

Regulatory Analysis Form

This space for use by IRRC

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REVIEW COMMISSION

(1) Agency Department of Public Welfare
Office of Income Maintenance - Bureau of Policy
Division of Medical Assistance Eligibility

(2) I.D. Number (Governor's Office Use)

IRRC Number: 2193

(3) Short Title

Exclusion of Resources for Children Under 21

(4) PA Code Cite

55 Pa. Code Chapters 140 and 178

(5) Agency Contacts & Telephone Numbers

Primary Contact: Edward J. Zogby
787-4081
Secondary Contact: George L. Hoover
772-7809

(6) Type of Rulemaking (check one)

- Proposed Rulemaking
 Final Order Adopting Regulation
 Final Order, Proposed Rulemaking Omitted

(7) Is a 120-Day Emergency Certification Attached?

- No
 Yes: By the Attorney General
 Yes: By the Governor

(8) Briefly explain the regulation in clear and nontechnical language.

The Social Security Act at §1902(r)(2), 42 U.S.C. §1396a(r)(2), provides that states may adopt a less restrictive resource methodology that is less restrictive than the resource methodology for the Supplemental Security Income (SSI) program and the Temporary Assistance for Needy Families (TANF) program when determining eligibility for medical assistance (MA). The Department has decided to exclude the resources of a child under 21 years of age and low-income immediate families with children under 21 years of age when determining MA resource eligibility for persons in the SSI - related categories, the TANF - related categories and General Assistance (GA) - related categories. A child's immediate family includes the child, the biological or adoptive parent of the child under age 21, the spouse of the parent, and the brother, sister, step-brother, step-sister, half-brother or half-sister who are under 21 years of age. The immediate family must be living together. The resource exclusion also applies to the resources of a caretaker who is not an immediate family member and with whom the child is living if the caretaker is exercising care and control of the child under age 21.

(9) State the statutory authority for the regulation and any relevant state or federal court decisions.

Title XIX of the Social Security Act , §1902(r)(2), 42 U.S.C. §1396a(r)2
Public Welfare Code (62 P.S. §403(b))

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(10) Is the regulation mandated by any federal or state law or court order, or federal regulation? If yes, cite the specific law, case or regulation, and any deadlines for action.

No. The regulation is permitted by statutory authority in Title XIX of the Social Security Act, §1902(r)(2), 42 U.S.C. §1396(a)(r)(2), and is approved by the Health Care Financing Administration.

(11) Explain the compelling public interest that justifies the regulation. What is the problem it addresses?

The amendments to the eligibility rules in Chapters 140 and 178 are part of a comprehensive effort by the Commonwealth to expand preventative and primary medical services for children who live in Pennsylvania to improve their health and well-being. Providing medical benefits to as many children as possible will result in early detection and treatment of health problems and help them receive a strong foundation for their future good health. The Health Care Financing Administration will provide Federal Financial Participation (FFP) for the Federal categories and for medical benefits provided to GA-related children under 21 years of age.

(12) State the public health, safety, environmental or general welfare risks associated with nonregulation.

If these regulations were not implemented, certain children under 21 years of age and parents of children under 21 years of age might have more difficulty affording health care.

(13) Describe who will benefit from the regulation. (Quantify the benefits as completely as possible and approximate the number of people who will benefit.)

Children under 21 years of age and families with children under 21 years of age applying for, or receiving, Categorically Needy Nonmoney Payment (NMP)-MA including Healthy Beginnings and Healthy Horizons and Medically Needy Only (MNO)-MA in the SSI-related, TANF-related, and GA-related categories are positively affected by these regulations. Access to health care for these low-income children and families will be significantly improved.

Steve Raskoff 12/11/98

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(14) Describe who will be adversely affected by the regulation. (Quantify the adverse effects as completely as possible and approximate the number of people who will be adversely affected.)

Not applicable as these regulations should improve access to necessary health care for low-income families with children under age 21.

(15) List the persons, groups or entities that will be required to comply with the regulation. (Approximate the number of people who will be required to comply.)

All applicants/recipients under 21 years of age or families with children under 21 years of age.

(16) Describe the communications with and input from the public in the development and drafting of the regulation. List the persons and/or groups who were involved, if applicable.

