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MEDICAID MANUAL (OFI Policy Manual, VOLUME II) Transmittal NO. 26

TO: County Departments of Family and Children Services
State DFCS Staff

FROM: Mary Dean Harvey, Division Director
Division of Family and Children Services

RE: Medicaid Policy Updates/Changes

PURPOSE: For ABD, this manual transmittal consists mostly of clarifications and corrections to the burial exclusion policy and Deficit Reduction Act policy. This is reflected in sections 2308,2311,2315,2316,2323,2339,2342,2345,2399, 2706 and Appendix I. The Undue Hardship Waiver Application and Form 985 have been revised. A “Burial Contract Verification Form” has been created, and the Q-track limits have been updated in Appendix A-1. Other miscellaneous changes have been made in several sections. For Family Medicaid, the RSM limits and FM-MN mileage rates have been updated in Appendix A-2. Section 2215 has been updated with instructions on accessing Vital Records, and clarifications that a Declaration of Citizenship is not required for EMA or for foster or adoption assistance children. Section 2935 has been updated with the revised list of NET Providers. Several new forms have been added including the 118SP,139SP, 217 and 217SP, 219SP and new NET Broker sheets in English and Spanish. There were other miscellaneous changes made in several sections. For Children in Placement Medicaid, section 2215 was revised to clarify that IV-E and IV-B foster care and adoption assistance children are exempted from citizenship and identity documentation requirements. Sections 2810 and 2812 contain revised intake procedures for processing at Regional RevMax centers. Section 2848 contains revised CMD procedures for foster children moving to a relative placement remaining in DFCS custody and being removed from DFCS custody. Appendix D has been updated with information on documenting removal of a child from a TANF, Food Stamp or Medicaid case. Appendix H contains new CAR procedures for RevMax. Other miscellaneous changes were made in several sections. Please refer to the chart attached for specific changes.

DISCUSSION:

Specific changes to the Sections are discussed briefly under the Comments Section below.

UPDATES:

MANUAL TRANSMITTAL 26

Section	Instructions for Manual Maintenance	Page	Comments
2060	Remove and Replace	4,9	Added 297M to mandatory forms when 297 is used as application.
2143	Remove and Replace	2-4	Page 2 and 3, changed

			HICARE to GA Cares. Page 4 Step 5, clarified to count income individually, but resources jointly for a couple that exceed the income limit for Q track COAs.
2150	Remove and Replace	13	Under Q track recipient applies for AMN, changed wording to include QI-1 applications
2215	Remove and Replace	1-4,6-7,10,15	Page 1, added statement that foster and adoption assistance children are exempt from citizenship/identity documentation requirements. Page 2, added reference to accessing vital records. Page 3 and 4 ,added form numbers to citizenship and identity affidavits. Page 6, added exception that Declaration of Citizenship is not required for EMA or for foster care or adoption assistance children. Page 7, added statement that IV-E and IV-B children are not required to have citizenship/identity documented, added that a/r 's receiving disability benefits through SSA are not required to document citizenship, added exception that parents and spouses of RSDI recipients or people who retire early are not included in the exemption. Page 10, added 2007 quarterly earnings, Page 15, added instructions for accessing Vital Records.
2230	Remove and Replace	All, 2	Replaced all references to Public Consulting Group with Health Management Systems, Page 2, under "IF" column, reworded last sentence to say Q track instead of QMG and letting "or SLMB/QI1".
2250	Remove and Replace	2	Clarified NOTE to include cases with RSM PG or SSI adults would be

			considered child only.
2300	Remove and Replace	1,2	Page 1, added sentence defining assets, referenced 2342 for explanation of “actions”. Page 2, changed “are” to “may be”
2308	Remove and Replace	1,3	Page 1, added sentence that automobiles owned by LA-D a/rs are subject to estate recovery. Page 3, under procedures, added info on how to treat autos owned by a/r who has no HH members using the auto.
2311	Remove and Replace	1,3,4,6	Page 1 changed “policy” to “contract” in bulleted items, added that if policy has not been signed over to contractor, pre-need contract is not considered paid in full. Page 3, 1 st bullet, added “or the portion that is used toward burial exclusion”. Page 4, under “burial contracts designated as burial funds”, reworded 1 st sentence to include only a portion of non-excluded items. Page 6, added that all or part of a/r’s FV life insurance may not be designated for the spouse’s burial. Added that funds designated for burial must be owned by the individual or jointly owned between a/r and spouse.
2312	Remove and Replace	2,4	Page 2, added “and the community spouse” under non FBR COAs. Added that funds designated for burial must be owned by the individual or jointly owned with spouse under “exception” Page 4, 2 nd bullet, added “for non FBR a/rs”, 4 th bullet, added that funds designated for burial must be owned by the individual or jointly owned with spouse
2315	Remove and Replace	1	Under policy stmt, changed “a/r’s COA is non

