

STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT
STATE/TERRITORY: **DELAWARE**

Definition of an HMO (or managed care organization – MCO)

In Delaware, a managed care organization, in order to enter into a risk based contract with the State Medicaid agency, must be licensed as an HMO, Health Services Corporation, or “Like Entity” by the Delaware Bureau of Insurance. HMOs must also meet the requirements of 42 CFR §434.20(c) which states that, for the services specified in §434.21(b), an “HMO must meet at least the following requirements:

- (1) Be organized primarily for the purpose of providing health care services.
- (2) Make the services it provides to its Medicaid enrollees as assessable to them (in terms of timeliness, amount, duration, and scope) as those services are to nonenrolled Medicaid recipients within the area served by the HMO.
- (3) Make provision, satisfactory to the agency, against the risk of insolvency, and assure that Medicaid agency, against the risk of insolvency, and assure that Medicaid enrollees will not be liable for the HMO’s debts if it becomes insolvent.”

TN No. SPA #361

Approval Date January 17, 1996

Supersedes

TN No. SPA #New

Effective Date January 1, 1996

STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT
STATE/TERRITORY: **DELAWARE**

Groups covered and Agencies Responsible for Eligibility Determinations

Agency*	Citation(s)	Groups Covered
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The following groups are covered under this plan

IV-A/XIX

A. Mandatory Coverage – Categorically Needy and Other Required Special Groups

42 CFR 435.110

1. Recipients of AFDC
The approved State AFDC plan includes:
 - Families with an unemployed parent for the mandatory 6-month period and an optional extension of unlimited months.
 - Pregnant women with no other eligible children.
 - AFDC age 18 who are full-time students in a secondary school or in the equivalent level of vocational or technical training.

The standards for AFDC payments are listed in Supplement 1 of ATTACHMENT 2.6-A.

42 CFR 435.115

2. Deemed Recipients of AFDC

IV-A/XIX

- a. Individuals denied a title IV-A cash payment would be less than \$10.

Agency that determines eligibility for coverage.

TN No. SPA #300	Approval Date May 27, 1992
Supersedes	HCFA ID: 7983E
TN No. SPA #240	Effective Date January 1, 1992

STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT
STATE/TERRITORY: DELAWARE

Agency*	Citation(s)	Groups Covered
IV-A/XIX		A. <u>Mandatory Coverage – Categorically Needy and Other Required Special Groups (Continued)</u>
		2. Deemed Recipients of AFDC
	1902(a)(10)(A)(i)(I) of the Act	b. Effective October 1, 1990, participants in a work supplementation program under title IV-A and any child or relative of such individual (or other individual living in the same household as such individuals) who would be eligible for AFDC if there were no work supplementation program, in accordance with section 482(e)(6) of the Act.
	402(a)(22)(A) of the Act	c. Individuals whose AFDC payments are reduced to zero by reason of recovery of overpayment of AFDC funds.
	406(h) and 1902(a)(10)(A)(i)(I) of the Act	d. An associate unit deemed to be receiving AFDC for a period of four calendar months because the family becomes ineligible for AFDC as a result of collection or increased collection of support and meets the requirements of section 406(h) of the Act.
	1902(a) of the Act	e. Individuals deemed to be receiving AFDC who meet the requirements of section 473(b)(1) or (2) for whom an adoption assistance agreement is in effect or foster care maintenance payments are being made under title IV-E of the Act.

*Agency that determines eligibility for coverage.

TN No. SPA #300	Approval Date May 27, 1992
Supersedes	HCFA ID: 7983E
TN No. SPA #252	Effective Date January 1, 1992

STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT
STATE/TERRITORY: DELAWARE

Agency*	Citation(s)	Groups Covered
IV-A/XIX	407(b), 1902(a)(10)(A)(i) and 1905(m)(1) of the Act	<p>A. <u>Mandatory Coverage – Categorically Needy and Other Required Special Groups (Continued)</u></p> <p>3. Qualified Family Members</p> <p>Effective October 1, 1990, qualified family members who would be eligible to receive AFDC under section 407 of the Act because the principle wage earner is unemployed.</p> <p><input checked="" type="checkbox"/> Qualified family members are not included because cash assistance payments may be made to families with unemployed parents for 12 months per calendar year.</p>
1902(a)(52) and 1925 of the Act		<p>4. Families terminated from AFDC solely because of earnings, hours of employment, or loss of earned income disregards entitled up to twelve months of extended benefits in accordance with section 1925 of the Act. (This provision expires on September 30, 1998.)</p>

*Agency that determines eligibility for coverage.

TN No. SPA #300	HCFA ID: 7983E	Approval Date <u>May 27, 1992</u>
Supersedes		Effective Date <u>January 1, 1992</u>
TN No. SPA #252		

STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT
STATE/TERRITORY: DELAWARE

Agency*	Citation(s)	Condition or Requirement
IV-A/XIX		A. <u>Mandatory Coverage – Categorically Needy and Other Required Special Groups (Continued)</u>
42 CFR 435.113		5. Individuals who are ineligible for AFDC solely because of eligibility requirements that are specifically prohibited under Medicaid. Included are: a. Families denied AFDC solely because of income and resources deemed to be available from – (1) Stepparents who are not legally liable for support of stepchildren under a State law of general applicability; (2) Grandparents; (3) Legal guardians; and (4) Individual aliens sponsors (who are not spouses of the individual or the individual's parent); b. Families denied AFDC solely because of the involuntary inclusion of siblings who have income and resources of their own in the filing unit. c. Families denied AFDC because the family transferred a resource without receiving adequate compensation.

*Agency that determines eligibility for coverage.

TN No. SPA #300	Approval Date <u>May 27, 1992</u>
Supersedes	HCFA ID: 7983E
TN No. SPA #240	Effective Date <u>January 1, 1992</u>

STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT
STATE/TERRITORY: DELAWARE

Agency*	Citation(s)	Condition or Requirement
IV-A/XIX	42 CFR 435.114	<p>A. <u>Mandatory Coverage – Categorically Needy and Other Required Special Groups (Continued)</u></p> <p>6. Individuals who would be eligible for AFDC except for the increase in OSADI benefits under Pub. L. 92-336 (July 1, 1972), who were entitled to OASDI in August 1972, and who were receiving cash assistance in August 1972.</p> <p><input type="checkbox"/> Includes persons who would have been eligible for cash assistance but had not applied in August 1972 (this group was included in this State's August 1972 plan).</p> <p><input checked="" type="checkbox"/> Includes persons who would have been eligible for cash assistance in August 1972 if not in a medical institution or intermediate care facility (this group was included in this State's August 1972 plan)</p> <p><input type="checkbox"/> Not applicable with respect to intermediate care facilities; State did or does not cover this service.</p>
IV-A/XVX	1902(a)(10) (A)(i)(III) and 1905(n) of the Act	<p>7. Qualified Pregnant Woman and Children.</p> <p>a. A pregnant women whose pregnancy has been medically verified who-</p> <p>(1) Would be eligible for an AFDC cash payment of the child had been born and was living with her;</p>

*Agency that determines eligibility for coverage.

Page 3a is a new page but information was previously on page 3 which was part of the SP-240 revision.