Publication of the Notice of Rule Change in the Pennsylvania Vulletin advises that individuals wishing to comment on the Notice may forward comments to the address provided in the notice. No comments have been received.

(17) Provide a specific estimate of the costs and/or savings to the regulated community associated with compliance, including any legal, accounting or consulting procedures which may be required.

Not applicable.

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(18) Provide a specific estimate of the costs and/or savings to local governments associated with compliance, including any legal, accounting or consulting procedures which may be required.

Not applicable.

(19) Provide a specific estimate of the costs and/or savings to state government associated with the implementation of the regulation, including any legal, accounting, or consulting procedures which may be required.

The purpose of this regulation is to announce changes to the Medical Assistance (MA) resource requirements. This change in the requirements provides that resources are excluded in the determination of MA eligibility for SSI-related, AFDC-related and GA-related persons under 21 and for SSI-related, AFDC-related and GA-related families with children under 21 years of age.

This change in requirements is effective retroactive to June 1, 1993, and is estimated to cost the Department \$9.515 million (\$4.408 million in State funds) during Fiscal Year 1998-1999. However, since this policy change was procedurally implemented on June 1, 1993, these increased costs are implicitly included in the Department's budget projections for Fiscal Year 1998-1999.

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(20) In the table below, provide an estimate of the fiscal savings and costs associated with implementation and compliance for the regulated community, local government, and state government for the current year and five subsequent years.

(Dollar Amounts In Thousands)

	Current FY Year	FY +1 Year	FY +2 Year	FY +3 Year	FY +4 Year	FY +5 Year
SAVINGS:						
Regulated Community						
Local Government						
State Government						
Total Savings	\$0	\$0	\$0	\$0	\$0	\$0
COSTS:						
Regulated Community						
Local Government						
State Government	\$4,408	\$4,967	\$5,611	\$6,340	\$7,164	\$8,095
Total Costs	\$4,408	\$4,967	\$5,611	\$6,340	\$7,164	\$8,095
REVENUE LOSSES:						
Regulated Community						
Local Government						
State Government						
Total Revenue Losses	\$0	\$0	\$0	\$0	\$0	\$0

(20a) Explain how the estimates listed above were derived.

From a time period prior to the implementation of the proposed changes, the number of applications rejected due to excess resources was multiplied by the percent of cases with persons under age 21. The number of cases with persons under age 21 was then multiplied by the average number of persons per budget to yield an estimate of the number of persons in cases with persons under the age of 21. This number was further refined to distinguish the number of persons under the age of 21 and the number of persons over the age of 21. The number of persons for each category was then multiplied by the average annual Medical Assistance expenditures per person for recipients under the age of 21 to yield the estimates listed above.

Regulatory Analysis Form

(20b) Provide the past three years expenditure history for programs affected by the regulation.

(Dollar Amounts In Thousands)

Program	FY -3	FY -2	FY -1	Current FY
MA-Outpatient	\$792,293	\$798,836	\$662,740	\$590,278
MA-Inpatient	\$452,180	\$436,941	\$428,079	\$374,372

(21) Using the cost-benefit information provided above, explain how the benefits of the regulation outweigh the adverse effects and costs.

Access to health care for low-income children under 21 years of age will be significantly improved. In addition, the Medical Assistance application/eligibility determination process will be streamlined.

(22) Describe the nonregulatory alternatives considered and the costs associated with those alternatives. Provide the reasons for their dismissal.

No alternative approaches were considered after the decision was made to implement this Federally-approved less restrictive resource methodology.

(23) Describe alternative regulatory schemes considered and the costs associated with those schemes. Provide the reasons for their dismissal.

No alternative regulatory approaches were considered after the decision was made to implement this Federally-approved less restrictive resource methodology.

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(24) Are there any provisions that are more stringent than federal standards? If yes, identify the specific provisions and the compelling Pennsylvania interest that demands stronger regulation.

No.

(25) How does this regulation compare with those of other states? Will the regulation put Pennsylvania at a competitive disadvantage with other states?

This regulation is more liberal than some other states: e.g., Minnesota. This regulation does not place Pennsylvania at a competitive disadvantage.

