remedial care recognized under State law but not covered under the State plan. (Reasonable limits on amount are described in Supplement 3 to ATTACHMENT 2.6-A.)

435.725  
435.733  
435.832

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

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

      No.

   Yes (the applicable amount is shown on page 5a.)

TN No. 98-16  
Supersedes  
TN No. 91-39

Approval Date FEB 16 2001

Effective Date 10/1/98

Revised Submission 1/30/2001

PROVISION: RCFA-FIVE-71-2  
December 1997

ATTACHMENT 2.6-A

Page 5a

OMB No.:0938-0673

State: FLORIDA

Citation	Condition or Requirement
<u>X</u>	Amount for maintenance of home is: \$ <u>0</u>
_____	Amount for maintenance of home is the actual maintenance costs not to exceed \$_____.
_____	Amount for maintenance of home is deductible when countable income is determined under §1924(d)(1) of the Act only if the individuals' home and the community spouse's home are different.
_____	Amount for maintenance of home is not deductible when countable income is determined under §1924 (d)(1) of the Act.

TN No. 98-16  
Supersedes  
TN No. NEW

Approval Date FEB 16 2001

Effective Date 10/1/98

Revised Submission 1/30/2001

Revision: HCFA-PM-92-1 (MB)  
FEBRUARY 1992

ATTACHMENT 2.6-A  
Page 6

STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT

State: FLORIDA

ELIGIBILITY CONDITIONS AND REQUIREMENTS

Citation(s)	Condition or Requirement
42 CFR 435.711 435.721, 435.831	<p>C. <u>Financial Eligibility</u></p> <p>For individuals who are AFDC or SSI recipients, the income and resource levels and methods for determining countable income and resources of the AFDC and SSI program apply, unless the plan provides for more restrictive levels and methods than SSI for SSI recipients under section 1902(f) of the Act, or more liberal methods under section 1902(r)(2) of the Act, as specified below.</p> <p>For individuals who are not AFDC or SSI recipients in a non-section 1902(f) State and those who are deemed to be cash assistance recipients, the financial eligibility requirements specified in this section C apply.</p> <p><u>Supplement 1 to ATTACHMENT 2.6-A specifies the income levels for mandatory and optional categorically needy groups of individuals, including individuals with incomes related to the Federal income poverty level--pregnant women and infants or children covered under sections 1902(a)(10)(A)(i)(IV), 1902(a)(10)(A)(i)(VI), 1902(a)(10)(A)(i)(VII), and 1902(a)(10)(A)(ii)(IX) of the Act and aged and disabled individuals covered under section 1902(a)(10)(A)(ii)(X) of the Act--and for mandatory groups of qualified Medicare beneficiaries covered under section 1902(a)(10)(E)(i) of the Act.</u></p>

TN No. <u>92-23</u>	Approval Date <u>OCT 13 1992</u>	Effective Date <u>4/1/92</u>
Supersedes		
TN No. <u>91-39</u>		

State: FLORIDA

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

TN No. 02-18  
Supersedes  
TN No. 95-17

Approval Date 3/25/03

Effective 5/1/03

STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT

State: FLORIDA

ELIGIBILITY CONDITIONS AND REQUIREMENTS

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

TN No. 03-13

Supersedes

TN No. 02-18

Revised Submission

Approval Date 10/03/03 Effective Date 7/1/03



STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT

State: FLORIDA

ELIGIBILITY CONDITIONS AND REQUIREMENTS

Citation(s)	Condition or Requirement
42 CFR 435.721 435.831, and 1902(m)(1)(B)(m)(4) and 1902(r)(2) of the Act	b. <u>Aged individuals.</u> In determining countable income for aged individuals, including aged individuals with incomes up to the Federal poverty level described in section 1902(m)(1) of the Act, the following methods are used:  <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>

State: FLORIDA

Citation

Condition or Requirement

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

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

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

\_\_\_ SSI methods only.

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

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

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

TN No. 91-39  
Supersedes  
TN No. 91-27

Approval Date SEP 18 1992 Effective Date 10/1/91

HCFA ID: 7985E

State: FLORIDA

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>c. <u>Blind individuals</u>. In determining countable income for blind individuals, the following methods are used:</p> <p><input type="checkbox"/> The methods of the SSI program only.</p> <p><input checked="" type="checkbox"/> SSI methods and/or any more liberal methods described in <u>Supplement 8a to ATTACHMENT 2.6-A</u>.</p> <p><input type="checkbox"/> For individuals other than optional State supplement recipients, more restrictive methods than SSI, applied under the provisions of section 1902(f) of the Act, as specified in <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>.</p> <p><input type="checkbox"/> 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>.</p> <p><input type="checkbox"/> For optional State supplement recipients in section 1902(f) States and SSI criteria States without section 1616 or 1634 agreements--</p> <p><input type="checkbox"/> SSI methods only.</p> <p><input type="checkbox"/> SSI methods and/or any more liberal methods than SSI described in <u>Supplement 8a to ATTACHMENT 2.6-A</u>.</p> <p><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>.</p>

TN No. 91-39  
Supersedes  
TN No. 90-40

Approval Date SEP 18 1992

Effective Date 10/1/91

HCFA ID: 7985E

State: FLORIDA

Citation	Condition or Requirement
42 CFR 435.721, and 435.831 1902(m)(1)(B), (m)(4), and 1902(r)(2) of the Act	In determining relative responsibility, the agency considers only the income of spouses living in the same household as available to spouses and the income of parents as available to children living with parents until the children become 21.
	d. <u>Disabled individuals.</u> In determining countable income of disabled individuals, including individuals with incomes up to the Federal poverty level described in section 1902(m) of the Act the following methods are used:
	___ The methods of the SSI program.
	<u>X</u> SSI methods and/or any more liberal methods described in <u>Supplement 8a to ATTACHMENT 2.6-A.</u>
	___ 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>
	___ For individuals other than optional State supplement recipients (except aged and disabled individuals described in section 1903(m)(1) of the Act): more restrictive methods than SSI, applied under the provisions of section 1902(f) of the Act, as specified in <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>

TN No. 91-39  
Supersedes  
TN No. 88-07

Approval Date SEP 8 1992

Effective Date 10/1/91

HCFA ID: 7985E

State: FLORIDA

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

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. 91-39  
Supersedes  
TN No. 87-21

Approval Date SEP 18 1992

Effective Date 10/1/91

HCFA ID: 7985E

STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT

State: FLORIDA

ELIGIBILITY CONDITIONS AND REQUIREMENTS

Citation(s)	Condition or Requirement
1902(i)(3)(E) and 1902(r)(2) of the Act	<p>e. <u>Poverty level pregnant women, infants, and children.</u> For pregnant women and infants or children covered under the provisions of sections 1902(a)(10)(A)(i)(IV), (VI), and (VII), and 1902(a)(10)(A)(ii)(IX) of the Act--</p> <p>(1) The following methods are used in determining countable income:</p> <p><u>X</u> The methods of the State's approved AFDC plan.</p> <p><u>X</u> The methods of the approved title IV-E plan.</p> <p><u>---</u> The methods of the approved AFDC State plan and/or any more liberal methods described in <u>Supplement 8a to ATTACHMENT 2.6-A.</u></p> <p><u>---</u> The methods of the approved title IV-E plan and/or any more liberal methods described in <u>Supplement 8a to ATTACHMENT 2.6-A.</u></p>

TN No. 92-23 Approval Date OCT 13 1992 Effective Date 4/1/92  
Supersedes  
TN No. 91-39

Revised Submission 9/17/92

STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT

State: FLORIDA

ELIGIBILITY CONDITIONS AND REQUIREMENTS

Citation(s)	Condition or Requirement
	(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 sections 1902(a)(10) of the Act as eligible, without regard to any changes in income of the family of which she is a member, for the 60-day period after her pregnancy ends and any remaining days in the month in which the 60th day falls.
1905(p)(1), 1902(m)(4), and 1902(r)(2) of the Act	f. <u>Qualified Medicare beneficiaries.</u> In determining countable income for qualified Medicare beneficiaries covered under section 1902(a)(10)(E)(i) of the Act, the following methods are used:  ___ The methods of the SSI program only.  <u>X</u> SSI methods and/or any more liberal methods than SSI described in <u>Supplement 8a to ATTACHMENT 2.6-A.</u>  ___ For institutional couples, the methods specified under section 1611(e)(5) of the Act.

TN No. 92-23

Supersedes

TN No. 91-39

Approval Date OCT 13 1992

Effective Date 4/1/92

State: FLORIDA

Citation

Condition or Requirement

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

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

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

1905(s) of the Act

g. (1) Qualified disabled and working individuals.

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

1905(p) of the Act

(2) Specified low-income Medicare beneficiaries.