TN No. SPA #300	HCFA ID: 7983E	Approval Date <u>May 27, 1992</u>
Supersedes		Effective Date <u>January 1, 1992</u>
TN No. SPA #240		

STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT
STATE/TERRITORY: DELAWARE

Agency*

Citation(s)

Condition or Requirement

A. Mandatory Coverage – Categorically Needy and Other
Required Special Groups (Continued)

7. a. (2) Is a member of a family that would be eligible for aid to
familiar with dependent children of unemployed
parents if the State had an AFDC-unemployed parents
program; or

(3) Would be eligible for an AFDC cash payment on the
basis of the income and resource requirements of the
State's approved AFDC plan.

1902(a)(10)(A)
(i)(III) and
1905(n) of the Act

b. Children born after September 30, 1983 who are under
age 19 and who would be eligible for an AFDC cash
payment on the basis of the income and resource
requirements of the State's approved AFDC plan.

Children born after

October 1, 1974

(Specified optional earlier date)

who are under age 19 and who would be eligible for
an AFDC cash payment on the basis of the income
and resource requirements of the of the State's
approved AFDC plan.

Supplement 8a and 8b to ATTACHMENT 2.6-A
describe the more liberal methods of treating
income and resources under Section 1902(r)2 of the
Act.

TN No. SPA #306

Approval Date October 30, 1992

Supersedes

TN No. SPA #300

Effective Date October 1, 1992

STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT
STATE/TERRITORY: DELAWARE

Agency*	Citation(s)	Condition or Requirement
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A. Mandatory Coverage – Categorically Needy and Other
Required Special Groups (Continued)

1902(a)(10)(A)(i)(IV) and
1902(1)(1)(A)
and (B) of the Act

8. Pregnant women and infants under 1 year of age with family incomes up to 133 percent of the Federal poverty level who are described in section 1902(a)(10)(A)(i)(IV) and 1902(1)(1)(A) and (B) of the Act. The income level for this group is specified in Supplement 1 to ATTACHMENT 2.6-A.

The State uses a percentage greater than 133 but not more than 185 percent of the Federal poverty level, as established in its State plan, State legislation, or State appropriations as of December 19, 1989.

9. Children:

1902(a)(10)(A)
(i)(VI)
1902(1)(1)(c)
of the Act

a. who have attained 1 year of age but have and not attained 6 years of age, with family incomes at or below 133 percent of the Federal poverty levels.

1902(a)(10)(A)(i)
(VII) and 1902(1)
(1)(D) of the Act

b. born after September 30, 1983, who have attained 6 years of age but have not attained 19 years of age, with family incomes at or below 100 percent of the Federal poverty levels.

Income levels for these groups are specified in Supplement 1 to ATTACHMENT 2.6A.

TN No. SPA #312	Approval Date <u>January 26, 1993</u>
Supersedes	
TN No. SPA #300	Effective Date <u>October 1, 1992</u>

STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT
STATE/TERRITORY: DELAWARE

Agency	Citation(s)	Condition or Requirement
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A. Mandatory Coverage – Categorically Needy and Other
Required Special Groups (Continued)

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TN No. SPA <u>22-0011</u>	Approval Date <u>May 15, 2023</u>
Supersedes	
TN No. SPA <u>312</u>	Effective Date <u>July 1, 2022</u>

STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT
STATE/TERRITORY: DELAWARE

Agency*	Citation(s)	Condition or Requirement
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A. Mandatory Coverage – Categorically Needy and Other
Required Special Groups (Continued)

12. Deemed Newborns (42 CFR 435.117.1902(e)(4) of the Act)

A child born in the United States to a woman who was eligible for and receiving Medicaid (including coverage of an alien for labor and delivery as emergency medical services) for the date of the child's birth. including retroactively. The child is deemed eligible for one year from birth.

13. Aged, Blind and Disabled Individuals Receiving Cash Assistance (42 CFR 435.120)

a. Individuals receiving SSI

This includes beneficiaries' eligible spouses and persons receiving SSI benefits pending a final determination of blindness or disability or pending disposal of excess resources under an agreement with the Social Security Administration; and beginning January 1, 1981 persons receiving SSI under section 1619(a) of the Act or considered to be receiving SSI under section 1619(b) of the Act

Aged

Blind

Disabled

TN No. SPA <u>#10-001</u>	Approval Date <u>August 3, 2010</u>
Supersedes	
TN No. SPA <u>#312</u>	Effective Date <u>July 1, 2010</u>

STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT
STATE/TERRITORY: DELAWARE

Agency*	Citation(s)	Condition or Requirement
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A. Mandatory Coverage – Categorically Needy and Other
Required Special Groups (Continued)

N/A	435.121	13. <input type="checkbox"/> b. Individuals who meet more restrictive requirements for Medicaid than the SSI requirements. (This included persons who qualify for benefits under sections 1619(a) of the Act or who meet the requirements for SSI status under section 1619(b)(1) of the Act and who met the State's more restrictive requirements for Medicaid in the month before they qualified for SSI under section 1619(a) or met the requirements under section 1619(b)(1) of the Act. Medicaid eligibility for these individuals continues as long as they continue to meet the 1619(a) eligibility standard or the requirements of section 1619(b) of the Act.)
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- Aged
- Blind
- Disabled

The more restrictive categorical eligibility criteria are described below:

(Financial criteria are described in ATTACHMENT 2.6-A).

*Agency that determines eligibility for coverage.

Information was previously on page 5.

TN No. SPA #300	Approval Date May 27, 1992
Supersedes	HCFA ID: 7983E
TN No. SP #250*	Effective Date January 1, 1992

STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT
 STATE/TERRITORY: DELAWARE

Agency*	Citation(s)	Condition or Requirement
A. <u>Mandatory Coverage – Categorically Needy and Other Required Special Groups (Continued)</u>		
XVI (SSA)	1902 (a) (10)(A)(i)(II) and 1905 (q) of the Act	14. Qualified severely impaired blind and disabled individuals under age 65, who-- <ul style="list-style-type: none"> <li data-bbox="797 625 1442 863">a. For the month preceding the first month of eligibility under the requirements of section 1905 (q)(2) of the Act, received SSI, a State supplemental payment under section 1616 of the Act or under section 212 of P.L. 93-66 or benefits under section 1619(a) of the Act and were eligible for Medicaid; or <li data-bbox="789 909 1446 1503">b. For the month of June 1987, were considered to be receiving SSI under section 1619 (b) of the Act and were eligible for Medicaid. These individuals must-- <ul style="list-style-type: none"> <li data-bbox="837 1052 1438 1184">(1) Continue to meet the criteria for blindness or have the disabling physical or mental impairment under which the individual was found to be disabled; <li data-bbox="837 1230 1414 1329">(2) Except for earnings, continue to meet all nondisability-related requirements for eligibility for SSI benefits; <li data-bbox="837 1375 1419 1503">(3) Have unearned income in amounts that would not cause them to be ineligible for a payment under section 1611(b) of the Act;

*Agency that determines eligibility for coverage.

*Information was previously on page 6.