(26) Will the regulation affect existing or proposed regulations of the promulgating agency or other state agencies? If yes, explain and provide specific citations.

No.

(27) Will any public hearings or informational meetings be scheduled? Please provide the dates, times, and locations, if available.

No.

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(28) Will the regulation change existing reporting, record keeping, or other paperwork requirements? Describe the changes and attach copies of forms or reports which will be required as a result of implementation, if available.

These regulations will not change existing reporting, record keeping, or other paperwork requirements.

(29) Please list any special provisions which have been developed to meet the particular needs of affected groups or persons including, but not limited to, minorities, elderly, small businesses, and farmers.

These regulations meet the special health needs of children under 21 years of age and families with children under 21 years of age.

(30) What is the anticipated effective date of the regulation; the date by which compliance with the regulation will be required; and the date by which any required permits, licenses or other approvals must be obtained?

The effective date of these regulations is retroactive to June 1, 1993, based on the approval date from HCFA on a Title XIX Medicaid State Plan Amendment.

(31) Provide the schedule for continual review of the regulation.

These regulations will be reviewed through the Department's Quality Control and Corrective Action review process which is monitored by the Federal Department of Health and Human Services.

FACE SHEET
FOR FILING DOCUMENTS
WITH THE LEGISLATIVE REFERENCE BUREAU
(Pursuant to Commonwealth Documents Law)

2001 MAR 25 11 30 AM '07

REVIEW COMMISSION

2193

DO NOT WRITE IN THIS SPACE

<p>Copy below is hereby approved as to form and legality. Attorney General</p> <p>By: _____ (Deputy Attorney General)</p> <p>_____ Date of Approval</p> <p><input type="checkbox"/> Check if applicable Copy not approved. Objections attached.</p>	<p>Copy below is hereby certified to be a true and correct copy of a document issued, prescribed or promulgated by:</p> <p>DEPARTMENT OF PUBLIC WELFARE (Agency)</p> <p>LEGAL COUNSEL: <u>Jean E. Graybill</u></p> <p>DOCUMENT/FISCAL NOTE NO. <u># 14-449</u> (DEW-OIM-11-98-004)</p> <p>DATE OF ADOPTION: _____</p> <p>BY: <u>[Signature]</u></p> <p>TITLE: <u>Secretary of Public Welfare</u> (Executive Officer, Chairman or Secretary)</p>	<p>Copy below is hereby approved as to form and legality. Executive or Independent Agencies</p> <p>BY: <u>[Signature]</u></p> <p><u>12/20/00</u> Date of Approval</p> <p>(Deputy General Counsel) (Chief Counsel, Independent Agency) (Strike inapplicable title)</p> <p><input type="checkbox"/> Check if applicable. No Attorney General approval or objection within 30 days after submission.</p>
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NOTICE OF FINAL RULEMAKING
OMITTING PROPOSED
DEPARTMENT OF PUBLIC WELFARE
OFFICE OF INCOME MAINTENANCE
Bureau of Policy

[55 Pa. Code Chapter 140]
(Special MA Eligibility Provisions)

[55 Pa. Code Chapter 178]
(Resource Provisions for Categorically Needy NMP-MA and MNO-MA))

STATUTORY AUTHORITY

The Department of Public Welfare, by this Order, adopts the amendments as set forth in Annex A under the authority of §§201(2) and 403(b) of the Public Welfare Code, Act of June 13, 1967, (P.L. 31, No. 21) (62 P.S. §§201(2) and 403(b)) which, respectively, authorize the Department to promulgate regulations which will increase Federal funding in joint State/Federal welfare programs and delegate to the Department the power to adopt regulations setting rules and standards for eligibility for welfare programs. A Notice of Rule Change (NORC) was published at 23 Pa.B. 2878 (June 19, 1993) effective June 1, 1993.

Notice of proposed rulemaking is omitted in accordance with §204(1)(iv) of the Commonwealth Documents Law (45 P.S. §1204(1)(iv)) and 1 Pa. Code §7.4(1)(iv) because the administrative regulations relate to Commonwealth grants and benefits. Additionally, notice of proposed rulemaking is omitted for good cause as unnecessary, under §204(3) of the Commonwealth Documents Law and 1 Pa. Code §7.4(3) because these regulations eliminate the resource standards when determining MA eligibility for low-income children under 21 years of age and low-income families with children under 21 years of age. Notice of proposed rulemaking is omitted as impracticable because these amendments are already in effect and issuance of proposed rulemaking would unnecessarily delay this beneficial policy. These amendments have been implemented pursuant to the NORC effective June 1, 1993 and no public comments have been received by the Department.