			FBR or FBR” to “life insurance policy is excluded for burial purposes and is for a non FBR a/r.”
2316	Remove and Replace	2,4	Page 2 added “new and “pending” with applications and reviews. Page 4, added sentence regarding transfer of HP before 2/8/06.
2323	Remove and Replace	1-3,5	Page 1, added that AD&D is not considered a burial asset. Page 2, under “exclusions”, added that one spouse cannot apply insurance to the other spouse’s burial exclusion. Page 3, top of page, reworded to include that for recipients who transfer insurance policies to begin the penalty the first month in which timely notice can be given. Page 5, added “for non FBR a/rs” and added sentence that one spouse’s insurance cannot be applied to burial exclusion of other spouse.
2325	Remove and Replace	1	Paragraph under “procedures” added “except for SSI a/rs”
2339	Remove and Replace	1-8	Page 1, under basic cons., changed “is usually” to “should be”. Page 2, bottom of page, reworded last sentence that MES will refer to DCH to consider other steps. Page 3, under SSA life expectancy table, added “if purchased prior to 2/8/06, also added sentence for DRA ’05 annuities. Page 4, added “and this section for DRA ’05. Page 5, step 2, added “of Georgia”, step 3 added “develop a transfer of assets penalty on the full value..” 1 st bullet, included what the penalty entails for NH/IH. Page 6, 2nd bullet, added “impose the transfer of assets penalty as follows”, reworded

			<p>penalty for NH/IH to include what penalty entails, at the beginning of annuities purchased prior to 2/8/06 added “or steps 2-13 for DRA ’05 annuities” Page 7, in step 9 added “if purchased prior to 2/8/06, added last sentence for treatment of DRA’05. Page 8, step 11, added “or treated under DRA ’05 rules.</p>
2342	Remove and Replace	1-4,6-10	<p>Page 1, deleted references to TEFRA and MCCA transfers. Page 2, changed last bullet under all transfers to not apply transfer of HP or annuities. Page 3, deleted MCCA material. Page 4, reworded 1st bullet to say “ anyone during the application process” added new 2nd bullet that if spouse of a/r transfers annuity or homeplace, it results in a penalty to the a/r. Page 6, Deleted MCCA material. Page 7, under DRA transfer of asset penalty, deleted “or MCCA”, Added par. that if the a/r’s spouse transfers an asset during the look back period or during app. Process, a penalty is imposed on the a/r... Page 8, clarified that transfer may also begin the month after the month of discovery for recipients/spouses who transfer assets. Changed “Medicare rate” to “Private Pay rate”, added for partial penalty months, the dollar value will be included in the PL even if other income has been protected for that month. Page 9, added sentence that partial month penalty HCBW a/rs will be eligible but the dollar amount will be paid in CS even if other income has</p>

			<p>been protected that month, in multiple transfers added “between 8/11/93 and 2/7/06 and to treat multiple transfers in the same month as one transfer. Page 10, added new heading under multiple transfers, reworded 3rd par. to include reviews and that it is for new and pending applications/reviews, clarified 2nd bullet to include “month after month of discovery”. Page 11, correct 3rd bullet under “purchase of life estate in another’s home.”</p>
2345	Remove and Replace	3	<p>2nd bullet, removed “necessary forms” and replaced with “Undue Hardship Waiver application form”.</p>
2346	Remove and Replace	1	<p>Added that trust cannot have any additions to or augmentations of once the member reaches age 65.</p>
2399	Remove and Replace	1,4,6,7,9,11,12,15	<p>Page 1 under annuities, added “some annuities may be a resource regardless of being actuarially sound”. Page 4, under contracts, changed “nonFBR” to “refer to section 2313 for how to treat contracts”. Page 6, new addition for “escrow account”, under homeplace, description/value to consider added “or LA-D a/r owns a home valued at over \$500,000”. Page 9, under life insurance, added “& is part of a burial exclusion to non FBR”. Under life interest/life estate reworded to treat remainder interests as transfers. Page 11, removed row on medicare approved drug discount card. Page 12, under “property essential to self support”, deleted non FBR</p>