TN No. SPA #300	Approval Date <u>May 27, 1992</u>
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TN No. SP #250*	Effective Date <u>January 1, 1992</u>

STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT
STATE/TERRITORY: **DELAWARE**

Agency*	Citation(s)	Condition or Requirement
A. <u>Mandatory Coverage – Categorically Needy and Other Required Special Groups (Continued)</u>		
XVI (SSA)		<p>(4) Be seriously inhibited by the lack of Medicaid coverage in their ability to continue to work or obtain employment; and</p> <p>(5) Have earnings that are not sufficient to provide for himself or herself a reasonable equivalent of the Medicaid, SSI (including any Federally administered SSP), or public funded attendant care services that would be available if he or she did have such earnings.</p> <p><input type="checkbox"/> Not applicable with respect to individuals receiving only SSP because the State either does not make SSP payments or does not provide Medicaid to SSP-only recipients.</p>

*Agency that determines eligibility for coverage.

*Information was previously on page 6 and 6a.

TN No. SPA <u>#300</u>	Approval Date <u>May 27, 1992</u>
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TN No. SP <u>#250*</u>	Effective Date <u>January 1, 1992</u>

STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT
STATE/TERRITORY: **DELAWARE**

Agency*	Citation(s)	Condition or Requirement
A. <u>Mandatory Coverage – Categorically Needy and Other Required Special Groups (Continued)</u>		
N/A	1619(b)(3) of the Act	<input type="checkbox"/> The State applies more restrictive eligibility requirements for Medicaid than under SSI and under 42 CFR 435.121. Individuals who qualify for benefits under section 1619(a) of the Act or individuals described above who meet the eligibility requirements for SSI benefits under section 1619(b)(1) of the Act and who met the State's more restrictive requirements in the month before the month they qualified for SSI under section 1619 (a) or met the requirements of section 1619(b)(1) of the Act are covered. Eligibility for these individuals continues as long as they continue to qualify for benefits under section 1619(a) of the Act or meet the SSI requirements under section 1619(b)(1) of the Act.

*Agency that determines eligibility for coverage.

*Information was previously on page 6a.

TN No. SPA <u>#300</u>	Approval Date <u>May 27, 1992</u>
Supersedes HCFA ID: 7983E	
TN No. SP <u>#250*</u>	Effective Date <u>January 1, 1992</u>

STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT
 STATE/TERRITORY: DELAWARE

Agency*	Citation(s)	Condition or Requirement
A. <u>Mandatory Coverage – Categorically Needy and Other Required Special Groups (Continued)</u>		
1634 (c) of the Act	15.	Except in States that apply more restrictive eligibility requirements for Medicaid than under SSI, blind or disabled individuals who-- <ul style="list-style-type: none"> a. Are at least 18 years of age; b. Lose SSI eligibility because they become entitled to OASDI child's benefits under section 202 (d) of the Act or an increase in these benefits based on their disability. Medicaid eligibility for these individuals continues for as long as they would be eligible for SSI, absent their OASDI eligibility. <input type="checkbox"/> c. The State applies more restrictive eligibility requirements than those under SSI, and part or all of the amount of the OASDI benefit that caused SSI/SSP ineligibility and subsequent increases are deducted when determining the amount of countable income for categorically needy eligibility. <input type="checkbox"/> d. The State applies more restrictive requirements than those under SSI, and none of the OASDI benefit is deducted in determining the amount of countable income for categorically needy eligibility.
XVI (SSA)42 CFR 435.122	16.	Except in States that apply more restrictive eligibility requirements for Medicaid than under SSI, individuals who are ineligible for SSI or optional State supplements (if the agency provides Medicaid under §435.230), because of requirements that do not apply under title XIX of the Act.
XVI (SSA)42 CFR 435.130	17.	Individuals receiving mandatory State supplements.

*Agency that determines eligibility for coverage.

*Information was previously on page 6a and 6b.

TN No. SPA #300	HCFA ID: 7983E	Approval Date <u>May 27, 1992</u>
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TN No. SPA #250		

STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT
STATE/TERRITORY: DELAWARE

Agency*	Citation(s)	Condition or Requirement
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A. Mandatory Coverage – Categorically Needy and Other
Required Special Groups (Continued)

42 CFR 435.131

N/A

18. Individuals who in December 1973 were eligible for Medicaid as an essential spouse and who have continued, as spouse, to live with and be essential to the well-being of a recipient of cash assistance. The recipient with whom the essential spouse is living continues to meet the December 1973 eligibility requirements of the State's approved plan for OAA, AB, APTD, or AABD and the spouse continues to meet the December 1973 requirements for having his or her needs included in computing the cash payment.

In December 1973, Medicaid coverage of the essential spouse was limited to the following group (s):

Aged Blind Disabled

Not applicable. In December 1973, the essential spouse was not eligible for Medicaid.

*Agency that determines eligibility for coverage.

*Information was previously on page 6b.

TN No. SPA #300

Approval Date May 27, 1992

Supersedes HCFA ID: 7983E

TN No. SPA #250*

Effective Date January 1, 1992

STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT
STATE/TERRITORY: DELAWARE

Agency*	Citation(s)	Condition or Requirement
		A. <u>Mandatory Coverage – Categorically Needy and Other Required Special Groups (Continued)</u>
42 CFR 435.132 XIX	19.	Institutionalized individuals who were eligible for Medicaid in December 1973 as inpatients of title XIX medical institutions or residents of title XIX intermediate care facilities, if, for each consecutive month after December 1973, they-- a. Continue to meet the December 1973 Medicaid State plan eligibility requirements; and b. Remain institutionalized; and c. Continue to need institutional care.
42 CFR 435 .133 XIX	20.	Blind and disabled individuals who— a. Meet all current requirements for Medicaid eligibility except the blindness or disability criteria; and b. Were eligible for Medicaid in December 1973 as blind or disabled; and c. For each consecutive month after December 1973 continue to meet December 1973 eligibility criteria.

*Agency that determines eligibility for coverage.

*Information was previously on page 6c.

TN No. SPA <u>#300</u>	Approval Date <u>May 27, 1992</u>
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TN No. SPA <u>#250*</u>	Effective Date <u>January 1, 1992</u>

STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT
STATE/TERRITORY: DELAWARE

Agency*	Citation(s)	Condition or Requirement
		A. <u>Mandatory Coverage – Categorically Needy and Other Required Special Groups (Continued)</u>
42 CFR 435.134 XIX	21.	Individuals who would be SSI/SSP eligible except for the increase in OASDI benefits under Pub. L. 92-336 (July 1, 1972), who were entitled to OASDI in August 1972, and who were receiving cash assistance in August 1972. <input type="checkbox"/> Includes persons who would have been eligible for cash assistance but had not applied in August 1972 (this group was included in this State's August 1972 plan). <input type="checkbox"/> Includes persons who would have been eligible for cash assistance in August 1972 if not in a medical institution or intermediate care facility (this group was included in this State's August 1972 plan). <input type="checkbox"/> Not applicable with respect to intermediate care facilities; the State did or does not cover this service.

*Agency that determines eligibility for coverage.