Section 1902(r)(2) of the Social Security Act (42 U.S.C. §1396(a)) permits states to adopt a less restrictive methodology for the Federally-funded categories of MA when determining resource eligibility. The Health Care Financing Administration (HCFA) approved the Commonwealth's amendment to its Title XIX Medicaid State Plan based on a less restrictive resource methodology. The amendment applies to the Federally-funded categories of MA and will also be applied to the General Assistance (GA)-related MA categories with children under 21.

PURPOSE

The purpose of these amendments is to eliminate the resource standards used when determining MA eligibility for low-income children under 21 years of age and low-income families with children under 21 years of age. By applying a uniform standard, the MA application and eligibility determination process will be simplified. A child's immediate family includes the child, the biological or adoptive parent of the child under 21, the spouse of the parent, the child's relatives under 21, and includes the brother, sister, step-brother, step-sister, half-brother or half-sister who are under 21 years of age who also live with this child. The resource exclusion also applies to the resources of a caretaker with whom the child is living if the caretaker is not an immediate family member and is exercising care and control of the child under age 21.

BACKGROUND

The elimination of the different resource standards used in the MA eligibility determination process assures that all low-income children under 21 years of age and low-income families with children under 21 years of age will be treated in an equitable manner.

NEED FOR REGULATION

This amendment is needed to codify into the Department's regulations the Medicaid State Plan Amendment approved by HCFA and implemented by the Department by the NORC published at 23 Pa.B. 2878 (June 19, 1993) effective June 1, 1993. The codification of the less restrictive resource methodology for MA eligibility determinations for low-income children and their families assures the continued access of Federal funding.

SUMMARY OF AMENDMENTS

A. Definition (§§140.2, 140.202, and 178.2)

The term "immediate family" is added to these sections and is defined as the child, the biological or adoptive parent of a child under 21, the spouse of the parent, and the brother, sister, step-brother, step-sister, half-brother or half-sister who are under 21 years of age and who are living together.

B. Resources of Children Under 21 and Families with Children Under 21

(§140.100)

This section is added to specify that the resources of the Healthy Beginnings child under 21 years of age and the Healthy Beginnings applicant/recipient with children under 21 years of age are excluded. The resource exclusion also applies to the resources of a caretaker with whom the child is living if the caretaker is not an immediate family member and is exercising care and control of the child under age 21.

C. Resources of Children Under 21 and Families with Children Under 21

(§140.305)

This section is added to specify that the resources of the Healthy Horizons child under 21 years of age and the Healthy Horizons applicant/recipient with children under 21 years of age are excluded. The resource exclusion also applies to the resources of a caretaker with whom the child is living if the caretaker is not an immediate family member and is exercising care and control of the child under age 21.

D. Resources of Children Under 21 and Families with Children Under 21

(\$178.84)

This section is added to specify that the resources of the blind and disabled Supplemental Security Income (SSI)-related child under 21 years of age and the aged, blind and disabled SSI-related applicant/recipient with children under 21 years of age are excluded when determining MA resource eligibility for Categorically Needy Nonmoney Payment (NMP) and Medically Needy Only (MNO) MA. The resource exclusion also applies to the resources of a caretaker with whom the child is living if the caretaker is not an immediate family member and is exercising care and control of the child under age 21.

E. Resources of Children Under 21 and Families with Children Under 21

(\$178.163)

This section is added to specify that the resources of Temporary Assistance for Needy Families (TANF) and GA-related children under 21 years of age and TANF-related and GA-related families with children under 21 years of age are excluded when determining resource eligibility for NMP and MNO MA. The resource exclusion also applies to the resources of a caretaker with whom the child is living if the caretaker is not an immediate family member and is exercising care and control of the child under age 21.

