

	<b>GEORGIA DIVISION OF FAMILY AND CHILDREN SERVICES MEDICAID POLICY MANUAL</b>			
	<b>Chapter:</b>	<b>2600</b>	<b>Effective Date:</b>	<b>June 2020</b>
	<b>Policy Title:</b>	<b>Non-MAGI Budget Groups/Assistance Units</b>		
<b>Policy Number:</b>	<b>2620</b>	<b>Previous Policy Update:</b>	<b>MT 36</b>	

## REQUIREMENTS

The Non-MAGI Family Medicaid Assistance Unit (AU) includes individuals for whom Medicaid is requested and for whom Medicaid coverage is available.

The Non-MAGI Family Medicaid Budget Group (BG) includes all AU members, household members who are financially responsible for the AU members, and other household members who are eligible to be included in the BG.

## BASIC CONSIDERATIONS

Certain individuals living in the home are included in the eligibility determination for the AU members. These individuals as well as all the AU members comprise the Budget Group (BG).

In all Medicaid Classes of Assistances (COAs), only the AU members receive Medicaid upon approval of the application.

### **Budget Group Composition**

The BG consists of the following individuals:

- all AU members
- parents of BG children living in the home with the AU

**NOTE:** If there is a legal father, refer to Chart 2620.1, Determining the Composition of a Non-LIM AU and/or BG.

- the legal spouse of a pregnant woman living in the home
- ineligible aliens who meet all eligibility requirements except citizenship and enumeration

**NOTE:** An ineligible alien can be part of the AU only under Emergency Medical Assistance (EMA). Refer to [Section 2054](#), EMA.

**BASIC CONSIDERATIONS (cont.)****Budget Group Composition (cont.)**

- others who meet relationship requirements and who choose to be included.

The BG size determines the income limit(s) and, if applicable, the resource limit for a Family Medicaid COA. The incomes of all individuals in the BG are used to determine eligibility. The resources, if applicable to the COA, of all individuals in the BG are used to determine eligibility.

If a pregnant woman requests or receives Medicaid under Pregnant Women Medically Needy (P99) Medicaid, the unborn child(ren) is included in the BG for the P99 case. The unborn child is also included in the BG for a Family Medically Needy (F99) case if the pregnant woman is included.

The BG size is increased accordingly if it is medically verified that the pregnant woman is carrying more than one fetus.

The reputed father of the unborn child living with a pregnant woman is included in the Pregnant Women BG **only** if he and the pregnant woman are married. However, if the couple is not married and have a common child, the father's income will be included in the common child's budget but not the pregnant woman's budget.

Children in the same BG can have Medicaid eligibility determined under any Medicaid COA. The composition of the BG for each child does not change, even if each child's eligibility is determined under a different Medicaid COA.

**EXCEPTION:** Four Months Medicaid (4MCS) and TMA do not require the same BG composition. Refer to the appropriate section in Chapter 2100, Classes of Assistance.

**An A/R may choose to exclude a child(ren) from a Medicaid AU and/or BG. An excluded child may be included in another Medicaid AU/BG of the same or different COA.**

**NOTE:** The parent(s)' income cannot be allocated to meet the needs of an excluded child.

A child receiving Medicaid under Newborn coverage may or may not be included in another Medicaid BG, at the option of the A/R.

**PROCEDURES**

Follow the steps below to determine the composition of the Medicaid AU and BG:

- Step 1** Determine the person(s) for whom Medicaid is requested.
- Step 2** Include in the AU only those individuals in Step 1 for whom Medicaid coverage is available under any Medicaid COA. Refer to Chapter 2100, Classes of Assistance.
- Step 3** Include in the BG the following individuals living in the home:

- the parents of any existing children in the AU/BG for whom paternity has been established

**NOTE:** Refer to [Section 2640](#), Paternity, if a legal father exists and the biological father is in the home.

- the legal spouse of a pregnant AU member.

- Step 4** Determine if there are others who may be included, at the A/R's option in the AU and/or BG, such as the following:

- siblings or half-siblings
- other children living in the home who are within the degree of relationship to an adult in the BG
- one non-parent adult relative who is a caretaker (aunt, uncle, grandparent, etc.) if there is no parent in the home.