TN No. SPA <u>#300</u>	Approval Date <u>May 27, 1992</u>
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TN No. SPA <u>#250</u>	Effective Date <u>January 1, 1992</u>

STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT
STATE/TERRITORY: DELAWARE

Agency*	Citation(s)	Condition or Requirement
		A. <u>Mandatory Coverage – Categorically Needy and Other Required Special Groups (Continued)</u>
42 CFR 435.135 XIX	22.	Individuals who- a. Are receiving OASDI and were receiving SSI/SSP but became ineligible for SSI/SSP after April 1977; and b. Would still be eligible for SSI or SSP if cost-of-living increases in OASDI paid under section 215 (i) of the Act received after the last month for which the individual was eligible for and received SSI/SSP and OASDI, concurrently, were deducted from income. <input type="checkbox"/> Not applicable with respect to individuals receiving only SSP because the State either does not make such payments or does not provide Medicaid to SSP-only recipients. <input type="checkbox"/> Not applicable because the State applies more restrictive eligibility requirements than those under SSI, <input type="checkbox"/> The state applies more restrictive eligibility requirements than those under SSI and the amount of increase that caused SSI/SSP ineligibility and subsequent increases are deducted when determining the amount of countable income for categorically needy eligibility.

*Agency that determines eligibility for coverage.

TN No. SPA #300	Approval Date <u>May 27, 1992</u>
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TN No. SPA #250	Effective Date <u>January 1, 1992</u>

STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT
STATE/TERRITORY: DELAWARE

Agency*	Citation(s)	Condition or Requirement
		A. <u>Mandatory Coverage – Categorically Needy and Other Required Special Groups (Continued)</u>
1634 of the Act XIX	23.	Disabled widows and widowers who would be eligible for SSI or SSP except for the increase in their OASDI benefits as a result of the elimination of the reduction factor required by section 134 of Pub. L. 98-21 and who are deemed, for purposes of title XIX, to be SSI beneficiaries or SSP beneficiaries for individuals who would be eligible for SSP only, under section 1634 (b) of the Act. <input type="checkbox"/> Not applicable with respect to individuals receiving only SSP because the state either does not make these payments or does not provide Medicaid to SSP-only recipients. <input type="checkbox"/> The State applies more restrictive eligibility standards than those under SSI and considers these individuals to have income equaling the SSI Federal benefit rate, or the SSP benefit rate for individuals who would be eligible for SSP only, when determining countable income for Medicaid categorically needy eligibility.

*Agency that determines eligibility for coverage.

*Information was previously on page 8 which was revised by SP-250.

TN No. SPA #300	Approval Date May 27, 1992
Supersedes	
TN No. SPA #250*	Effective Date January 1, 1992

STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT
STATE/TERRITORY: DELAWARE

Agency*	Citation(s)	Condition or Requirement
		A. <u>Mandatory Coverage – Categorically Needy and Other Required Special Groups (Continued)</u>
1634(d) of the Act XIX	24.	<p>Disabled widows, disabled widowers, and disabled unmarried divorced spouses who had been married to the insured individual for a period of at least ten years before the divorce became effective, who have attained the age of 50, who are receiving title II payments, and who because of the receipt of title II income lost eligibility for SSI or SSP which they received in the month prior to the month in which they began to receive title II payments, who would be eligible for SSI or SSP if the amount of the title II benefit were not counted as income, and who are not entitled to Medicare Part A.</p> <p><input type="checkbox"/> The State applies more restrictive eligibility requirements for its blind or disabled than those of the SSI program.</p> <p><input checked="" type="checkbox"/> In determining eligibility as (categorically needy, the State disregards the amount of the title II benefits identified in §1634(d)(1)(A) in determining the income of the individual, but does not disregard any more of this income than would reduce the individual 's income to the SSI income standard .</p> <p><input type="checkbox"/> In determining eligibility as categorically needy, the State disregards only part of the amount of the benefits identified in §1634(d)(1)(A) in determining the income of the individual, which amount would not reduce the individual 's income below the SSI income standard. The amount of these benefits to disregarded is specified in Supplement 4 to Attachment 2.6-A.</p> <p><input type="checkbox"/> In determining eligibility as categorically needy, the State chooses not to deduct any of the benefit identified in §1634(d)(1)(A) in determining the income of the individual .</p>

*Agency that determines eligibility for coverage.

TN No. SPA #314	Approval Date February 25, 1992
Supersedes	
TN No. SPA #300	Effective Date January 1, 1993

STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT
 STATE/TERRITORY: DELAWARE

Agency*	Citation(s)	Condition or Requirement
A. <u>Mandatory Coverage – Categorically Needy and Other Required Special Groups (Continued)</u>		
1902(a)(10)(E)(i) and 1905(p) of the Act	25.	Qualified Medicare beneficiaries— <ul style="list-style-type: none"> a. Who are entitled to hospital insurance benefits under Medicare Part A, (but not pursuant to an enrollment under section 1818A of the Act); b. Whose income does not exceed 100 percent of the Federal poverty level; and c. Whose resources do not exceed twice the maximum standard under SSI. (Medical assistance for this group is limited to Medicare cost-sharing as defined in item 3.2 of this plan.)
1902(a)(10)(E)(ii), 1905(s) and 1905(p)(3)(A)(i) of the Act	26.	Qualified disabled and working individuals-- <ul style="list-style-type: none"> a. Who are entitled to hospital insurance benefits under Medicare Part A under section 1818A of the Act; b. Whose income does not exceed 200 percent of the Federal poverty level; and c. Whose resources do not exceed twice the maximum standard under SSI. d. Who are not otherwise eligible for medical assistance under Title XIX of the Act. (Medical assistance for this group is limited to Medicare Part A premiums under section 1818A of the Act.)

*Agency that determines eligibility for coverage.

TN No. SPA #330	Approval Date <u>October 14, 1993</u>
Supersedes	
TN No. SPA #300	Effective Date <u>July 1, 1993</u>

STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT
 STATE/TERRITORY: **DELAWARE**

Agency*	Citation(s)	Condition or Requirement
A. <u>Mandatory Coverage – Categorically Needy and Other Required Special Groups (Continued)</u>		
1902(a)(10)(E)(i) and 1905(p)(3)(A)(ii) of the Act	27.	Specified low income Medicare beneficiaries – <ul style="list-style-type: none"> a. Who are entitled to hospital insurance benefits under Medicare Part A (but not pursuant to an enrollment under Section 1818A of the Act); b. Whose income for calendar years 1993 and 1994 exceeds the income level in 25b, but is less than 110 percent of the Federal poverty level, and whose income for calendar years beginning 1995 is less than 120 percent of the, Federal poverty level; and c. Whose resources do not exceed twice the maximum standard under SSI.
(Medical assistance for this group is limited to Medicare Part B premiums under Section 1839 of the Act.)		
DSS 1634(e)	28.	Each person to whom SSI benefits by reason of disability are not payable for any month solely by reason of clause (i) of (v) of Section 1611(e)(3)(A) shall be treated, for purposes of Title XIX, as receiving SSI benefits for the month.

*Agency that determines eligibility for coverage.