			wording and made FBR and non FBR identical. Page 15, deleted row on transitional assistance.
2405	Remove and Replace	1-4	Removed clothing from in-kind support and maintenance. Page 3-4, changed heading “income from a terminated source at application” to “income from a terminated source” Changed policy to read that for FM, terminated income within 30 days of app. Date must be verified, and at review, terminated income not reported since last review or application must be verified.
2407	Remove and Replace	1,3,4,7	Page 1, added NOTE that money entered into an LA-D case to increase PL/CS due to a partial month penalty isn’t considered as income for purposes of a QIT. Page 3, 2 nd bullet under rules for funds entering..., deleted sentence for not doing a partial month penalty. Page 4, 1 st bullet, added reference “for sole benefit of”. Page 7, step12 changed estate recovery program to qualified income trust.
2430	Remove and Replace	1	Clothing deleted where ISM mentioned.
2499	Remove and Replace	12,16,25	Page 12 added new row for grandparent payee’s income in TANF budget and children’s TANF income on GP’s ABD budget. Page 16, deleted row for Medicare approved drug discount card. Page 25, deleted row for \$600 transitional assistance.
2502	Remove and Replace	4-7	Page 4, under deeming resources when an a/r with a community spouse enters LA-D, added that an a/r cannot avoid ineligibility by transferring resources that put the couple over the spousal imp. Limit to

			the comm. spouse. Page 7, added two new rows to 2502.1 for transfers made by comm.. spouse to someone other than comm.. spouse.
2706	Remove and Replace	1	Page 1, added “transfer of assets by a/r or spouse transferring annuity or homeplace” to list of review requirements to be addressed.
2810	Remove and Replace	All	Revised intake procedures for initial application processed at Regional RevMax centers, initial application submitted within 2 days of entering care in place of the 5 days previously, removal of child from TANF, FS and Medicaid cases and SUCCESS documentation to allow FS case with child in the AU without transferring case from RevMax; CWFC and RSM COA SSI foster children closing in SUCCESS through SSA interface, coding MISC screen with correct delay reason.
2812	Remove and Replace	All	Revised intake procedures for initial application processed at Regional RevMax centers, initial application submitted within 2 days of entering care in place of the 5 days previously, removal of child from TANF, FS and Medicaid cases and SUCCESS documentation to allow FS case with child in the AU without transferring case from RevMax; CWFC and RSM COA SSI foster children closing in SUCCESS through SSA interface, coding MISC screen with correct delay reason.
2815	Remove and Replace	2	Changed retention of court orders to mandatory for RevMax case records.
2845	Remove and Replace	2	Added to NOTE that SSI child enrolled in GBHC

			with an assigned provider. Monthly SSA interface closes CWFC and RSM SSI cases.
2848	Remove and Replace	All	Inserted CMD procedures for foster child moved to a relative placement remaining in DFCS custody and for foster children removed from DFCS custody; referenced treatment of a Food Stamp application with a foster child in the AU.
2850	Remove and Replace	1,3	Page 1, Inserted relative placement procedures. Page 3, clarification of trial visit and placement with non-removal parent, budget for non-removal parent.
2851	Remove and Replace	1,2	Added statement that DJJ refers to OCSS only when child is IV-E eligible and reimbursable.
2853	Remove and Replace	3	Inserted GBHC delinking from primary care provider for SSI foster or adopted children.
2910	Remove and Replace	1-2	Changed all references to OCSE and Child Support Enforcement to OCSS and Child Support Services.
2932	Remove		Deleted section since it no longer applies.
2935	Remove and Replace	1-2	Updated NET providers, and updated phone numbers for NET providers.
Appendix A1	Add on top of previous		Updated Q track income limits, private pay rate and AMN mileage rate.
Appendix A2	Add on top of previous		Updated RSM income limits and FMMN mileage rate.
Appendix D	Remove and Replace	4-5	Added standards for removing child from TANF, FS and Medicaid cases, require RSM info be entered in SUCCESS for foster children, documentation of relative placement and AA child in food stamp AU.
Appendix E	Remove and Replace	10	Clothing deleted from ISM definition.
Appendix F	Add/replace		Added form 118SP,

			139SP, 217 and 217SP, 218SP, updated 219SP, 700, 701 and 985, added NET Broker Sheet in English and Spanish, added Burial Contract Verification form, updated Undue Hardship Waiver application.
Appendix G	Add		MT26 cover letter
Appendix H TOC	Remove and Replace		Adds new Children in Placement CAR forms
Appendix H Overview	Remove and Replace		Adds new CAR procedures for Children in Placement.
Appendix I	Remove and Replace	3,24,26	Page 3, last block on page, for countable burial assets enter as OC. For countable life insurance on RES1 use LI and the countable amount in CSV. Page 24, under “the a/r’s move from NH to CCSP”, step 5 changed \$30 to \$50. Page 26, expanded “CCSP to IH” to include ICWP and MRWP.
2050 TOC	Remove and Replace		Removed “Family Medicaid” from Special Considerations
2900 TOC	Remove and Replace		Removed Section 2932 Medicare Approved Drug Discount Card.
Main TOC		2,12	Page 2, Removed “Family Medicaid” from Special Considerations. Page 12, Removed Section 2932 Medicare Approved Drug Discount Card.

Pen and Ink Changes:

Update the Record of Receipt of Manual Transmittals for ESS Policy Manual Volume 2, Medicaid.