If the sibling/half-sibling(s) or other children meet all eligibility requirements for the COA, include the child(ren) in the BG, at the A/R's option.

**NOTE: If the inclusion of a child(ren) in the AU and/or BG causes financial ineligibility for another child(ren), consider the children in separate AUs. The separate AUs may be the same or different COAs. Repeat Procedure Steps for each AU/BG.**

- Step 5** If the sibling/half-sibling or other children do not meet all eligibility requirements for the COA, include the child(ren) in the BG at the A/R's option, to increase the income limit.

**EXCEPTION: Children over the age limit for the COA cannot be included in the BG.**

Include in the BG the parents of any children added to the AU/BG in Step 4. Include only parents living in the home with their children.

**PROCEDURES (cont.)**

Exclude the following individuals from the AU and BG:

- SSI recipients
- the father of an unborn child unless he is married to the pregnant woman.

**NOTE:** The father of an unborn child **must** be included in the BG of a pregnant woman if they are married.

- a stepparent, unless s/he is the parent of biological or adopted children in the BG
- an individual who fails to apply for other benefits for which s/he may be entitled as follows.
  - If the potential benefit is for a parent, exclude the parent and everyone for whom s/he is financially responsible
  - If the potential benefit is for a child, exclude the child only. The child may be included in the BG at the A/R's option.
- a minor sibling/half-sibling who is voluntarily excluded by the A/R from another AU and/or BG to avoid consideration of the child's income and/or resources.

**Step 6** Exclude the following individuals from the Medicaid AU, but **include** them in the Medicaid BG:

- an adult who fails to cooperate with CSS or TPR requirements

**NOTE:** A child is **never** excluded from the AU because of an adult's failure to cooperate with CSS or TPR.

- an individual who does not meet the citizenship or eligible alien status requirements

**EXCEPTION:** EMA

- an adult who fails to cooperate with the enumeration requirement for him/herself.

EXCEPTION: An individual who is not a citizen or an eligible alien is not required to meet the

**PROCEDURES (cont.)**

enumeration requirement.

Use the following chart to determine composition of the AU and BG:

**NOTE:** The terms **minor** and **child** used in this chart include 18-year olds who are eligible for Medicaid.

<b>CHART 2620.1 - DETERMINING THE COMPOSITON OF A NON-MAGI AU AND/OR BG</b>	
<b>SITUATION</b>	<b>TREATMENT</b>
<p>Adult is absent from the home because of treatment or training.</p>	<p><b>Include</b> the adult in the AU and/or BG when all of the following conditions exist:</p> <ul style="list-style-type: none"> <li>• the absence is temporary, with a plan for treatment or training to return the adults to the home</li> </ul> <p style="text-align: center;">AND</p> <ul style="list-style-type: none"> <li>• the adult continues to exercise care and control of the AU child(ren)</li> </ul> <p style="text-align: center;">AND</p> <ul style="list-style-type: none"> <li>• the adult wants to be included in the AU and BG during the absence and is eligible to be included.</li> </ul> <p><b>NOTE:</b> Treatment or training may be received at locations such as schools, general hospitals, private psychiatric hospitals, nursing homes, and Job Corps facilities. This list is not all-inclusive.</p> <p><b>Exclude</b> the adult from the AU and/or BG if any of the following conditions exists:</p> <ul style="list-style-type: none"> <li>• The adult is incarcerated.</li> <li>• The adult is in a public institution.</li> <li>• The adult is legally committed to an institution.</li> </ul> <p>Refer to <a href="#">Section 2066</a>, Placement Outside the Home.</p>
<p>Adult (parent, spouse or grantee relative) is absent from the home because of duty in the uniformed forces of the United States.</p>	<p>Exclude from the BG and AU. Budget any income sent to the Medicaid BG from the parent as child support if there are existing children or as a contribution if the money is sent to a pregnant woman from the reputed father of an unborn child.</p>