TN No. SPA #356	Approval Date <u>May 8, 1995</u>
Supersedes	
TN No. SPA #330	Effective Date <u>March 1, 1995</u>

STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT
STATE/TERRITORY: DELAWARE

Agency*	Citation(s)	Condition or Requirement
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B. Optional Groups Other Than the Medically Needy

42 CFR 435.210
1902(a)(10)(A)(ii)
and
1905(a)of the Act

- 1. Individuals described below who meet the income and resource requirements of AFDC, SSI, or an optional State supplement as specified in 42 CFR 435.230, but who do not receive cash assistance.
 - The plan covers all individuals as described above.
 - The plan covers only the following group or groups of individuals:
 - Aged
 - Blind
 - Disabled
 - Caretaker relatives
 - Pregnant women

XIX 42 CFR 435.211

- 2. Individuals who would be eligible for AFDC, SSI or an optional State supplement as specified in 42 CFR 435.230, if they were not in a medical institution.

*Agency that determines eligibility for coverage.

*Page 9c is new, but information was previously on page 9 which was updated by SP-240.

TN No. SPA <u>#300</u>		Approval Date <u>May 27, 1992</u>
Supersedes	7983E	
TN No. SPA <u>#240*</u>		Effective Date <u>January 1, 1992</u>

STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT
STATE/TERRITORY: DELAWARE

Agency*	Citation(s)	Condition or Requirement
		B. <u>Optional Groups Other Than the Medically Needy</u> (Continued)
42 CFR 435.212 & 1902(e)(2) of the Act, P.L. 99-272 (section 9517) P.L. 101-508 (section 4732)	<input type="checkbox"/> 3.	The State deems as eligible those individuals who became otherwise ineligible for Medicaid while enrolled in an HMO qualified under Title XIII of the Public Health Service Act or while enrolled in an entity described in section 1903(m)(2)(B)(111), (E) or (G) of the Act, or a Competitive Medical Plan (CMP) with a Medicare contract under section 1876 of the Act, but who have been enrolled in the HMO or entity for less than the minimum enrollment period listed below. The HMO or entity must have a risk contract as specified in 42 CFR 434.20(a). Coverage under this section is limited to HMO services and family planning services described in section 1905(a)(4)(C). <input type="checkbox"/> The State elects not to guarantee eligibility. <input type="checkbox"/> The state elects to guarantee eligibility. The minimum enrollment period is _____ months (not to exceed six). The State measures the minimum enrollment period from: <input type="checkbox"/> The date beginning the period of enrollment in the HMO or other entity, without any intervening disenrollment, regardless of Medi9aid eligibility. <input type="checkbox"/> The date beginning the period of enrollment in the HMO as a Medicaid patient (including periods when payment is made under this section), without any intervening disenrollment. <input type="checkbox"/> The date beginning the last period of enrollment in the HMO as a Medicaid patient (not including periods when payment is made under this section), without any intervening disenrollment of periods of enrollment as a privately paying patient. (A new minimum enrollment period begins each time the individual becomes Medicaid eligible other than under this section.)

*Agency that determines eligibility for coverage.

TN No. SPA #314	Approval Date February 25, 1993
Supersedes	HCFA ID.: 7983E
TN No. SPA #300	Effective Date January 1, 1993

STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT
STATE/TERRITORY: DELAWARE

Agency*	Citation(s)	Condition or Requirement
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B. Optional Groups Other Than the Medically Needy
(Continued)

1903(m)(2)(F)
of the Act,
P.L.98-369
(section 2364),
P.L.99-272
(section 9517),
P.L. 101-508
(section 4732)

The Medicaid Agency may elect to restrict the disenrollment rights of Medicaid enrollees of certain Federally qualified HMOs, Competitive Medical Plans (CMPs) with Medicare contracts under section 1876 of the Act, and other organizations described in 42 CFR 434.27(d), in accordance with the regulations at 42 CFR 434.27. This requirement applies unless a recipient can demonstrate good cause for disenrolling or if he/she moves out of the entity's service area or becomes ineligible.

Disenrollment rights are restricted for a period of _____ months (not to exceed 6 months).

During the first month of each enrollment period the recipient may disenroll without cause. The State will provide notification, at least twice per year, to recipients enrolled with such organization of their right to and restrictions of terminating such enrollment .

No restrictions upon disenrollment rights.

In the case of individuals who have become ineligible for Medicaid for the brief period described in section 1903(m)(2)(H)and who were enrolled with an entity having a contract under section 1903(m) when they became ineligible, the Medicaid agency may elect to reenroll those individuals in the same entity if that entity still has a contract.

The agency elects to reenroll the above individuals who are ineligible in a month but in the succeeding two months become eligible, into the same entity in which they were enrolled at the time eligibility was lost.

The agency elects not to reenroll above individuals into the same entity in which they were previously enrolled.

*Agency that determines eligibility for coverage.

TN No. SPA <u>#314</u>	Approval Date <u>February 25, 1993</u>
Supersedes	HCFA ID: 7983E
TN No. SPA <u>NEW</u>	Effective Date <u>January 1, 1993</u>

STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT
STATE/TERRITORY: DELAWARE

Agency*	Citation(s)	Condition or Requirement
<p>B. <u>Optional Groups Other Than the Medically Needy</u> (Continued)</p>		
42 CFR 435.217	<input checked="" type="checkbox"/>	<p>4. A group or groups of individuals who would be eligible for Medicaid under the plan if they were in a NF or an ICF/MR, who but for the provision of home and community- based services under a waiver granted under 42 CFR Part 441, Subpart G would require institutionalization, and who will receive home and community-based services under the waiver. The group or groups covered are listed in the waiver request. This option is effective on the effective date of the State's section 1915(c) waiver under which this group(s) is covered. In the event and existing 1915(c) is amended to cover this group(s), this option is effective on the effective date of the amendment.</p>
	<input checked="" type="checkbox"/>	<p>PACE enrollees and will be effective on the effective date of the amendment electing PACE as an optional State plan service.</p>

TN No. SPA <u>#11-010</u>	Approval Date <u>February 28, 2012</u>
Supersedes	
TN No. SPA <u>NEW</u>	Effective Date <u>October 1, 2011</u>

STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT
STATE/TERRITORY: DELAWARE

Agency*	Citation(s)	Condition or Requirement
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B. Optional Groups Other Than the Medically Needy
(Continued)

1902 (a)(10)
(A)(ii)(V II)
of the Act

5. Individuals who would be eligible for Medicaid under the plan if they were in a medical institution, who are terminally ill, and who receive hospice care in accordance with a voluntary election described in section 1905 (o) of the Act.

The State covers all individuals as described above.

The State covers only the following group or groups of individuals:

Aged

Blind

Disabled

Individuals under the age of--

21

20

19

18

Caretaker relatives

Pregnant women

*Agency that determines eligibility for coverage.

Page 11a is new, but information was previously on page 11 which was updated by SP-240.

TN No. SPA #300	Approval Date <u>May 27, 1992</u>
Supersedes	HCFA ID: 7983E
TN No. SPA #240*	Effective Date <u>January 1, 1992</u>

STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT
STATE/TERRITORY: DELAWARE

Agency* Citation(s) Condition or Requirement

B. Optional Groups Other Than the Medically Needy
(Continued)

42 CFR 435.220

6. Individuals who would be eligible for AFDC if their work-related child care cost were paid from earnings rather than by a State agency as a service expenditure. The State's AFDC plan deducts work-related child care cost from income to determine the amount of AFDC.

The State covers all individuals as described above.