AFFECTED PERSONS AND ORGANIZATIONS

These regulations apply to children under 21 years of age and immediate families with children under 21 years of age who are applying for, or receiving, MA. The regulations also exclude the resources of a caretaker with whom the child is living if the caretaker is not an immediate family member and is exercising care and control of the child under age 21.

ACCOMPLISHMENTS/BENEFITS

These regulations will have a positive benefit for all low-income children under 21 years of age and families with children under 21 years of age who have, or receive, resources. The regulations will also benefit the caretaker who exercises care and control of a child.

FISCAL IMPACT

COMMONWEALTH:

This change in requirements is effective retroactive to June 1, 1993, and is estimated to cost the Department \$9.515 million (\$4.408 million in State funds) during Fiscal Year 1998-1999. However, since this policy change was procedurally implemented on June 1, 1993, these increased costs are implicitly included in the Department's budget projections for Fiscal Year 1998-1999.

PUBLIC SECTOR:

There will be no costs or savings incurred by the public sector.

PRIVATE SECTOR:

There will be no costs or savings incurred by the private sector.

PAPERWORK REQUIREMENTS

These regulations require no additional forms or reports.

EFFECTIVE DATE

Upon publication in the Pennsylvania Bulletin these regulations are effective as final rulemaking retroactive to June 1, 1993.

SUNSET DATE

No sunset date is applicable. The Department continuously reviews the Medical Assistance Program and regulations through the Federally-monitored Quality Control process. The Federal Health Care Financing Administration staff conduct audits periodically on specific aspects of the MA Program.

PUBLIC COMMENTS

Although these regulations are being adopted without prior notice, interested persons are invited to submit their written comments within 30 days from the date of this publication for consideration by the Department as to whether the regulation should be revised. Such comments should be sent to the Department of Public Welfare, Edward J. Zogby, Acting Director, Bureau of Policy, Room 431, Health and Welfare Building, Harrisburg, Pennsylvania 17120, telephone (717) 787-4081.

Persons with a disability may use the AT&T Relay Service by calling 1-800-654-5984 (TDD users) or 1-800-654-5886 (Voice users).

REGULATORY REVIEW ACT

Under §5(f) of the Regulatory Review Act, the Act of June 30, 1989 (P.L. 73, No. 19) (71 P.S. §§745.1-745.15), the agency submitted a copy of this regulation with proposed rulemaking omitted on APR 25 2001 to the Independent Regulatory Review Commission and to the Chairpersons of the House Committee on Health and Human Services and the Senate Committee on Public Health and Welfare. On the same date, the regulation was submitted to the Office of the Attorney General for review and approval under the Commonwealth Attorneys Act.

In accordance with §5(c) of the Act, this regulation was approved by the Committees on . It was approved by the Commission on

FINDINGS

The Department of Public Welfare finds that:

- (1) Public notice of intention to amend the administrative regulations amended by this Order is omitted in accordance with §204(1)(iv) of the Commonwealth Documents Law (45 P.S. §1204(1)(iv)) and 1 Pa. Code §7.4(1)(iv) because

administrative regulations relate to Commonwealth grants and benefits. Additionally, the procedures in §§201 and 202 of the Commonwealth Documents Law (CDL) are unnecessary because these amendments eliminate the resource standards when determining MA eligibility for low-income children under 21 years of age and low-income families with children under 21 years of age. These amendments are based on the Health Care Financing Administration's (HCFA's) approval of an amendment to the Commonwealth's Title XIX Medicaid State Plan excluding, from the eligibility determination process, the resources of low-income children under 21 years of age and low-income families with children under 21 years of age. Furthermore, notice of proposed rulemaking is omitted as impracticable because these amendments are already in effect and issuance of proposed rulemaking would unnecessarily delay this beneficial policy. These amendments have been implemented pursuant to a Notice of Rule Change effective June 1, 1993 and no public comments have been received by the Department.

- (2) The adoption of this regulation in the manner provided in this Order is necessary and appropriate for the administration and enforcement of the Public Welfare Code.

