



North Carolina Department of Health and Human Services
Division of Medical Assistance


Pat McCrory
Governor

Richard O. Brajer
Secretary

Dave Richard
Deputy Secretary for Medical Assistance

MEMORANDUM

TO: Rick O. Brajer
Secretary

FROM: Dave Richard 
Deputy Secretary for Medical Assistance

SUBJECT: State Plan Amendment
Title XIX, Social Security Act
Transmittal #2016-005

DATE: March 16, 2016

Please find attached amendment for North Carolina's State Plan under Title XIX of the Social Security Act for the Medical Assistance Program. The affected pages are Supplement 8A to Attachment 2.6-A, Page 3, Supplement 8B to Attachment 2.6-A, Page 1, and Supplement 8b to Attachment 2.6-A, Page 2.

The Achieving a Better Life Experience (ABLE) Act allows for the creation of tax-free accounts that enable individuals with disabilities to invest with financial institutions without losing their government benefits. The ABLE Trust Fund is to be administered by the State Education Assistance Authority to enable contributors to save funds to meet the costs of the qualified disability expenses of eligible individuals. This state plan change will allow Medicaid to comply with North Carolina G.S. 147-86.53(d) by not considering the ABLE trust fund account when determining Medicaid eligibility.

This amendment is effective January 1, 2016.

Your approval of this state plan amendment is requested. If you have any questions or concerns, please contact Teresa Smith or me at 919-855-4116.

DR:ts

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State Plan Under Title XIX of the Social Security Act

State: North Carolina

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

1. For 1902(a)(10)(A)(ii)(X), 1902(a)(10)(E)(i), 1902(a)(10)(E)(iii), and 1902(a)(10)(E)(iv):

When the annual Social Security COLA and Federal Poverty Level adjustment cause ineligibility for Medicaid; disregard the most recent Social Security COLA increase.

This disregard continues until the individual loses Medicaid coverage or becomes eligible without this disregard.

2. For individuals eligible under § 1902(a)(10)(A)(ii)(XV) or § 1902(a)(10)(A)(ii)(XVI):

Disregard unearned income above the SSI federal benefit rate up to 150% of the federal poverty level.

3. When determining eligibility for medically needy individuals described at 42 CFR 435.301 (b)(1)(i), (iv) 42 CFR 435.301 (b)(1)(ii), 435.308 and 42 CFR 435.310, payments made under the authority of N.C. G.S. Section 6.18.(a) Article 9 of Chapter 143B, Part 30 Eugenics Asexualization and Sterilization Compensation Program are disregarded as income.
4. When determining Medicaid eligibility, distributions made under the authority of N.C.G.S. Article 6E in Chapter 147, Achieving a Better Life Experience Program Trust (ABLE) are not counted as income.

TN No: 16-005 Approval Date: _____ Effective Date: 01/01/2016

Supersedes

TN No: 13-011

Revision:

Supplement 8B To Attachment 2.6-A
Page 1

OMB No.: 0938-

STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT

State: North Carolina

MORE LIBERAL METHODS OF TREATING RESOURCES

UNDER SECTION 1902(r)(2) OF THE ACT

_____ Section 1902(f) State

X Non-Section 1902(f) State

1. AGED, BLIND AND DISABLED INDIVIDUALS, QUALIFIED MEDICARE BENEFICIARIES, SPECIFIED LOW-INCOME MEDICARE BENEFICIARIES, QUALIFYING INDIVIDUALS, AND ALL NON-MAGI RELATED GROUPS

Methodologies less restrictive than SSI.

- a. The value of personal effects and-household goods are not counted.
- b. The current market value for real property is the tax assessed value. The tax assessed value may be reduced if evidence is provided proving that the current market value is less than the tax assessed value.
- c. For individuals not receiving optional State Supplements, the value of life estate interest in real property is not counted.
- d. For individuals not receiving optional State Supplements, the value of tenancy in common interest in real property is not counted.
- e. Value of burial plots are not counted.
- f. The cash value of life insurance when the total face value of all cash value bearing life insurance policies does not exceed ten thousand dollars is not counted.
- g. Up to \$12,000 of real property contiguous to the individual's principal place of residence when the individual has no ownership interest in his principal place of residence.
- h. Payments made under the authority of N.C.G.S. Section 6.18(a) Article 9 of Chapter 143B, Part 30 Eugenics Asexualization and Sterilization Compensation Program are not counted.
- i. The value of Achieving a Better Life Experience Program Trust (ABLE) accounts established under the authority of N.C.G.S. Article 6E in Chapter 147 are not counted as a resource.

2. MEDICALLY NEEDY AGED, BLIND AND DISABLED INDIVIDUALS--
Methodologies less restrictive than SSI

Individuals with resources in excess of the resource limit at the first moment of the month may become eligible at the point that resources are reduced to the allowable limit.

3. MEDICALLY NEEDY AFDC RELATED INDIVIDUALS
Methodologies less restrictive than AFDC

- a. The value of real property is not counted.
- b. The value of one vehicle per adult is not counted.
- c. The value of trusts funds, burial contracts and retirement accounts is not counted.

TN No. 16-005

Supersedes

TN No. 13-011

Approval Date _____

Effective Date: 01/01/2016

HCFA ID: 7985E

STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT

STATE: North Carolina

MORE LIBERAL METHODS OF TREATING RESOURCES
UNDER SECTION 1902(R)(2) OF THE ACT

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

4. QUALIFIED CHILDREN UNDER AGE 19

All resources are excluded

5. MEDICALLY NEEDY AFDC RELATED INDIVIDUALS

Methodologies less restrictive than AFDC

Disregards otherwise countable assets in the following amounts:

Family Size	Amount
1	1500
2	750
3	650
4	550
5	450
6	350
7	250
8	150
9	50
10	0

6. When determining eligibility for medically needy individuals described at 42 CFR 435.301 (b)(1)(i), (iv) 42 CFR 435.301 (b)(1)(ii), 435.308 and 42 CFR 435.310, payments made under the authority of N.C.G.S. Section 6.18.(a) Article 9 of Chapter 143B, Part 30 Eugenics Asexualization and Sterilization Compensation Program are disregarded as income.
7. When determining Medicaid eligibility; Achieving a Better Life Experience Program Trust (ABLE) accounts are not counted as a resource.