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

TN No. 93-08  
Supersedes 92-23 Approval Date MAY 7 1993 Effective Date 1/1/93



State/Territory: Florida

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Citation	Condition or Requirement
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1902(a)(10)(A)  
(ii)(XV) of the Act

(ii) Working Individuals with Disabilities -  
Basic Coverage Group - TWWIA

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.

\_\_\_\_\_ The agency applies the following income and/or resource standard(s):

Income Limit: Current Meds-AD  
                                  income limit in effect  
Resource Limit: \$8,000 (individual)  
                                  \$9,000 (couple)

State/Territory: Florida

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Citation	Condition or Requirement
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1902(a)(10)(A)  
(ii)(XV) of the Act (cont.)

Income Methodologies

In determining whether an individual meets the income standard described above, the agency uses the following methodologies:

\_\_\_\_\_ The income methodologies of the SSI program.

\_\_\_\_\_ 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.

\_\_\_\_\_ 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.

Revision:

State/Territory: Florida

Citation	Condition or Requirement
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1902(a)(10)(A)  
(ii)(XV) of the Act (cont.)

Resource Methodologies

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 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.

The agency disregards funds held in employer-sponsored retirement plans, but not private retirement plans.

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.

TN No: 2003-07  
Supersedes  
TN No. 2002-01

Approval Date JUN 27 2003 Effective Date January 1, 2003

CMS ID:

State/Territory: Florida

Citation	Condition or Requirement
1902(a)(10)(A) (ii)(XV) of the Act (cont.)	<p>_____ The agency does not disregard funds in retirement accounts.</p> <p>_____ 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.</p> <p>_____ The agency uses the resource methodologies of the SSI Program.</p> <p>_____ 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.</p>

Revision:

ATTACHMENT 2.6-A  
Page 12m  
OMB No.:

State/Territory: Florida

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Citation	Condition or Requirement
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1902(a)(10)(A)(ii)(XIII)  
(XV), (XVI), and 1916(g)  
of the Act

Payment of Premiums or Other Cost Sharing Charges

For individuals eligible under the BBA eligibility group described in No. 23 on page 23d 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:

TN No. 2003-07  
Supersedes  
TN No. 2002-01

Approval Date JUN 27 2003 Effective Date January 1, 2003  
CMS ID:

Revision:

ATTACHMENT 2.6-A  
Page 12n  
OMB No.:

State/Territory: Florida

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Citation	Condition or Requirement
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. 24 on page 23d of Attachment 2.2-A, and the Medical Improvement Group described in No. 25 on page 23d 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.

\_\_\_\_\_ 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.

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TN No. 2003-07  
Supersedes  
TN No. 2002-01

Approval Date JUN 27 2003 Effective Date January 1, 2003  
CMS ID:

Revision:

ATTACHMENT 2.6-A  
Page 12o  
OMB No.:

State/Territory: Florida

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Citation	Condition or Requirement
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Sections 1902(a)(10)(A)  
(ii)(XV), (XVI), and 1916(g)  
of the Act (cont.)

Premiums and Other Cost-Sharing Charges

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.

TN No. 2003-07  
Supersedes  
TN No. 2002-01

Approval Date JUN 27 2003 Effective Date January 1, 2003  
CMS ID:

FLORIDA

Citation	Condition or Requirement
1902(k) of the Act	<p>2. Medicaid Qualifying Trusts</p> <p>In the case of a Medicaid qualifying trust described in section 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. These policies apply to trusts established prior to October 1, 1993.</p> <p><u>/x/</u> 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.</p>
1902(a)(10) of the Act	<p>3. Medically needy income levels (MNILs) are of based on family size.</p> <p><u>Supplement 1 to ATTACHMENT 2.6-A</u> specifies the MNILs for all covered medically needy groups. If the agency chooses more restrictive levels under section 1902(f) of the Act, <u>Supplement 1</u> so indicates.</p>

TN No. 93-59  
Supersedes  
TN No. 91-39

**FEB 18 1994**

Approval \_\_\_\_\_

Effective 10/1/93



State: FLORIDA

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 the MNIL is considered as available for payment of medical care and services. The Medicaid agency measures available income for periods of 1 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 and is financed by the state or local government.

TN No. 91-39  
Supersedes  
TN No. 90-40

Approval Date SEP 18 1992

Effective Date 10/1/91

HCFA ID: 7985E

Revised Submission 6/26/92

State/Territory: FLORIDA

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Citation	Condition or Requirement
1903(f)(2) of the Act	a. <u>Medically Needy (Continued)</u>  ____ (3) If countable income exceeds the MNIL standard, the agency deducts spend down payments made to the State by the individual.

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Subject to the 42 CFR 435.602 and the provisions in Supplement 8a to Attachment 2.6-A of the state plan, the state will use MAGI-based income methodologies for purposes of determining medically needy eligibility for the following categories of individuals:

- pregnant women,
- children,
- parent/caretaker relatives

State: FLORIDA

Citation	Condition or Requirement
42 CFR 435.732	<p data-bbox="558 348 1425 380">b. <u>Categorically Needy - Section 1902 (f) States</u></p> <p data-bbox="613 411 1495 531">The agency applies the following policy under the provisions of section 1902(f) of the Act. The following amounts are deducted from income to determine the individual's countable income:</p> <ol data-bbox="618 562 1576 1104" style="list-style-type: none"><li data-bbox="618 562 1170 594">(1) Any SSI benefit received.</li><li data-bbox="618 625 1576 772">(2) Any State supplement received that is within the scope of an agreement described in sections 1616 or 1634 of the Act, or a State supplement within the scope of section 1902(a)(10)(A)(ii)(XI) of the Act.</li><li data-bbox="618 804 1576 919">(3) Increases in OASDI that are deducted under §§435.134 and 435.135 for individuals specified in that section, in the manner elected by the State under that section.</li><li data-bbox="618 951 1560 1014">(4) Other deductions from income described in this plan at <u>Attachment 2.6-A, Supplement 4.</u></li><li data-bbox="618 1045 1539 1104">(5) Incurred expenses for necessary medical and remedial services recognized under State law.</li></ol> <p data-bbox="618 1136 1450 1281">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.</p>

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

TN No. 91-39  
Supersedes  
TN No. 87-37

Approval Date SEP 18 1992

Effective Date 10/1/91

HCFA ID: 7985E

Revision: HCFA-PM-91-8 (MB)  
October 1991

ATTACHMENT 2.6-A  
Page 15a  
OMB No.

State/Territory: FLORIDA

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Citation	Condition or Requirement
1903(f)(2) of the Act	<u>4.b. Categorically Needy - Section 1902(f) States</u> 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.

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TN No. 91-39  
Supersedes  
TN No. NEW

Approval Date SEP 18 1992

Effective Date 10/1/91

HCFA ID: 7985E/

State: FLORIDA

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. 91-39

Supersedes

TN No. 89-11

Approval Date SEP 18 1992

Effective Date 10/1/91

HCFA ID: 7985E

State: FLORIDA

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 including individuals covered under section 1902(a)(10)(A)(ii)(X) of the Act, the agency used the following methods for treatment of resources:

     The methods of the SSI program.

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

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

TN No. 91-39  
Supersedes  
TN No. NEW

Approval Date SEP 8 1992

Effective Date 10/1/91

HCFA ID: 7985E

State: FLORIDA

Citation	Condition or Requirement
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In determining relative financial responsibility, the agency considers only the resources of spouses living in the same household as available to spouses.

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

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

       The methods of the SSI program.

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

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

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

TN No. 91-39  
Supersedes  
TN No. 90-40

Approval Date SEP 18 1992

Effective Date 10/1/91

HCFA ID: 7985E

State: FLORIDA

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	<p>d. <u>Disabled individuals, including individuals covered under section 1902(a)(10)(A)(ii)(X) of the Act.</u> The agency uses the following methods for the treatment of resources:</p> <p>___ The methods of the SSI program.</p> <p><u>X</u> SSI methods and/or any more liberal methods described in <u>Supplement 8a to ATTACHMENT 2.6-A.</u></p> <p>___ Methods that are more restrictive (except for individuals described in section 1902(m)(1) of the Act) and/or more liberal than those under the SSI program. More restrictive methods are described in <u>Supplement 5 to ATTACHMENT 2.6-A</u> and more liberal methods are specified in <u>Supplement 8b to ATTACHMENT 2.6-A.</u></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.

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

e. Poverty level pregnant women covered under sections 1902(a)(10)(A)(1)(IV) and 1902(a)(10)(A)(11)(IX)(A) of the Act.