<b>CHART 2620.1 (CONT.) - DETERMINING THE COMPOSITION OF A NON-MAGI AU AND/OR BG</b>	
<b>SITUATION</b>	<b>TREATMENT</b>
<p>Biological parent lives in the home with the child who has been adopted                      AND                      the adoptive parent(s) is in the home.</p>	<p>Include the biological parent as a sibling of the adoptive child only if both of the following conditions exist:</p> <ul style="list-style-type: none"> <li>• the biological parent is also the child (adoptive or natural) of the adoptive parent(s)                      AND</li> <li>• the biological parent meets the age requirement</li> </ul> <p>In this situation, adoption terminates the parental relationship.</p>
<p>Biological parent lives in the home with the child who has been adopted                      AND                      the adoptive parent(s) is <b>not</b> in the home.</p>	<p>Include the biological parent as the grantee relative if s/he is eligible and chooses to be included.</p> <p>In this situation, adoption terminates the parental relationship.</p>
<p>Biological parent whose parental rights have been terminated lives in the home with the child and a specified relative of the child.</p>	<p>Include either the biological parent or the specified relative as the caretaker relative.</p> <p>Termination of parental rights serves as the legal requirement to be included as a parent; therefore, the specified relative or the biological parent can choose to be included in the AU.</p> <p><b>NOTE:</b> If the home is shared with an individual who is not within the specified degree of relationship to the child, then only the biological parent may be included as the caretaker relative.</p>
<p>Both parents live in the home with a mutual child.</p>	<p>Include both parents in the AU and/or BG.</p>

<b>CHART 2620.1 (CONT.) - DETERMINING THE COMPOSITON OF A NON-MAGI AU AND/OR BG (CONT.)</b>	
<b>SITUATION</b>	<b>TREATMENT</b>
<p>Child is absent from the home because of treatment or training.</p>	<p>Include the child in the AU when all of the following conditions exist:</p> <ul style="list-style-type: none"> <li>• the absence is temporary, with a plan for treatment or training to return the child to the home</li> </ul> <p style="text-align: center;">AND</p> <ul style="list-style-type: none"> <li>• the care and control of the dependent child continues to be the responsibility of the caretaker relative</li> </ul> <p style="text-align: center;">AND</p> <ul style="list-style-type: none"> <li>• the caretaker or other eligible adult wants the child to be included in the AU.</li> </ul> <p><b>NOTE:</b> Treatment or training may be received at locations such as schools, general hospitals, private psychiatric hospitals, nursing homes, and Job Corps facilities. This list is not all-inclusive.</p> <p><b>NOTE:</b> Refer to <a href="#">Section 2066</a>, in Placement Outside the Home.</p>
<p>Child is placed in a residential dependent care institution, such as GA Baptist Children’s Home, United Methodist Children’s Home or GA Sheriffs Boys’ ranch.</p>	<p>Consider the child an AU of one and determine the child’s Medicaid eligibility if the following conditions are met:</p> <ul style="list-style-type: none"> <li>• the center is privately owned and operated</li> </ul> <p style="text-align: center;">OR</p> <ul style="list-style-type: none"> <li>• the center is a public facility and the placement is temporary pending other arrangements appropriate to the child’s needs.</li> </ul> <p><b>NOTE:</b> Refer to <a href="#">Section 2066</a>, Placement Outside the Home.</p>



<b>CHART 2620.1 (CONT.) – DETERMINING THE COMPOSITON OF A NON-MAGI AU AND/OR BG</b>	
<b>SITUATION</b>	<b>TREATMENT</b>
Child lives alone.	Consider the child to be an AU of one and determine his/her eligibility for Child(ren) under 19, PCK or MN.
Child lives with a legal guardian who is not within the degree of relationship.	Determine Medicaid eligibility for the child under the appropriate COA.  Exclude the legal guardian from the AU and BG.
Child lives with an individual who has legal custody only (not a legal guardian and not within the degree of relationship).	Determine Medicaid eligibility for the child under the appropriate COA.  Exclude the individual with legal custody from the AU and BG.
Parent(s) is required to be in multiple BGs.	Include the parent(s) in each BG.  <b>Example:</b> A parent has a 5-year-old and a 14-year-old. The 5-year-old and 14-year old must be in separate Child(ren) under 19 AUs in order to be eligible. The parents <b>must</b> be included in both BGs.
Married couple has no mutual child(ren), but they each have a child.	Determine the option that is most advantageous to the family. Combine into one AU or make separate AUs.
Minor parent lives in the home with his/her parent(s).	Minor parent needs Medicaid: include the minor parent as a child with his/her parents in the BG and/or AU. The AU may choose to include or exclude the minor's child.  Minor parent's child needs Medicaid: Include the minor parent in the BG and/or AU as an adult if the minor parent's parent does not receive LIM for his/her siblings <b>and</b> his/her parent(s) chooses not to be included in the BG.  Refer to <a href="#">Section 2661</a> , Responsibility Budgeting, unless the COA is MAGI.