The State covers only the following group or groups of individuals:

Individuals under the age of--

- 21
- 20
- 19
- 18

Caretaker relatives

Pregnant women

1902(a)(10)(A)
(ii) and 1905(a)
of the Act

1902 CFR 435.222
1902(a)(10)
(A)(ii) and
1905(a)(i) of
the Act

7. a. All individuals who are not described in section 1902(a)(10)(A)(i) of the Act who meet the income and resource requirements of the AFDC State plan, and who are under the age of 21 as indicated below:

- 20
- 19
- 18

TN No. SPA #300	Approval Date <u>May 27, 1992</u>
Supersedes	HCFA ID: 7983E
TN No. SPA #240	Effective Date <u>January 1, 1992</u>

STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT
STATE/TERRITORY: DELAWARE

Agency*	Citation(s)	Condition or Requirement
<u>B. Optional Groups Other Than the Medically Needy</u> (Continued)		
XIX 42 CFR 435.222	<input checked="" type="checkbox"/>	<p>b. Reasonable classifications of individuals described in (a) above as follows:</p> <ul style="list-style-type: none"><input checked="" type="checkbox"/> (1) Individuals for whom public agencies are assuming full or partial financial responsibility and who are:<ul style="list-style-type: none"><input checked="" type="checkbox"/> (a) In foster homes (and are under the age of <u>21</u>).<input checked="" type="checkbox"/> (b) In private institutions (and are under the age of <u>21</u>).<input checked="" type="checkbox"/> (c) In addition to the group under b. (1)(a) and (b), individuals placed in foster homes or private institutions by private, nonprofit agencies (and are under the age of <u>21</u>).<input checked="" type="checkbox"/> (2) Individuals in adoptions subsidized in full or part by public agency (who are under the age of <u>21</u>).<input checked="" type="checkbox"/> (3) Individuals in NFs (who are under the age of <u>21</u>). NF services are approved under this plan.<input checked="" type="checkbox"/> (4) In addition to the group under (b)(3), individuals in ICFs/MR (who are under the age of <u>21</u>).

TN No. SPA <u>#381</u>	HCFA ID: 7983E	Approval Date <u>November 23, 1999</u>
Supersedes		
TN No. SPA <u>#300</u>		Effective Date <u>October 1, 1999</u>

STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT
STATE/TERRITORY: DELAWARE

Agency*

Citation(s)

Condition or Requirement

B. Optional Groups Other Than the Medically Needy
(Continued)

(5) Individuals receiving active treatment as inpatients in psychiatric facilities or programs (who are under the age of _____). Inpatient psychiatric services for individuals under age 21 are provided under this plan.

IV-A/XIX

(6) Other defined groups (and ages), as specified in Supplement 1 of specified in Supplement 1 of ATTACHMENT 2.2-A.

Page 13a is new, but information was previously on page 13, which was updated by SP-240.

TN No. SPA <u>#300</u>	Approval Date <u>May 27, 1992</u>
Supersedes	HCFA ID: 7983E
TN No. SPA <u>#240</u>	Effective Date <u>January 1, 1992</u>

STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT
STATE/TERRITORY: DELAWARE

Agency*	Citation(s)	Condition or Requirement
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B. Optional Groups Other Than the Medically Needy
(Continued)

42 CFR 435.227
1902(a)(10)(A)(ii)(VII)
and 1905(a)(i) of the Act

- (8) A child for whom there is an effect a State adoption assistance agreement (other than under title IV-E of the Act), who as determined by the State adoption agency, cannot be placed for adoption without medical assistance because the child has special needs for medical or rehabilitative care, and who before execution of the agreement-
 - a. Was eligible for Medicaid under the State's approved Medicaid Plan; or
 - b. Would have been eligible for Medicaid if the standards and methodologies of the title IV-E foster care program were applied rather than the AFDC standards and methodologies.
 - c. Additional targeting:
 - The State covers individuals under the age of –
 - 21
 - 20
 - 19
 - 18
- The Agency does not consider income or resources when determining eligibility for this population.

*Agency that determines eligibility for coverage.

TN No. SPA #09-001	Approval Date <u>July 31, 2009</u>
Supersedes	
TN No. SPA #300	Effective Date <u>April 1, 2009</u>

STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT
STATE/TERRITORY: DELAWARE

Agency*	Citation(s)	Condition or Requirement
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B. Optional Groups Other Than the Medically Needy
(Continued)

42 CFR 435.223

(9) Individuals described below who would be eligible for AFDC if coverage under the State's AFDC plan were as broad as allowed under title IV-A:

1902(a)(10)
(A)(ii) and
1905(a) of the Act

Individuals under the age of –

- 21
- 20
- 19
- 18

Caretaker relatives

Pregnant women

Page 14a is new, but information was previously on page 14, which was updated by SP-251.

TN No. SPA <u>#300</u>	Approval Date <u>May 27, 1992</u>
Supersedes	HCFA ID:7986E
TN No. SPA <u>#251*</u>	Effective Date <u>January 1, 1992</u>

STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT
STATE/TERRITORY: **DELAWARE**

Agency*	Citation(s)	Condition or Requirement
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B. Optional Groups Other Than the Medically Needy
(Continued)

42 CFR 435.230 (10) States using SSI criteria with agreements under sections 1616 and 1634 of the Act.

XVI(SSA)

The following groups of individuals who receive only a State supplementary payment (but no SSI payment) under an approved optional State supplementary payment program that meets the following conditions.

- a. Based on need and paid in cash on a regular basis.
- b. Equal to the difference between the individual's countable income and the income standard used to determine eligibility for the supplement.
- c. Available to all individuals in the State.
- d. Paid to one or more of the classifications of individuals listed below, who would be eligible for SSI except for the level of their income.

- (1) All aged individuals.
- (2) All blind individuals.
- (3) All disabled individuals.

TN No. SPA <u>#402</u>	Approval Date <u>May 27, 1992</u>
Supersedes	HCFA ID: 7983E
TN No. SPA <u>#226</u>	Effective Date <u>January 1, 1992</u>

STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT
STATE/TERRITORY: DELAWARE

Agency*	Citation(s)	Condition or Requirement
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B. Optional Groups Other Than the Medically Needy
(Continued)

42 CFR 435.230

- (4) Aged individuals in domiciliary facilities or other group living arrangements as defined under SSI.
- (5) Blind individuals in domiciliary facilities or other group living arrangements as defined under SSI.
- (6) Disabled individuals in domiciliary facilities or other group living arrangements as defined under SSI.
- (7) Individuals receiving a Federally administered optional State supplement that meets the conditions specified in 42 CFR 435.230.
- (8) Individuals receiving a State administered optional State supplement that meets the conditions specified in 42 CFR 435.230.
- (9) Individuals in additional classifications approved by the Secretary as follows:

TN No. SPA <u>#300</u>	Approval Date <u>May 27 1992</u>
Supersedes	HCFA ID: 7983E
TN No. SPA <u>#240</u>	Effective Date <u>January 1, 1992</u>

STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT
STATE/TERRITORY: **DELAWARE**

Agency*	Citation(s)	Condition or Requirement
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B. Optional Groups Other Than the Medically Needy
(Continued)

The supplement varies in income standard by political subdivisions according to cost-of-living differences.