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

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

TN No. 91-39  
Supersedes  
TN No. 90-22

Approval Date 8/1/91

Effective Date 10/1/91

HCFA ID: 7985E



State: FLORIDA

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

TN No. 91-39  
Supersedes  
TN No. 90-22

Approval Date SEP 8 1992

Effective Date 10/1/91

HCFA ID: 7985E

STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT

State: FLORIDA

ELIGIBILITY CONDITIONS AND REQUIREMENTS

Citation(s)	Condition or Requirement
1902(l)(3) and 1902(r)(2) of the Act	g. 1. <u>Poverty level children covered under section 1902(a)(10)(A)(1)(VI) of the Act.</u>  The agency uses the following methods for the treatment of resources:  — The methods of the State's approved AFDC plan.  — Methods more liberal than those in the State's approved AFDC plan (but not more restrictive), in accordance with section 1902(l)(3)(C) of the Act, as specified in <u>Supplement 3a of ATTACHMENT 2.6-A.</u>  — 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>  <u>X</u> 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)(C) of the Act	
1902(r)(2) of the Act	

TN No. 92-23  
Supersedes  
TN No. 91-39

Approval Date OCT 13 1992 Effective Date 4/1/92

STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT

State: FLORIDA

ELIGIBILITY CONDITIONS AND REQUIREMENTS

Citation(s)	Condition or Requirement
1902(1)(3) and 1902(r)(2) of the Act	g. 2. <u>Poverty level children under section 1902(a)(10)(A)(1)(VII)</u>  The agency uses the following methods for the treatment of resources:  <input type="checkbox"/> The methods of the State's approved AFDC plan.
1902(1)(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 <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 8a 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.

State/Territory: FLORIDA

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 section 1902(a)(10)(E)(i) of the Act the agency uses the following methods for treatment of resources:  _____ The methods of the SSI program only.  <u>X</u> The methods of the SSI program and/or more liberal methods as described in Supplement 8b to ATTACHMENT 2.6-A.
1905(s) of the Act	i. For qualified disabled and working individuals covered under section 1902(a)(10)(E)(ii) of the Act, the agency uses SSI program methods for the treatment of resources.
1902(u) of the Act	j. For COBRA continuation beneficiaries, the agency uses the following methods for treatment of resources:  _____ The methods of the SSI program only.  _____ More restrictive methods applied under section 1902(f) of the Act as described in Supplement 5 to Attachment 2.6-A.

TN No. 91-39  
Supersedes

Approval Date SEP 18 1992

Effective Date 10/1/91

TN No. 90-22

HCFA ID: 7985E

State: FLORIDA

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Citation	Condition or Requirement
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1902(a)(10)(E)(iii)  
of the Act

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

The agency uses the same method as in 5.h. 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.

STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT

State: FLORIDA

ELIGIBILITY CONDITIONS AND REQUIREMENTS

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

State: FLORIDA

Citation	Condition or Requirement
1902(m)(1)(C) and (m)(2)(B) of the Act	e. For aged and disabled individuals described in section 1902(m)(1) of the Act who are covered under section 1902(a)(10)(A)(ii)(X) of the Act, the resource standard is:  <u>    </u> Same as SSI resource standards.  <u>  X  </u> Same as the medically needy resource standards, which are higher than the SSI resource standards (if the State covers the medically needy).  <u>Supplement 2 to ATTACHMENT 2.6-A specifies the resource levels for these individuals.</u>

TN No. 91-39  
Supersedes  
TN No. NEW

Approval Date SEP 8 1992

Effective Date 10/1/91

HCFA ID: 7985E

State: FLORIDA

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Citation	Condition or Requirement
	7. Resource Standard – Medically Needy
	a. Resource standards are based on family size.
1902(a)(10)(C)(i) of the ACT	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
	<u>Supplement 2 to ATTACHMENT 2.6-A</u> specifies the resource standards for all covered medically needy groups. If the agency chooses more restrictive levels under 7.c., <u>Supplement 2</u> so indicates.
1905(p)(1)(D) and (p)(2)(B) of the Act	8. Resource Standard – Qualified Medicare Beneficiaries, Specified Low-Income Medicare Beneficiaries, and Qualifying Individuals
	For Qualified Medicare Beneficiaries, Specified Low-Income Beneficiaries and Qualifying Individuals covered under section 1902(a)(10)(E)(i), 1902(a)(10)(E)(iii), and 1902(a)(10)(E)(iv) of the Act, the resource standard is three times the SSI Standard indexed annually since 2006. For subsequent years, the resource standard will be increased by the annual percentage increase in the consumer price index rounded to the nearest multiple of \$10.
1860D-14(a)(3)(D) (i) and (ii)	
1905(a) of the Act	9. Resource standard – Qualified Disabled and Working Individuals
	For qualified disabled and working individuals covered under section 1902(a)(10)(E)(ii) of the Act, the resource standard for an individual or a couple (in the case of an individual with a spouse) is twice the SSI resource standard.



State: FLORIDA

Citation	Condition or Requirement
1902(u) of the Act	10. Excess Resources <ul style="list-style-type: none"><li>a. Categorically Needy, Qualified Medicare Beneficiaries, Qualified Disabled and Working Individuals, and Specified Low-Income Medicare Beneficiaries  Any excess resources make the individual ineligible.</li><li>b. Categorically Needy Only<ul style="list-style-type: none"><li><input checked="" type="checkbox"/> This State has a section 1634 agreement with SSI. Receipt of SSI is provided for individuals while disposing of excess resources.</li></ul></li><li>c. Medically Needy  Any excess resources make the individual ineligible.</li></ul>

State: FLORIDA

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Citation Condition or Requirement

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42 CFR  
435.914

11. Effective Date of Eligibility

a. Groups Other Than Qualified Medicare Beneficiaries

(1) For the prospective period.

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

- Aged, blind, disabled.
- AFDC-related.

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

Medically Needy recipients must incur medical expenses in order to become eligible.

- Aged, blind, disabled.
- AFDC-related.

(2) For the retroactive period.

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

- Aged, blind, disabled.
- AFDC-related.

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

- Aged, blind, disabled.
- AFDC-related.

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TN No. 91-39  
Supersedes  
TN No. 90-03

Approval Date SEP 18 1992

Effective Date 10/1/91

HCFA ID: 7985E

STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT

State: FLORIDA

ELIGIBILITY CONDITIONS AND REQUIREMENTS

Citation(s)	Condition or Requirement
1920(b)(1) of the Act	<input checked="" type="checkbox"/> (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	<input checked="" type="checkbox"/> b. For qualified Medicare beneficiaries defined in section 1905(p)(1) of the Act coverage is available beginning with the first day of the month after the month in which the individual is first determined to be a qualified Medicare beneficiary under section 1905(p)(1). The eligibility determination is valid for--  <input checked="" type="checkbox"/> 12 months  <input type="checkbox"/> 6 months  <input type="checkbox"/> _____ months (no less than 6 months and no more than 12 months)

TN No. 92-23  
Supersedes  
TN No. 91-39

Approval Date

OCT 13 1992

Effective Date

4/1/92

FLORIDA

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Citation	Condition or Requirement
1902(a)(51)(B) 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 section 1917 of the Act with respect to the transfer of resources.

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TN No. 91-39  
Supersedes  
TN No. NEW

Approval Date SEP 18 1992

Effective Date 10/1/91

HCFA ID: 7985E

Revised Submission 6/26/92

Revision: HCFA-PM-97-3  
December 1997

ATTACHMENT 2.6-A  
Page 26a  
OMB No.:0938-0673

State: \_\_\_\_\_

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Citation \_\_\_\_\_ Condition or Requirement \_\_\_\_\_

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1924 of the Act

15. The agency complies with the provisions of §1924 with respect to income and resource eligibility and posteligibility determinations for individuals who are expected to be institutionalized for at least 30 consecutive days and who have a spouse living in the community.

When applying the formula used to determine the amount of resources in initial eligibility determinations, the State standard for community spouses is:

- the maximum standard permitted by law;  
 the minimum standard permitted by law; or  
 a standard that is an amount between the minimum and the maximum.

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TN No. 98-16 .  
Supersedes  
TN No. NEW

Approval Date FEB 16 2001

Effective 10/1/98

Revised Submission 1/30/2001

FLORIDA

Citation	Condition or Requirement
Section 13611 OBRA 1993	The agency complies with the provisions of section 13611 of OBRA 1993 with respect to the transfer of income and assets and the exclusion of income trusts.

TN No. 93-59  
Supersedes  
TN No. NEW

Approval FEB 18 1994

Effective 10/1/93

FLORIDA

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Citation	Condition or Requirement
Section 13611 OBRA 1993	The agency complies with the provisions of section 13612 of OBRA 1993 with respect to recovering the Medicaid costs of long term care from the estates of recipients. Procedures have been established to waive recovery due to undue hardship.