CHART 2620.1 (CONT.) – DETERMINING THE COMPOSITON OF A NON-MAGI AU AND/OR BG	
SITUATION	TREATMENT
Married minor lives with his/her parent(s) and applies for Medicaid as a child.	<p>Include the married minor in the BG as a child with his/her parents.</p> <p>If s/he has a spouse also living in the home, refer to Chapter 2650, Family Medicaid Budgeting.</p>
Married minor lives with his/her spouse and applies for Medicaid as a child.	<p>Married minor is an AU of one because s/he is considered a child but the spouse is financially responsible. If the spouse is also a minor, there can be separate AUs.</p> <p>Refer to <a href="#">Section 2661</a>, Responsibility Budgeting, to determine what income from the spouse is deemed to the AU or the allocation is appropriate.</p>
Parent is in and out of the home.	<p><b>Include</b> a parent who appears to reside in the home based on any of the following indicators:</p> <ul style="list-style-type: none"> <li>• The parent has no other residence.</li> <li>• The parent lists the home as his/her address.</li> <li>• The parent shares in household expenses.</li> </ul> <p><b>Exclude</b> a parent who appears to visit the home based on any of the following:</p> <ul style="list-style-type: none"> <li>• The parent does not share in household expenses.</li> <li>• The parent has a specific time frame for his/her visits.</li> <li>• The parent maintains another residence.</li> </ul> <p><b>NOTE:</b> Thoroughly document the case record to substantiate the inclusion or exclusion of the parent.</p>

<b>CHART 2620.1 (CONT.) – DETERMINING THE COMPOSITON OF A NON-MAGI AU AND/OR BG</b>	
<b>SITUATION</b>	<b>TREATMENT</b>
Parent(s) lives in the home with the child(ren) and a specified relative who has legal custody of the child(ren). Parental rights have not been terminated.	Include the parent(s) in the BG.
Pregnant minor (no existing children) lives with her parent(s) and applies for MN as a pregnant woman.	Include the parent(s) in the BG. Include the pregnant minor’s parent(s) or siblings in the BG. Increase the BG accordingly if there are multiple fetuses.
Pregnant woman lives with the biological father of the unborn child and applies for MN as a pregnant woman.	<p>If married, include both the A/R and spouse in the BG.                      .....</p> <p>If not married, do not include the alleged biological father unless he and the applicant have mutual children who are included in the BG.</p> <p><b>NOTE:</b> Budget as a contribution any money he gives the pregnant woman if they are not married and have no mutual children.</p>
The biological father of an existing child(ren) lives in the home and there is also a legal father for the child.	Exclude the biological father from the BG and/or AU unless he signs an Affidavit of Paternity, or paternity is established through judicial proceedings or CSE. Refer to <a href="#">Section 2640</a> , Paternity.
Specified relative other than a parent functions as grantee-relative because there is no parent in the home.	Consider including the specified relative in the BG and/or AU if s/he is within the proper degree of relationship. Refer to <a href="#">Section 2661</a> , Responsibility Budgeting.
Specified relative other than a parent functions as grantee relative because the parent in the home receives SSI.	Consider including the specified relative in the BG and/or AU.

<b>CHART 2620.1 (CONT.) – DETERMINING THE COMPOSITION OF A NON-MAGI AU AND/OR BG</b>	
<b>SITUATION</b>	<b>TREATMENT</b>
Stepparent lives in the home.	Exclude the stepparent from the AU and BG unless s/he has a child(ren) of his/her own in the BG.  Refer to <a href="#">Section 2661</a> , Responsibility Budgeting, unless the COA is MAGI.

**VERIFICATION**

Accept the A/R's statement to determine the AU and BG composition unless the information provided conflicts with other information available to the agency or is otherwise questionable. A conflicting or questionable situation must be verified and documented.

**DOCUMENTATION**

Document the following for every individual in the home:

- name and his/her relationship to the AU members
- reason the individual is included or not included in the AU and/or BG.