ORDER

The Department of Public Welfare, acting under the Public Welfare Code, orders that:

- a. The regulations of the Department of Public Welfare, are amended to read as set forth in Annex A to the Order.
- b. The Secretary of the Department of Public Welfare shall submit this Order and Annex A to the Office of Attorney General and the Office of General Counsel for approval as to legality and form as required by law.
- c. The Secretary of the Department of Public Welfare shall certify this Order and Annex A and deposit them with the Legislative Reference Bureau as required by law.
- d. This Order shall take effect upon publication in the Pennsylvania Bulletin retroactive to June 1, 1993.

cc: Legislative Reference Bureau

ANNEX A

TITLE 55. PUBLIC WELFARE

PART II. PUBLIC ASSISTANCE MANUAL

Subpart C. ELIGIBILITY REQUIREMENTS

CHAPTER 140. SPECIAL MA ELIGIBILITY PROVISIONS

Subchapter A. THE CATEGORICALLY NEEDED HEALTHY
BEGINNINGS PROGRAM FOR PREGNANT WOMEN AND
QUALIFIED CHILDREN

GENERAL PROVISIONS

140.2 Definitions.

The following words and terms, when used in this chapter, have the following meanings, unless the context clearly indicates otherwise:

**IMMEDIATE FAMILY – THE CHILD, THE BIOLOGICAL OR
ADOPTIVE PARENT OF A CHILD UNDER 21, THE SPOUSE OF THE PARENT,
AND THE BROTHER, SISTER, STEP-BROTHER, STEP-SISTER, HALF-BROTHER
OR HALF-SISTER WHO ARE UNDER 21 YEARS OF AGE. THE IMMEDIATE
FAMILY MEMBERS MUST BE LIVING TOGETHER.**

RESOURCE EXCLUSIONS

140.100. RESOURCES OF CHILDREN UNDER 21 AND FAMILIES WITH CHILDREN UNDER 21.

THE RESOURCES OF THE HEALTHY BEGINNINGS CHILD UNDER 21 YEARS OF AGE AND THE HEALTHY BEGINNINGS APPLICANT/RECIPIENT IMMEDIATE FAMILIES WITH CHILDREN UNDER 21 YEARS OF AGE ARE EXCLUDED. IF THE CHILD WHO IS UNDER 21 IS LIVING WITH A CARETAKER WHO IS NOT IMMEDIATE FAMILY AS DEFINED AT §140.2 AND WHO EXERCISES CARE AND CONTROL OF THE CHILD, THE RESOURCES OF THE CARETAKER ARE EXCLUDED.

Subchapter B. ELIGIBILITY PROVISIONS FOR THE HEALTHY HORIZONS PROGRAM FOR THE ELDERLY/DISABLED

GENERAL PROVISIONS

140.202. Definitions.

The following words and terms, when used in this subchapter, have the following meanings, unless the context clearly indicates otherwise:

IMMEDIATE FAMILY – THE CHILD, THE BIOLOGICAL OR ADOPTIVE PARENT OF A CHILD UNDER 21, THE SPOUSE OF THE PARENT, AND THE BROTHER, SISTER, STEP-BROTHER, STEP-SISTER, HALF-BROTHER OR HALF-SISTER WHO ARE UNDER 21 YEARS OF AGE. THE IMMEDIATE FAMILY MEMBERS MUST BE LIVING TOGETHER.

RESOURCES EXCLUSIONS

140.305. RESOURCES OF CHILDREN UNDER 21 AND FAMILIES WITH CHILDREN UNDER 21.

THE RESOURCES OF THE HEALTHY HORIZONS CHILD UNDER 21 YEARS OF AGE AND THE HEALTHY HORIZONS APPLICANT/ RECIPIENT IMMEDIATE FAMILIES WITH CHILDREN UNDER 21 YEARS OF AGE ARE EXCLUDED. IF THE CHILD WHO IS UNDER 21 IS LIVING WITH A CARE-TAKER WHO IS NOT IMMEDIATE FAMILY AS DEFINED AT §140.202 AND WHO EXERCISES CARE AND CONTROL OF THE CHILD, THE RESOURCES OF THE CARETAKER ARE EXCLUDED.