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TN No. 93-60  
Supersedes  
TN No. NEW

Approval 2-9-94

Effective 10/1/93

STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT

State: FLORIDA

INCOME ELIGIBILITY LEVELS

A. MANDATORY CATEGORICALLY NEEDY

1. TANF-Related Groups Other Than Poverty Level Pregnant Women and Infants:

PAYMENT STANDARDS

FAMILY SIZE	PAYMENT STANDARD (INCLUDES MAXIMUM SHELTER)
1	180
2	241
3	303
4	364
5	426
6	487
7	549
8	610
9	671
10	733
10*	+62

The need standard is based on 100 percent of the official Federal income poverty line.

Adjustment for each addition.

1. Pregnant Women and Infants under Section 1902(a)(10)(I)(IV) of the Act:

Effective May 1, 1992, based on the following percent of the official Federal income poverty level--

133 percent  
(specify)

185 percent (no more than 185 percent)  
based on family size



Monthly Residential Group Care Rates

	<u>Age 0-11</u>	<u>Age 12 - 17</u>
Basic Rate	\$ 605	\$ 715
Enhanced Rate up to Maximum of	\$1,395	\$1,395

Included in the above monthly rates for foster family homes, foster family group homes and non-psychiatric residential group care are funds for the child's allowance and incidentals at the following rates:

Allowance	\$ 5	\$ 11
Incidentals	\$ 7	\$ 8

In addition to the board payment, an initial and a yearly clothing allowance is provided for all departmental foster care children. The funds to purchase school clothes for these children will be provided directly to the parents. If the children are in residential group care, the funds will be provided to the caregivers. The rates are as follows:

Initial Clothing Allowance

<u>Age 0-11</u>	<u>Age 12 and over</u>
\$50	\$70

Annual Clothing Allowance

<u>Age 0-4</u>	<u>Age 5 and over</u>
\$100 per child	\$200 per child

As in the past, these rates are to be treated as the budgeted average. Exceptional circumstances may require paying an additional amount to obtain needed services.

Amendment 91-07  
Effective 1/1/91  
Supersedes 87-37  
Approval Date 4/15/91

Emergency Shelter Care Rates

<u>Type of Shelters</u>	<u>Monthly Subsidy</u>	<u>Per Diem Rate</u>
0-11 Family Shelters	\$50	\$11.74
12 over Family Shelters	\$50	\$12.86
0-11 Continuous Supervision	0	\$26.83
12 over Continuous Supervision	0	\$28.00
24 Hour Awake Supervision	0	\$45.55

Monthly Family Foster Care Board Rates

	<u>Age 0-11</u>	<u>Age 12 and over</u>
Minimum	\$296	\$372
Moderate	\$314	\$393
Intensive	\$332	\$407

Monthly Foster Family Group Home Rates

\$473 per child

Amendment 91-07  
 Effective 1/1/91  
 Supersedes 87-37  
 Approval Date 4/15/91

STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT

State: FLORIDA

INCOME ELIGIBILITY LEVELS

A. MANDATORY CATEGORICALLY NEEDY (Continued)

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

TN No. 92-23  
Supersedes  
TN No. 91-39

Approval Date OCT 13 1992

Effective Date 4/1/92

STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT  
State: FLORIDA

INCOME ELIGIBILITY LEVELS (Continued)

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

1. Pregnant Women and Infants

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

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

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

STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT

State: FLORIDA

INCOME ELIGIBILITY LEVELS (Continued)

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

2. Children under the age of 19

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

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

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

STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT

State: FLORIDA

INCOME ELIGIBILITY LEVELS (Continued)

3. Aged and Disabled Individuals

The levels for determining income eligibility for groups of aged and disabled individuals under the provisions of section 1902 (m) (1) of the Act are based on \_\_\_ percent of the official Federal income poverty line.

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

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

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

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TN No.: 05-015  
Supersedes  
TN No.: 02-010

Approval Date: 02/13/06

Effective Date: 01/01/06

STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT

State: FLORIDA

INCOME ELIGIBILITY LEVELS (Continued)

C. QUALIFIED MEDICARE BENEFICIARIES WITH INCOMES RELATED TO FEDERAL POVERTY LEVEL

The levels for determining income eligibility for groups of qualified Medicare beneficiaries under the provisions of section 1905(p)(2)(A) of the Act are as follows:

1. NON-SECTION 1902(f) STATES

a. Based on the following percent of the official Federal income poverty level:

- Eff. Jan. 1, 1989:    85 percent   X   100 percent (no more than 100)
- Eff. Jan. 1, 1990:    90 percent   X   100 percent (no more than 100)
- Eff. Jan. 1, 1991: 100 percent
- Eff. Jan. 1, 1992: 100 percent

b. Levels:

<u>Family Size</u>	<u>Income Levels</u>
<u>  1  </u>	\$ <u>          </u>
<u>  2  </u>	\$ <u>          </u>

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TN No. 91-39 Approval Date SEP 8 1992 Effective Date 10/1/91  
 Supersedes \_\_\_\_\_  
 TN No. NEW

HCFA ID: 7985E

Revision: HCFA-Region IV

SUPPLEMENT 1 TO ATTACHMENT 2.6A  
Page 6A

STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT

STATE FLORIDA

D. INCOME ELIGIBILITY LEVEL - MANDATORY GROUP OF QUALIFIED  
DISABLED WORKING INDIVIDUALS

f(?)  
The income of Qualified Disabled Working Individuals will  
not exceed 200 percent of the Federal Poverty Level.

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TN No. 90-40 Approval Date 10-11-90 Effective Date 7/1/90  
Supersedes  
TN No. NEW



STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT

State: FLORIDA

INCOME ELIGIBILITY LEVELS (Continued)

C. QUALIFIED MEDICARE BENEFICIARIES WITH INCOMES RELATED TO FEDERAL POVERTY LEVEL

2. SECTION 1902(F) STATES WHICH AS OF JANUARY 1, 1989 USED INCOME STANDARDS MORE RESTRICTIVE THAN SSI

a. Based on the following percent of the official Federal income poverty level:

Eff. Jan. 1, 1987:  80 percent  \_\_\_\_\_ percent (no more than 100)  
Eff. Jan. 1, 1990:  85 percent  \_\_\_\_\_ percent (no more than 100)  
Eff. Jan. 1, 1991:  95 percent  \_\_\_\_\_ percent (no more than 100)  
Eff. Jan. 1, 1992: 100 percent

b. Levels:

Family Size

Income Levels

1  
2

\$ \_\_\_\_\_  
\$ \_\_\_\_\_

TN No. 91-39  
Supersedes \_\_\_\_\_  
TN No. NEW

Approval Date SEP 18 1992

Effective Date 10/1/91

HCFA ID: 7985E

Revised Submission FEB 11 1992

STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT

State: FLORIDA

INCOME LEVELS (Continued)

D. MEDICALLY NEEDY

Applicable to all groups.

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

(1)	(2)	(3)	(4)	(5)
Family Size	Net income level protected for maintenance for _____ months	Amount by which Column (2) exceeds limits specified in 42 CFR	Net income level for persons living in rural areas for _____ months	Amount by which Column (4) exceeds limits specified in 42 CFR
<input type="checkbox"/> urban only		435.1007 <sup>1/2</sup>		435.1007 <sup>1/2</sup>
<input type="checkbox"/> urban & rural				
1	\$ 180	\$	\$	\$
2	\$ 241	\$	\$	\$
3	\$ 303	\$	\$	\$
4	\$ 364	\$	\$	\$

For each additional person, add:

\$ 62

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

TN No. 92-03  
 Supersedes  
 TN No. 91-39

Approval Date SEP 18 1992

Effective Date 1/1/92

HCFA ID: 7985E

STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT

State: FLORIDA

INCOME LEVELS (Continued)

D. MEDICALLY NEEDY

(1) Family Size	(2) Net income level protected for maintenance for _____ months	(3) Amount by which Column (2) exceeds limits specified in 42 CFR	(4) Net income level for persons living in rural areas for _____ months	(5) Amount by which Column (4) exceeds limits specified in 42 CFR
<input checked="" type="checkbox"/> urban only		435.1007 <sup>1/2</sup>		435.1007 <sup>1/2</sup>
<input checked="" type="checkbox"/> urban & rural				
5	\$ 426	\$	\$	\$
6	\$ 487	\$	\$	\$
7	\$ 549	\$	\$	\$
8	\$ 610	\$	\$	\$
9	\$ 671	\$	\$	\$
10	\$ 733	\$	\$	\$
For each additional person, add:	\$ 62	\$	\$	\$

<sup>1/2</sup> The agency has methods for excluding from its claim for FFP payments made on behalf of individuals whose income exceeds these limits.