Yes.

No.

The standards for optional State supplementary payments are listed in Supplement 6 of ATTACHMENT 2.6-A.

Page 16a is new, but information was previously on page 16, which was updated by SP-240.

TN No. SPA <u>#300</u>	Approval Date <u>May 27, 1992</u>
Supersedes	
TN No. SPA <u>#240*</u>	Effective Date <u>January 1, 1992</u>

STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT
STATE/TERRITORY: DELAWARE

Agency*	Citation(s)	Condition or Requirement
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B. Optional Groups Other Than the Medically Needy
(Continued)

42 CFR 435.230
435.121
1902(a)(10)
(A)(ii)(XI)
of the Act

- (11) Section 1902(f) States and SSI criteria States without agreements under section 1616 or 1634 of the Act.

The following groups of individuals who receive a State supplementary payment under an approved optional State supplementary payment program that meets the following conditions. The supplement is -

- a. Based on need and paid in cash on a regular basis.
- b. Equal to the difference between the individual's countable income and the income standard used to determine eligibility for the supplement.
- c. Available to all individuals in each calcification and available on a Statewide basis.
- d. Paid to one or more of the classifications of individuals listed below:

- (1) All aged individuals.
- (2) All blind individuals.
- (3) All disabled individuals.

TN No. SPA #300

Approval Date May 27, 1992

Supersedes HCFA ID: 7983E

TN No. SPA #New (N/A for Delaware)

Effective Date January 1, 1992

STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT
STATE/TERRITORY: DELAWARE

Agency*	Citation(s)	Condition or Requirement
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C. Optional Groups Other Than the Medically Needy
(Continued)

- (4) Aged individuals in domiciliary facilities or other group living arrangements as defined under SSI.
- (5) Blind individuals in domiciliary facilities or other group living arrangements as defined under SSI.
- (6) Disabled individuals in domiciliary facilities or other group living arrangements as defined under SSI.
- (7) Individuals receiving federally administered optional State supplement that meets the conditions specified in 42 CFR 435.230.
- (8) Individuals receiving a State administered optional State supplement that meets the conditions specified in 42 CFR 435.230.
- (9) Individuals in additional classifications approved by the Secretary as follows:

Individuals who lose eligibility for Medicaid due to the receipt of Social Security Disability Insurance and are not yet eligible for Medicare.

TN No. SPA <u>#08-005</u>	Approval Date <u>December 02, 2008</u>
Supersedes	
TN No. SPA <u>#384</u>	Effective Date <u>September 1, 2008</u>

STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT
STATE/TERRITORY: **DELAWARE**

Agency*	Citation(s)	Condition or Requirement
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B. Optional Groups Other Than the Medically Needy
(Continued)

The supplement varies in income standard by political subdivisions according to cost-of-living differences.

Yes

No

The standards for optional State supplementary payments are listed in Supplemental 6 of Attachments 2.6-A.

TN No. SPA <u>#300</u>	Approval Date <u>May 27, 1992</u>
Supersedes HCFA ID: 7983E	
TN No. SPA <u>#New N/A for Delaware</u>	Effective Date <u>January 1, 1992</u>

STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT
STATE/TERRITORY: DELAWARE

Agency*	Citation(s)	Condition or Requirement
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B. Optional Groups Other Than the Medically Needy
(Continued)

XIX

42 CRF 435.236
1902(a)(10)
(A)(ii)(V)
of the Act

12. Individuals who are in institutions for at least 30 consecutive days and who are eligible under a special income level. Eligibility begins on the first day of the 30-day period. These individuals meet the income standards specified in Supplement 1 to ATTACHMENT 2.6-A.

1902(a)(10)(A)
(ii) and 1905(a)
of the Act

- The State covers all individuals as described above.
- The State covers only the following group or groups of individuals:
- Age
 - Blind
 - Disabled
 - Individuals under the age of--
 - 21
 - 20
 - 19
 - 18
 - Caretaker relatives
 - Pregnant women

Information was previously on page 17, which was updated by SP-250

TN No. SPA #300
Supersedes
TN No. SPA #250*

Approval Date May 27, 1992

Effective Date January 1, 1992

STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT
STATE/TERRITORY: DELAWARE

Agency*	Citation(s)	Condition or Requirement
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B. Optional Groups Other Than the Medically Needy
(Continued)

1902 (e)(3)
of the Act

XIX

- 13. Certain disabled children age 18 or under who are living at home, who would be eligible for Medicaid under the plan if they were in a medical institution, and for whom the State has made a determination as required under section 1902(e)(3)(B) of the Act.

Supplement 3 to ATTACHMENT 2.2-A describes the method that is used to determine the cost effectiveness of caring for this group of disabled children at home .

1902 (a)(10)(A)
(ii)(IX) and 1902 (1)
of the Act

XIX

- 14. ~~The following individuals who are not mandatory categorically needy whose income does not exceed the income level (established at an amount above the mandatory level and not more than 185 percent of the Federal poverty income level) specified in Supplement 1 to ATTACHMENT 2.6-A for a family of the same size, including the woman and unborn child or infant and who meet the resource standards specified in Supplement 2 to ATTACHMENT 2.6-A:~~
 - ~~a. Women during pregnancy (and during the 60-day period beginning on the last day of pregnancy); and~~
 - ~~b. Infants under one year of age.~~

*Information was previously on pages 17 and 17a which were updated respectively by SP-250- and SP-297.

TN No. SPA <u>#300</u>	HCFA ID: 7983E	Approval Date <u>May 27, 1992</u>
Supersedes		
TN No. SPA <u>#250 & 297*</u>		Effective Date <u>January 1, 1992</u>

STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT
STATE/TERRITORY: DELAWARE

Agency*	Citation(s)	Condition or Requirement
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B. Optional Groups Other Than the Medically Needy
(Continued)

XIX

1902(a)
(10)(A)
(ii)(IX)
and 1902 (1)(1)
(D) of the Act

- 15. The following individuals who are not mandatory categorially needy, who have income that does not exceed the income level (established at an amount up to 100 percent of the Federal poverty level) specific in Supplement 1 of Attachment 2.6-A for a family of the same size.

Children who are born after September 30, 1983 and who have attained 6 years of age have not attained -

7 years of age; or

8 years of age.

TN No. SPA <u>#332</u>	HCFA ID: 7983E	Approval Date <u>November 22, 1993</u>
Supersedes		
TN No. SPA <u>#300</u>		Effective Date <u>July 1, 1992</u>

STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT
STATE/TERRITORY: DELAWARE

Agency*	Citation(s)	Condition or Requirement
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B. Optional Groups Other Than the Medically Needy
(Continued)

- | | |
|--|---|
| 1902 (a)
(ii)(X)
and 1902 (m)
(1) and (3)
of the Act | <input type="checkbox"/> 16. Individuals -

a. Who are 65 years of age or older or are disabled, as determined under section 1614 (a)(3) of the Act. Both aged and disabled individuals are covered under this eligibility group.

b. Whose income does not exceed the income level (established at an amount up to 100 percent of the Federal income poverty level) specified in Supplement 1 to ATTACHMENT 2.6-A for a family of the same size; and

c. Whose resources do not exceed the maximum amount allowed under SSI; under the State's more restrictive financial criteria; or under the State's medically needy program as specified in <u>ATTACHMENT 2.6-A</u> . |
|--|---|

*Information was previously on page 17b, which was update by SP-255.