Subpart D. DETERMINATION OF NEED AND
AMOUNT OF ASSISTANCE

CHAPTER 178. RESOURCE PROVISIONS FOR
CATEGORICALLY NEEDY NMP-MA AND MNO-MA

Subchapter A. GENERAL PROVISIONS FOR MA
RESOURCES COMMON TO ALL CATEGORIES OF MA

GENERAL PROVISIONS FOR MA RESOURCES

178.2. Definitions

The following words and terms, when used in this chapter, have the following meanings, unless the context clearly indicates otherwise:

IMMEDIATE FAMILY – THE CHILD, THE BIOLOGICAL OR ADOPTIVE PARENT OF A CHILD UNDER 21, THE SPOUSE OF THE PARENT, AND THE BROTHER, SISTER, STEP-BROTHER, STEP-SISTER, HALF-BROTHER OR HALF-SISTER WHO ARE UNDER 21 YEARS OF AGE. THE IMMEDIATE FAMILY MEMBERS MUST BE LIVING TOGETHER.

Subchapter B. AGED, BLIND AND
DISABLED CATEGORIES OF MA

RESOURCE EXCLUSIONS FOR THE AGED, BLIND AND DISABLED CATEGORIES
OF MA

**178.84. RESOURCES OF CHILDREN UNDER 21 AND FAMILIES WITH CHILDREN
UNDER 21.**

THE RESOURCES OF THE SSI-RELATED CHILD UNDER 21 YEARS
OF AGE AND SSI-RELATED APPLICANT/RECIPIENT IMMEDIATE FAMILIES WITH
CHILDREN UNDER 21 YEARS OF AGE ARE EXCLUDED. IF THE CHILD WHO IS
UNDER 21 IS LIVING WITH A CARETAKER WHO IS NOT IMMEDIATE FAMILY AS
DEFINED AT §178.2 AND WHO EXERCISES CARE AND CONTROL OF THE
CHILD, THE RESOURCES OF THE CARETAKER ARE EXCLUDED.

Subchapter C: TANF-RELATED AND GA-RELATED
CATEGORIES OF MA

RESOURCE EXCLUSIONS FOR THE [AFDC] TANF-RELATED AND GA-RELATED
CATEGORIES OF MA

**178.163. RESOURCES OF CHILDREN UNDER 21 AND FAMILIES WITH
CHILDREN UNDER 21.**

**THE RESOURCES OF THE TANF-RELATED AND GA-RELATED
CHILD UNDER 21 YEARS OF AGE AND TANF-RELATED AND GA-RELATED
IMMEDIATE FAMILIES WITH CHILDREN UNDER 21 YEARS OF AGE ARE
EXCLUDED. IF THE CHILD WHO IS UNDER 21 IS LIVING WITH A CARETAKER
WHO IS NOT IMMEDIATE FAMILY AS DEFINED AT §178.2 AND WHO EXERCISES
CARE AND CONTROL OF THE CHILD, THE RESOURCES OF THE CARETAKER
ARE EXCLUDED.**

TRANSMITTAL SHEET FOR REGULATORY R

I.D. NUMBER: 14-449
SUBJECT: Special MA Eligibility Provisions; Resource Provisions for Categorically Needy NMP-MA & MNO-MA
AGENCY: DEPARTMENT OF PUBLIC WELFARE

TYPE OF REGULATION

- Proposed Regulation
- Final Regulation
- Final Regulation with Notice of Proposed Rulemaking Omitted
- 120-day Emergency Certification of the Attorney General
- 120-day Emergency Certification of the Governor
- Delivery of Tolled Regulation
 - a. With Revisions
 - b. Without Revisions

2001 APR 25 11 31 17
INDEPENDENT REGULATORY REVIEW COMMISSION

FILING OF REGULATION

DATE	SIGNATURE	DESIGNATION
	<i>Frank L. Oliver</i>	HOUSE COMMITTEE ON HEALTH & HUMAN SERVICES
4/25	<i>Lilaj Burris</i>	
4/25	<i>Kristi Kreboen</i>	SENATE COMMITTEE ON PUBLIC HEALTH & WELFARE
4/25	<i>Michelle [Signature]</i>	
4/25/01	<i>Steph J. Hoffman</i>	INDEPENDENT REGULATORY REVIEW COMMISSION
4-25-01	<i>M. Mummert</i>	ATTORNEY GENERAL
		LEGISLATIVE REFERENCE BUREAU