TN No. 92-03  
 Supersedes  
 TN No. 91-39

Approval Date SEP 18 1992

Effective Date 1/1/92

HCFA ID: 7985E

Revision: HCFA-Region IV

August 1991

SUPPLEMENT 1 TO ATTACHMENT

2.6-A

Page 9a

STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT

State: \_\_\_\_\_

INCOME LEVELS (Continued)

E. Optional Groups Other Than the Medically Needy

1. Institutionalized Individuals Under Special Income Levels as follows:

Payment Category (Reasonable Classification)	Administered by		Income Level				Income Disregards Employed
	Federal	State	Gross 1 per- son	Couple	Net 1 per- son	Couple	
(1)	(2)		(3)		(4)		(5)
A. Skilled Nursing Facility		X	300% of SSI FBR	300% of SSI FBR x 2	300% of SSI FBR	300% of SSI FBR x 2	SSI, VA Aid & Attendance and exclusion for UME-VAIP in eligibility determination for those with gross income less than 300% of SSI FBR.
B. Mental Hospitals & Psychiatric Facilities		X	"	"	"	"	
C. Intermediate Care Facility		X	"	"	"	"	
D. Intermediate Care Facility for the Mentally Retarded		X	"	"	"	"	

\*Agency that determines eligibility for coverage.

STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT

State: FLORIDA

RESOURCE LEVELS

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

1. Pregnant Women - Not applicable. The state agency does not consider resources in determining eligibility.

a. Mandatory Groups

Same as SSI resources levels.

Less restrictive than SSI resource levels and is as follows:

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

b. Optional Groups

Same as SSI resources levels.

Less restrictive than SSI resource levels and is as follows:

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

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TN No. 91-39 Approval Date SEP 18 1992 Effective Date 10/1/91  
Supersedes \_\_\_\_\_  
TN No. 87-37 HCFA ID: 7985E

STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT

State: FLORIDA

2. Infants - Not applicable. The state agency does not consider resources in determining eligibility.  
a. Mandatory Group of Infants

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

Less restrictive than the AFDC levels and are as follows:

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

TN No. 91-39  
Supersedes 89-37  
Approval Date SEP 18 1992  
Effective Date 10/1/91

HCFA ID: 7985E

STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT

State: FLORIDA

- b. Optional Group of Infants - Not applicable. The state agency does not consider resources in determining eligibility.
- Same as resource levels in the State's approved AFDC plan.
- Less restrictive than the AFDC levels and are as follows:

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

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TN No. 91-39  
Supersedes \_\_\_\_\_ Approval Date SEP 18 1992 Effective Date 10/1/91  
TN No. 89-07  
HCFA ID: 7985E





STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT

State: FLORIDA

- b. Mandatory Group of Children under Section 1902(a)(10)(i)(VII)  
of the Act. (Children born after September 30, 1983 who have  
attained age 6 but have not attained age 19.) Not applicable.  
The state agency does not consider resources in determining eligibility.  
\_\_\_ Same as resource levels in the State's approved AFDC plan.  
\_\_\_ Less restrictive than the AFDC levels and are as follows:

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

STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT

State: FLORIDA

4. Aged and Disabled Individuals

Same as SSI resource levels.

More restrictive than SSI levels and are as follows:

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

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

TN No. 91-39  
Supersedes \_\_\_\_\_  
TN No. NEW

Approval Date SEP 18 1992

Effective Date 10/1/91

HCFA ID: 7985E

STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT

State: FLORIDA

RESOURCE LEVELS (Continued)

B. MEDICALLY NEEDY

Applicable to all groups –

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

Family Size	Resource Level
1	\$5000
2	6000
3	6000
4	6500
5	7000
6	7500
7	8000
8	8500
9	9000
10	9500
For each additional person	\$ 500

Refer to Supplement 8b to Attachment 2.6-A for more liberal treatment of resources for MAGI-based eligibility groups of parents and other caretaker relatives, children, and pregnant women.

Post-Eligibility Treatment of Institutionalized Individuals' Incomes

The following policy will be applied in considering medical expense deductions for institutionalized medical care cases in the post-eligibility treatment of income pursuant to 42 CFR § 435.725. The State will recognize as an uncovered medical expense and deduct from an institutional resident's income any premium, deductible, or coinsurance charges for health insurance coverage.

The following reasonable limits will be placed on other incurred medical expense deductions for residents of medical institutions in the post-eligibility treatment of income:

1. The service or item claimed as a deduction from the resident's income must:
  - a. be a medical or remedial care service recognized under state law;
  - b. be medically necessary;
  - c. have been incurred no earlier than the 3 months preceding the month of application; and
  - d. have not been paid for under the Medicaid State Plan.
2. For medically necessary care, services and items not paid for under the Medicaid State Plan, the actual billed amount will be used as the deduction, not to exceed the maximum payment or fee recognized by Medicare, commercial payers or any other third party payer for the same or similar item, care, or service.
3. Other resident health insurance policies will be treated as first payer and the beneficiary will have to demonstrate that other insurance has not/will not cover the expense.
4. The deduction for medical and remedial care expenses that were incurred as the result of imposition of a transfer of assets penalty period is limited to zero.

Revision: HCFA-PM-91-4 (BPD)  
AUGUST 1991

SUPPLEMENT 4 TO ATTACHMENT 2.6-A  
Page 1  
OMB No.: 0938-

STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT

State: FLORIDA

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

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

Not applicable.

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TN No. 91-39 Approval Date SEP 18 1992 Effective Date 10/1/91  
Supersedes  
TN No. NEW HCFA ID: 7985E

Revision: HCFA-PM-91-4 (BPD)  
AUGUST 1991

SUPPLEMENT 3 TO ATTACHMENT 2.6-A  
Page 1  
OMB No.: 0938-

STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT

State: FLORIDA

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

Not applicable.

TN No. 91-39

Supersedes

TN No. 89-11

Approval Date

SEP 8 1992

Effective Date

10/1/91

HCFA ID: 7985E

Revision: HCFA-PM-91-4 (BPD)  
AUGUST 1991

SUPPLEMENT 5a TO ATTACHMENT 2.6-A  
Page 1  
OMB No.: 0938-

STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT

State: FLORIDA

METHODS FOR TREATMENT OF RESOURCES FOR INDIVIDUALS  
WITH INCOMES RELATED TO FEDERAL POVERTY LEVELS

(Do not complete if you are electing more liberal methods under the authority of section 1902(r)(2) of the Act instead of the authority specific to Federal poverty levels. Use Supplement 8b for section 1902(r)(2) methods.)

Not applicable.

TN No. 91-39

Supersedes

TN No. 87-21

Approval Date SEP 18 1992

Effective Date 10/1/91

HCFA ID: 7985E

State Florida

Standards for Optional State Supplementary Payments

Payment Category (Reasonable Classification)	Administered by		Income Level				Income Disregards Employed
	Federal	State	Gross		Net		
			1 person	Couple	1 person	Couple	
(1)	(2)	(3)	(4)	(5)	(6)	(7)	
A. Skilled Nursing Facility		X	300% of SSI FBR	300% of SSI FBR x 2	300% of SSI FBR	300% of SSI FBR x 2	SSI, VA Aid & Attendance and exclusion for UME-VAIP in eligibility determination for those with gross income less than 300% of SSI FBR.
B. Mental Hospitals & Psychiatric Facilities		X	"	"	"	"	
C. Intermediate Care Facility		X	"	"	"	"	
D. Intermediate Care Facility for the Mentally Retarded		X	"	"	"	"	

TN No. 88-24

Supersedes

TN No. 87-1

Approval Date

1/10/89

Effective Date

1/1/89



STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT

Territory:

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VARIATIONS FROM THE BASIC PERSONAL NEEDS ALLOWANCE

Disclosure Statement for Post-Eligibility Preprint

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 #0938-0673. The time required to complete this information collection is estimated at 3 hours per response, including the time to review instructions, searching existing data resources, gathering the data needed and completing and reviewing the information collection. If you have any comments concerning the accuracy of the time estimate(s) or suggestions for improving this form, please write to: CMS, 7500 Security Boulevard, N2-14-26, Baltimore, Maryland, 21244-1850 and to the Office of Information and Regulatory Affairs, Office of Management and Budget, Washington, D.C., 20503.

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TN No.  
Supersedes  
TN No.

Approval Date \_\_\_\_\_ Effective Date

Revision: HCFA-PM-91-4 (BPD)  
AUGUST 1991

SUPPLEMENT 8 TO ATTACHMENT 2.6-A  
Page 1  
OMB No.: 0938-

STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT

State: FLORIDA

RESOURCE STANDARDS FOR 1902(f) STATES - CATEGORICALLY NEEDY

TN No. 91-39

Supersedes

TN No. 85-03

Approval Date

8 92

Effective Date

10/1/91

HCFA ID: 7985E

STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT  
State: FLORIDA

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

Section 1902(f) State       Non-Section 1902(f) State

Coverage Groups

1902(a)(10)(E) and  
and 1902(m) of the Act

When income is received more often than once per month (weekly, biweekly), the monthly income from that source will be computed by first determining the weekly income amount and then multiplying that amount by 4. We will not treat 4 week months any differently than 5 week months.

The anticipated weekly income for fluctuating income will be projected at the time of application by using the most recent six weeks of income (or less, if appropriate). After that, it will be recomputed every six months or when the client reports a change.

In the event an individual would be denied or terminated by the use of this methodology, actual income (if less), will be used.

In-kind support and maintenance (ISM) is not considered in determining income eligibility.

1902(r)(2) of the Act

All wages paid by the Census Bureau for temporary employment related to Census activities are excluded for the mandatory and optional eligibility groups listed below:

Mandatory groups

1902(a)(10)(A)(i)(III), 1902(a)(10)(A)(i)(IV),  
1902(a)(10)(A)(i)(VI), 1902(a)(10)(A)(i)(VII),  
1902(a)(10)(E)(i), 1902(a)(10)(E)(iii),  
1902(a)(10)(E)(iv)(I)

Optional Groups

1902(a)(10)(A)(ii)(I) and 1905(a)(i), (ii), and (viii),  
1902(a)(10)(A)(ii)(VIII), 1902(a)(10)(A)(ii)(IV),  
1902(a)(10)(C)(i)(III) and 1905(a)(i), (ii), and (viii)

\*More liberal methods may not result in exceeding gross income limitations under §1903(f).

State Plan Under Title XIX of the Social Security Act

State: FLORIDA

LESS RESTRICTIVE METHODS OF TREATING INCOME  
UNDER SECTION 1902(r)(2) OF THE ACT

- X For all eligibility groups not subject to the limitations on payment explained in section 1903(f) of the Act\*: All wages paid by the Census Bureau for temporary employment related to Census 2000 activities are excluded.
- X For infants described in 1902(l)(1)(B), all family income between 185% and 200% of the federal poverty level is disregarded as revised annually in the federal register.
- X For children who have reached age 18 and are under 21 who were in foster care when they turned 18, or after reaching 16, were adopted from foster care or placed with a court-approved dependency guardian and spent a minimum of 6 months in foster care within the 12 months immediately preceding placement or adoption, without regard to an income test that is otherwise required.

\*Less restrictive methods may not result in exceeding gross income limitations under § 1903(f).

Coverage Groups

1902(a)(10)(A)(ii)(XV)  
of the Act

Countable earned income up to 250% of the federal poverty level is disregarded as revised annually in the federal register.

## STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT

State: FLORIDALESS RESTRICTIVE METHODS OF TREATING INCOME  
UNDER SECTION 1902(r)(2) OF THE ACT

The following disregards for the difference between the MNIL standard and the converted standard will apply to the following groups:

- pregnant women,
- children,
- parent/caretaker relatives

MNIL		<i>Medically Needy Pregnant</i>	<i>Medically Needy Children 0-17</i>	<i>Medically Needy Parents or Caretaker Relatives</i>	<i>Medically Needy 18, 19, &amp; 20 Year Olds</i>	All MAGI-related Medically Needy Groups	
Unit Size	Original Standard	Converted Standard	Converted Standard	Converted Standard	Converted Standard	Disregard to be Applied	MNIL + Disregard
1	\$180	\$243	\$246	\$259	\$237	\$109	\$289
2	\$241	\$325	\$330	\$347	\$318	\$146	\$387
3	\$303	\$409	\$414	\$437	\$399	\$183	\$486
4	\$364	\$492	\$498	\$525	\$480	\$221	\$585
5	\$426	\$575	\$583	\$614	\$562	\$258	\$684
6	\$487	\$658	\$666	\$703	\$642	\$296	\$783
7	\$549	\$742	\$751	\$792	\$724	\$333	\$882
8	\$610	\$824	\$835	\$880	\$805	\$371	\$981
9	\$671	\$907	\$919	\$969	\$886	\$408	\$1,079
10	\$733	\$991	\$1,003	\$1,058	\$967	\$446	\$1,179
11	\$795	\$1,074	\$1,088	\$1,147	\$1,049	\$484	\$1,279
12	\$857	\$1,158	\$1,173	\$1,237	\$1,131	\$522	\$1,379
13	\$919	\$1,242	\$1,258	\$1,326	\$1,212	\$560	\$1,479
14	\$981	\$1,325	\$1,342	\$1,415	\$1,294	\$598	\$1,579
15	\$1,043	\$1,409	\$1,427	\$1,504	\$1,376	\$636	\$1,679
16	\$1,105	\$1,493	\$1,512	\$1,594	\$1,457	\$674	\$1,779
Add-on	\$62	\$84	\$85	\$89	\$82	\$38	\$100

TN No. 2015-005

Supersedes

TN No. NEW

Approval Date 09-04-15

Effective Date 4/1/15

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

<u>Coverage Groups</u>	<u>Section 1902(f) State</u>	<u>/X / Non-Section 1902(f) State</u>
435.211		
435.231		
435.320		
435.322		
435.324		
1902(a)(10) (A)(ii)(XV) of the Act		The methodologies of the SSI program regarding availability of resources are used except when the applicant or recipient is comatose and there is no known legal guardian or other individual who can access and expend the applicant's/recipient's resources. In such circumstances, the resources are considered not available until such time as legal guardianship is established.
1902(a) (10)(E) and 1902(m) of the Act Hospice		If resources are below the applicable standard at any time during the month, the individual is eligible on the factor of resources for that month.
435.217		
1902(a) (10)(A)(ii) (XV)		One automobile per household is excluded regardless of value.
		The methodologies used in the SSI program in the determination of amounts set aside for burial shall be used with the following exceptions:
		<ul style="list-style-type: none"><li>- Up to \$2500 of resources may be excluded if designated as burial funds.</li><li>- Burial funds must be kept separate from, and not commingled with, non-burial resources unless the resources cannot be separated or it is unreasonable to require it. Burial fund accounts for prior months may be commingled with non-burial funds.</li><li>- Resources may be designated as burial funds for any month including the three months prior to the month of application.</li><li>- The \$2500 exclusion is not reduced by the value of excluded life insurance policies or irrevocable burial contracts.</li></ul>
1902(a)(10)(E) (iv)(I)& (II); 1905(p)of the Act		Any income producing real or personal property with a financial transaction date prior to March 1, 2005 may be excluded from assets if it produces income consistent with its fair market value.

STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT  
State: FLORIDA

MORE LIBERAL METHODOLOGIES OF TREATING RESOURCES  
UNDER SECTION 1902(r) (2) OF THE ACT

Section 1902(f) State                       Non-Section 1902(f) State

Coverage Groups

1902 (a) (10) (A) (i) (III)  
1902 (a) (10) (A) (i) (IV)  
1902 (a) (10) (A) (i) (VI)  
1902 (a) (10) (A) (i) (VII)  
1902 (a) (10) (A) (ii)  
of the Act  
435.200-.236  
1902 (a) (10) (A) (ii) (XV)

Pursuant to 42 CFR 435.601(d) and (f) (2), the value of property which exceeds the \$2,000 asset limit may be excluded if the applicant or recipient provides evidence of good faith effort to sell the property.

Proceeds from the sale of the property will be countable resources to the individual unless the individual plans to use them to buy an excluded home within three calendar months of receiving them.

Coverage provided to children who have reached age 18 and are under 21 who were in foster care when they turned 18, or after reaching 16, were adopted from foster care or placed with a court-approved dependency guardian and spent a minimum of 6 months in foster care within the 12 months immediately preceding placement or adoption, without regard to a resource test that is otherwise required.

STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT

State: FLORIDA

MORE LIBERAL METHODOLOGIES OF TREATING RESOURCES  
UNDER SECTION 1902(r)(2) OF THE ACT

Section 1902(f) State

Non-Section 1902(f) State

Coverage Groups

42 CFR 435.301(b)(1)  
42 CFR 435.308  
42 CFR 435.310  
42 CFR 435.350

In applying MAGI-like income counting methodologies, all assets/resources used to determine eligibility for medically needy pregnant women, children, and parent/caretaker relatives will be disregarded.



STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT

State: Florida

LONG-TERM CARE INSURANCE PARTNERSHIP

1902(r)(2) The following more liberal methodology applies to individuals who are  
1917(b)(1)(C) eligible for medical assistance under one of the following eligibility group:

1902(a)(10)(A)(ii)(V)

An individual who is a beneficiary under a long-term care insurance policy that meets the requirements of a "qualified State long-term care insurance partnership" policy (partnership policy) as set forth below, is given a resource disregard as described in this amendment. The amount of the disregard is equal to the amount of the insurance benefit payments made to or on behalf of the individual. The term "long-term care insurance policy" includes a certificate issued under a group insurance contract.

X The Agency for Health Care Administration (Agency) stipulates that the following requirements will be satisfied in order for a long-term care policy to qualify for a disregard. Where appropriate, the Agency relies on attestations by the State Insurance Commissioner (Commissioner) or other State official charged with regulation and oversight of insurance policies sold in the state, regarding information within the expertise of the Office of Insurance Regulation.

- The policy is a qualified long-term care insurance policy as defined in section 7702B(b) of the Internal Revenue Code of 1986.
- The policy meets the requirements of the long-term care insurance model regulation and long-term care insurance model Act promulgated by the National Association of Insurance Commissioners (as adopted as of October 2000) as those requirements are set forth in section 1917(b)(5)(A) of the Social Security Act.
- The policy was issued no earlier than the effective date of this State plan amendment.
- The insured individual was a resident of Florida or another state that has entered into a reciprocal agreement with Florida when coverage first became effective under the policy. If the policy is later exchanged for a different

TN No. FL-06-009  
Supersedes

Approval Date: 11/27/06  
Effective Date: 01/01/07

TN No. New

STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT

State: Florida

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LONG-TERM CARE INSURANCE PARTNERSHIP

long-term care policy, the individual was a resident of Florida or another state that has entered into a reciprocal agreement with Florida when coverage under the earliest policy became effective.

- The policy meets the inflation protection requirements set forth in section 1917(b)(1)(C)(iii)(IV) of the Social Security Act.
- The Commissioner requires the issuer of the policy to make regular reports to the Secretary that include notification regarding when benefits provided under the policy have been paid and the amount of such benefits paid, notification regarding when the policy otherwise terminates, and such other information as the Secretary determines may be appropriate to the administration of such partnerships.
- The State does not impose any requirement affecting the terms or benefits of a partnership policy that the state does not also impose on non-partnership policies.
- The Office of Insurance Regulation assures that any individual who sells a partnership policy receives training, and demonstrates evidence of an understanding of such policies and how they relate to other public and private coverage of long-term care.
- The Agency provides information and technical assistance to the Insurance Department regarding the training described above.

TN No. FL-06-009  
Supersedes

TN No. New

Approval Date: 11/27/06  
Effective Date: 01/01/07

STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT  
State: FLORIDA

1917(c)(2)(D)  
of the Act

*same  
pages 1-9*

TRANSFER OF RESOURCES

An institutionalized spouse who (or whose spouse) transferred resources for less than fair market value shall not be found ineligible for nursing facility services, for a level of care in a medical institution equivalent to that of nursing facility services, or for home and community based services where the State determines that denial of eligibility would work an undue hardship under the provision of section 1917 (c)(2)(D) of the Social Security Act.

STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT

State: FLORIDA

TRANSFER OF ASSETS

1917(c) **FOR TRANSFERS OF ASSETS FOR LESS THAN FAIR MARKET VALUE MADE ON OR AFTER FEBRUARY 8, 2006**, the agency provides for the denial of certain Medicaid services.

1. Institutionalized individuals are denied coverage of certain Medicaid services upon disposing of assets for less than fair market value on or after the look-back date.

The agency does not provide medical assistance coverage for institutionalized individuals for the following services:

Nursing facility services;

Nursing facility level of care provided in a medical institution;

Home and community-based services under a 1915(c) or (d) waiver.

2. Non-institutionalized individuals:

\_\_\_\_\_ The agency applies these provisions to the following non-institutionalized eligibility groups. These groups can be no more restrictive than those set forth in section 1905(a) of the Social Security Act:

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The agency withholds payment to non-institutionalized individuals for the following services:

Home health services (section 1905(a)(7));

Home and community care for functionally disabled elderly adults (section 1905(a)(22));

Personal care services furnished to individuals who are not inpatients in certain medical institutions, as recognized under agency law and specified in section 1905(a)(24).

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

STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT

State: FLORIDA

TRANSFER OF ASSETS

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

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

X The State uses the first day of the month in which the assets were transferred

\_\_\_ The State uses the first day of the month after the month in which the assets were transferred

or

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

AND

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

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4. Penalty Period - Institutionalized Individuals

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

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

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

5. Penalty Period - Non-institutionalized Individuals

The agency imposes a penalty period determined by using the same method as is used for an institutionalized individual, including the use of the average monthly cost of nursing facility services;

\_\_\_ imposes a shorter penalty period than would be imposed for institutionalized individuals, as outlined below:

STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT

State: FLORIDA

TRANSFER OF ASSETS

6. Penalty period for amounts of transfer less than cost of nursing facility care

X Where the amount of the transfer is less than the monthly cost of nursing facility care, the agency imposes a penalty for less than a full month, based on the option selected in item 4.

X The state adds together all transfers for less than fair market value made during the look-back period in more than one month and calculates a single period of ineligibility, that begins on the earliest date that would otherwise apply if the transfer had been made in a single lump sum.

7. Penalty periods - transfer by a spouse that results in a penalty period for the individual

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

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

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8. Treatment of a transfer of income

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

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

X For transfers of individual income payments, the agency will impose partial month penalty periods using the methodology selected in 6. above.

X For transfers of the right to an income stream, the agency will base the penalty period on the combined actuarial value of all payments transferred.

STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT

State: FLORIDA

TRANSFER OF ASSETS

9. Imposition of a penalty would work an undue hardship

The agency does not impose a penalty for transferring assets for less than fair market value in any case in which the agency determines that such imposition would work an undue hardship. The agency will use the following criteria in making undue hardship determinations:

Application of a transfer of assets penalty would deprive the individual:

- (a) Of medical care such that the individual's health or life would be endangered; or
- (b) Of food, clothing, shelter, or other necessities of life.

10. Procedures for Undue Hardship Waivers

The agency has established a process under which hardship waivers may be requested that provides for:

- (a) Notice to a recipient subject to a penalty that an undue hardship exception exists;
- (b) A timely process for determining whether an undue hardship waiver will be granted; and
- (c) A process, which is described in the notice, under which an adverse determination can be appealed.

These procedures shall permit the facility in which the institutionalized individual is residing to file an undue hardship waiver application on behalf of the individual with the consent of the individual or the individual's personal representative.

11. Bed Hold Waivers For Hardship Applicants

The agency provides that while an application for an undue hardship waiver is pending in the case of an individual who is a resident of a nursing facility:

\_\_\_\_\_ Payments to the nursing facility to hold the bed for the individual will be made for a period not to exceed \_\_\_\_\_ days (may not be greater than 30).

Revision: HCFA-PM-91-4 (BPD)  
AUGUST 1991

SUPPLEMENT 10 to ATTACHMENT 2.6-A  
Page 1  
OMB No.: 0938-

STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT

State: FLORIDA

CONSIDERATION OF MEDICAID QUALIFYING TRUSTS--UNDUE HARDSHIP

1902(k)(4) of the  
Act, P.L. 99-272  
(Section 9506)

The following criteria will be used to determine whether the agency will not count the funds in a trust as specified in ATTACHMENT 2.6-A, section C.2., because it would work an undue hardship for categorically and medically needy individuals:

For the applicant or recipient who is subject to the requirements at section 1904(k)(4) of the Act, governing Medicaid qualifying trusts, the State will waive application of these requirements to the applicant or recipient in cases where the State determines that application of these rules would result in undue hardship.

TN No. 91-39  
Supersedes  
TN No. 91-09

Approval Date SEP 18 1992

Effective Date 10/1/91

HCFA ID: 7985E



STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT  
State: FLORIDA

ELIGIBILITY UNDER SECTION 1931 OF THE ACT

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

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

Pregnant women with no other eligible children.

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

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

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

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

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

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

More Liberal Income Methodologies Allowed Under Welfare Reform for Low Income Families

Effective January 1, 1997, applicants and recipients of Medicaid under the low income families coverage group who have earned income and meet other eligibility requirements will be eligible for an earned income disregard of the first \$200 plus one-half of the remainder of earned income applied when determining eligibility for benefits.

Applicants for and recipients of Medicaid are eligible for the \$200 and one-half earned income disregard if they meet one of the following criteria:

- 1) have been eligible for and received Medicaid benefits under sec. 1931 in one of the past four months; or
- 2) have gross income, less the \$90 standard earned income disregard and dependent care expenses, which is less than the applicable consolidated need standard.

TN No. 99-09  
Supersedes  
TN No. 97-06

Approval Date DEC 06 2000

Effective 10/1/99

The \$90 standard earned income disregard is included in the first \$200 earned income disregard. Therefore, in calculating the \$200 earned income disregard, the \$90 standard earned income disregard is subtracted. This amount, minus any allowable dependent care expenses, is compared to the consolidated need standard for the size of the standard filing unit. If the amount is below the consolidated need standard, then subtract an additional \$110 for a total of \$200. The remaining one-half earned income disregard is then subtracted. (The \$200 and one-half of the remainder earned income disregard without a time limit effectively replace the \$90 standard earned income disregard plus the \$30 and 1/3 disregards.) This is calculated as follows:

- A) - the \$90 standard disregard
- B) + deemed and unearned income to arrive at a countable income figure
- C) - dependent care expenses
- D) compare the result to the consolidated need standard
- E) if the net countable income is < the consolidated need standard, the individual is eligible for the disregard.

When an individual with income joins an existing standard filing unit, that individual's income must meet all disregard tests.

For applicants who fail to meet the above standard, the AFDC standard in effect on July 16, 1996, will apply.

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

More Liberal Resource Methodologies Allowed Under Welfare Reform for Low Income Families

- 1) Effective January 1, 1997, low income families are eligible for an additional \$1,000 resource exclusion over the AFDC standard in effect on July 16, 1996. (This effectively raises the resource standard to \$2,000.)
- 2) In determining the resources of a family, the following shall be excluded:
  - a) One licensed vehicle valued at no more than \$8,500 and/or, if vehicles are needed for training, employment, or education, one vehicle per employable adult in the unit, the combined value which does not exceed \$8,500.
  - b) Funds paid to a homeless shelter which are being held for the family to enable the family to pay deposits or other costs associated with moving to a new shelter arrangement.

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

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

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

STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT  
State: FLORIDA

ELIGIBILITY UNDER SECTION 1931 OF THE ACT

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

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

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

All TANF payments including regular monthly payments, all diversion payments, and Retention Incentive Training Accounts payments are excluded in determining the applicant or recipient's Medicaid eligibility.

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

STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT  
State: FLORIDA

Receipt of Lump Sum Payment

The following policy applies to all Medicaid eligible individuals, whether eligible through temporary cash assistance or Medicaid only.

A lump sum is considered an asset in the month of receipt and is excluded as income.

Lump sum payments are defined as unearned money received in the form of non-recurring lump sum payments including, but not limited to: income tax returns, rebates or credits, retroactive lump-sum Social Security, SSI, public assistance, railroad retirement benefits, or other payments; lump sum insurance settlements; or refunds of security deposits on rental property or utilities.

If the lump sum is earned income, such as a bonus or commission, it must be counted as earned income in the month of receipt. Any earned income left over after the month of receipt will be considered an asset.

TN No. 99-06  
Supersedes  
TN No. NEW

Approval Date AUG 14 1999

Effective Date 4/1/99

STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT

State: Florida

ELIGIBILITY UNDER SECTION 1925 OF THE ACT

TRANSITIONAL MEDICAL ASSISTANCE

The State covers low-income families and children for Transitional Medical Assistance (TMA) under section 1925 of the Social Security Act (the Act). This coverage is provided for families who no longer qualify under section 1931 of the Act due to increased earned income, or working hours, from the caretaker relative's employment, or due to the loss of a time-limited earned income disregard. **(42 CFR 435.112, 1902(a)(52), 1902(e)(1), and 1925 of the Act)**

The amount, duration, and scope of services for this coverage are specified in Section 3.5 of this State plan.

For Medicaid eligibility to be extended through TMA, families must have been Medicaid eligible under section 1931 (months of retroactive eligibility may be used to meet this requirement):

During at least 3 of the 6 months immediately preceding the month in which the family became ineligible under section 1931.

For fewer than 3 of the 6 previous months immediately preceding the month in which the family became ineligible under section 1931. Specify:

The State extends Medicaid eligibility under TMA for an initial period of:

6 months. For TMA eligibility to continue into a second 6-month extension period, the family must meet the reporting, technical, and income eligibility requirements specified at section 1925(b) of the Act.

12 months. Section 1925(b) does not apply for a second 6-month extension period.

The State collects and reports participation information to the Department of Health and Human Services as required by section 1925(g) of the Act, in accordance with the format, timing, and frequency specified by the Secretary and makes such information publicly available.

TN No.: 2009-023

Supersedes TN No.: New

Approval Date: 12/22/09

Effective Date: 12/1/09

STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT

STATE: FLORIDA

SECTION 1924 PROVISIONS

- A. Income and resource eligibility policies used to determine eligibility for institutionalized individuals who have spouses living in the community are consistent with section 1924.
- B. In the determination of resource eligibility the State resource standard is the maximum allowed by Title XIX of the Social Security Act, (The community spouse allocation standard.)
- C. The definition of undue hardship for purposes of determining if institutionalized spouses receive Medicaid in spite of having excess countable resources is described below:

Spousal Impoverishment, Section 1924(c)(3)(C)

An institutionalized spouse who (or whose spouse) has excess resources shall not be found ineligible under Title XIX of the Social Security Act, per section 1924(c)(3)(C), where the State determines that denial of eligibility on the basis of having excess resources would work an undue hardship

STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT

State/Territory: FLORIDA

ELIGIBILITY CONDITIONS AND REQUIREMENTS

INCOME AND RESOURCE REQUIREMENTS FOR TUBERCULOSIS (TB) INFECTED INDIVIDUALS

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

Each individual covered under the plan meets the applicable financial and non-financial conditions as specified in Attachment 2.6-A. These requirements are defined by 42 CFR 435 and 1902 of the Social Security Act.

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TN No. 95-17  
Supersedes  
TN No. NEW

Approval Date 8/14/97 Effective 10/1/95  
Revised Submission 5/14/97

Revision: HCFA-PM-97-2  
December 1997

Supplement 15 To  
Attachment 2.6-A  
Page 1  
OMB. No.: 0938-0673

STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT  
State: Florida

VARIATIONS FROM THE BASIC PERSONAL NEEDS ALLOWANCE

An additional personal needs allowance is permitted in an amount equal to  $\frac{1}{2}$  of the gross amount of therapeutic wages up to a maximum of \$111.00 per month. The Department of Children and Families eligibility worker makes the determination. The higher personal needs allowance provides support for the working individual.

An additional personal needs allowance is permitted in an amount equal to the amount of court ordered child support paid by the individual to meet his court ordered obligation. Funds are protected only to the extent that the income was not already deducted under another provision in the post eligibility process.



STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT

State: FLORIDA

ASSET VERIFICATION SYSTEM

- 1940(a) of the Act
1. The agency will provide for the verification of assets for purposes of determining or redetermining Medicaid eligibility for aged, blind and disabled Medicaid applicants and recipients using an Asset Verification System (AVS) that meets the following minimum requirements.
    - A. The request and response system must be electronic:
      - (1) Verification inquiries must be sent electronically via the internet or similar means from the agency to the financial institution (FI).
      - (2) The system cannot be based on mailing paper-based requests.
      - (3) The system must have the capability to accept responses electronically.
    - B. The system must be secure, based on a recognized industry standard of security (e.g., as defined by the U.S. Commerce Department's National Institute of Standards and Technology, or NIST).
    - C. The system must establish and maintain a database of FIs that participate in the agency's AVS.
    - D. Verification requests also must be sent to FIs other than those identified by applicants and recipients, based on some logic such as geographic proximity to the applicant's home address, or other reasonable factors whenever the agency determines that such requests are needed to determine or redetermine the individual's eligibility.
    - E. The verification requests must include a request for information on both open and closed accounts, going back up to 5 years as determined by the State

STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT

State: FLORIDA

ASSET VERIFICATION SYSTEM

2. System Development

A. The agency itself will develop an AVS.

In 3 below, provide any additional information the agency wants to include.

B. The agency will hire a contractor to develop an AVS.

In 3 below provide any additional information the agency wants to include.

C. The agency will be joining a consortium to develop an AVS.

In 3 below, identify the States participating in the consortium. Also, provide any other information the agency wants to include pertaining to how the consortium will implement the AVS requirements.

D. The agency already has a system in place that meets the requirements for an acceptable AVS.

In 3 below, describe how the existing system meets the requirements in Section 1.

E. Other alternative not included in A. - D. above.

In 3 below, describe this alternative approach and how it will meet the requirements in Section 1.

STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT

State: FLORIDA

ASSET VERIFICATION SYSTEM

3. Provide the AVS implementation information requested for the implementation approach checked in Section 2, and any other information the agency may want to include.

Florida has prepared an ITN and will be reviewing bids during the months of April and May, 2012. The vendor will be required to implement the AVS system as of October 1, 2012.

The vendor selected will have a system that meets the requirements of Supplement 16 to Attachment 2.6-A, page 1.

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TN No: 2012-005

Approval Date: 05/30/12

Effective Date: 01/01/12

Supersedes TN No.: New Page

STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT

State: FLORIDA

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

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

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

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

The amount chosen by the State is \_\_\_\_\_.

\_\_\_\_\_ This higher standard applies statewide.

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

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\_\_\_\_\_ This higher standard applies to all eligibility groups.

\_\_\_\_\_ This higher standard only applies to the following eligibility groups:

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