TN No. SPA <u>#300</u>	Approval Date <u>May 27, 1992</u>
Supersedes 7983E	
TN No. SPA <u>#255*</u>	Effective Date <u>January 1, 1992</u>

STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT
 STATE/TERRITORY: DELAWARE

Agency*	Citation(s)	Condition or Requirement
B. <u>Optional Groups Other Than the Medically Needy</u> (Continued)		
1906 of the Act	18.	Individuals required to enroll in cost-effective employer-based group health plans remain eligible for a minimum enrollment period of <u>1</u> months.
1902 (a)(10)(F) and 1902 (u)(1) of the Act	19.	Individuals entitled to elect COBRA continuation coverage and whose income as determined under Section 1612 of the Act for purposes of the SSI program, is no more than 100 percent of the Federal poverty level, whose resources are no more than twice the SSI resource limit for an individual, and for whom the State determines that the cost of COBRA premiums is likely to be less than the Medicaid expenditures for an equivalent set of services. See Supplement 11 to Attachment 2.6-A.

TN No. SPA <u>#308</u>	HCFA ID: 7982E	Approval Date <u>February 17, 1993</u>
Supersedes		Effective Date <u>July 1, 1992</u>
TN No. SPA <u>New</u>		

STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT
STATE/TERRITORY: DELAWARE

Agency*	Citation(s)	Condition or Requirement
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B. Optional Groups Other Than the Medically Needy
(Continued)

1902 (a)(10)(A)
(iii)(XVIII) of the Act

20. Women who:
- a. have been screened for breast or cervical cancer under the Centers for Disease Control and Prevention Breast and Cervical Cancer Early Detection Program established under title XV of the Public Health Service Act in accordance with the requirements of Section 1504 of that Act and need treatment for breast and cervical cancer, including a pre-cancerous condition of the breast or cervix;
 - b. are not otherwise covered under creditable insurance, as defined in section 2701 (c) of the Public Health Service Act;
 - c. are not eligible for Medicaid under any mandatory categorically needy eligibility group; and
 - d. have not attained age 65.

1920B of the Act

21. Women who are determined by a "qualified entity" (as defined in 1920B (b) based on preliminary information, to be a woman described in 1901 (aa) the act related to certain breast and cervical cancer patients.

The presumptive period begins on the day the determination is made. The period ends on the date that the State makes a determination with respect to the woman's eligibility for Medicaid, or if the woman does not apply for Medicaid (or a Medicaid application was not made on her behalf) by the last day of the month following the month in which the determination of presumptive eligibility was made, the presumptive period ends on that last day.

TN No. SPA <u>#387</u>	Approval Date <u>January 9, 2002</u>
Supersedes	
TN No. SPA <u>New</u>	Effective Date <u>October 1, 2001</u>

STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT
STATE/TERRITORY: DELAWARE

Agency*	Citation(s)	Condition or Requirement
B. <u>Optional Groups Other Than the Medically Needy</u> (Continued)		
1902(a)(10)(A) (ii)(XIII) of the Act	<input type="checkbox"/> 23.	BBA Work Incentives Eligibility Group Individuals with a disability whose net family income is below 250 percent of the Federal poverty level for a family of the size involved and who, except for earned income, meet all criteria for receiving benefits under the SSI program. See page 12c of Attachment 2.6-A.
1902(a)(10)(A) (ii)(XV) of the Act	<input checked="" type="checkbox"/> 24.	TWWIIA Basic Coverage Group - Individuals with a disability at least 16 but less than 65 years of age whose income and resources do not exceed a standard established by the State. See page 12d of Attachment 2.6-A.
1902(a)(10)(A) (ii)(XVI) of the Act	<input type="checkbox"/> 25.	TWWIIA Medical Improvement Group Employed individuals at least 16 but less than 65 years of age with a medically improved disability whose income and resources do not exceed a standard established by the State. See page 12h of Attachment 2.6-A.

NOTE: If the State elects to cover this group, it MUST also cover the Basic Coverage Group described in no. 24 above.

TN No. SPA <u>#09-005</u>	Approval Date <u>January 26, 2010</u>
Supersedes	
TN No. SPA <u>N/A</u>	Effective Date <u>October 1, 2009</u>

STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT
STATE/TERRITORY: DELAWARE

Agency*	Citation(s)	Condition or Requirement
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C. Optional Coverage includes the medically needy.

42 CFR 435.301

This plan includes the medically needy.

No.

Yes. This plan covers:

1902 (e) of the Act

1. Pregnant women who, except for income and/or resources, would be eligible as categorically needy under title XIX of the Act.

1902 (a)(10)
(C)(ii)(I)
of the Act

2. Women who, while pregnant, were eligible for and have applied for Medicaid and receive Medicaid as medically needy under the approved State plan on the date the pregnancy ends. These women continue to be eligible, as though they were pregnant, for all pregnancy-related and postpartum services under the plan for a 60-day period, beginning with the date the pregnancy ends, and any remaining days in the month in which the 60th day falls.

3. Individuals under age 18 who, but for income and/or resources, would be eligible under section 1902 (a)(10)(A)(i) of the Act .

*Information was previously on page 17c and 18, which were updated as indicted.

Delaware does not have a Medically Needy program.

TN No. SPA <u>#300</u>	HCFA ID: 7983E	Approval Date <u>May 27, 1992</u>
Supersedes		
TN No. SPA <u>#250 & 240*</u>		Effective Date <u>January 1, 1992</u>

STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT
STATE/TERRITORY: DELAWARE

Agency*	Citation(s)	Condition or Requirement
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C. Optional Coverage includes the medically needy.
(Continued)

1902(e)(4) of
the Act

~~4. Newborn children born on or after October 1, 1984 to a woman who is eligible as medically needy and is receiving Medicaid on the date of the child's birth. The child is deemed to have applied and found eligible for Medicaid on date of birth and remains eligible for one year so long as the woman remains eligible and the child is a member of the woman's household.~~

42 CFR 435.308

- 5. a. Financially eligible individuals who are not described in section C.3. above and who are under the age of--
 - 21
 - 20
 - 19
 - 18 or under age 19 who are full-time students in a secondary school or in the equivalent level of vocational or technical training
- b. Reasonable classifications of financially eligible individuals under the ages of 21, 20, 19, or 18 as specified below:
 - (1) Individuals for whom public agencies are assuming full or partial financial responsibility and who are:
 - (a) In foster homes (and are under the age of ____).
 - (b) In private institutions (and are under the age of ____).

*Information was previously on page 18, which was updated by SP-240

Delaware does not have a Medically Needy Program.

TN No. SPA <u>#300</u>	HCFA ID: 7983E	Approval Date <u>May 27, 1992</u>
Supersedes		Effective Date <u>January 1, 1992</u>
TN No. SPA <u>#240</u>		

STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT
STATE/TERRITORY: DELAWARE

Agency*	Citation(s)	Condition or Requirement
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C. Optional Coverage includes the medically needy.
(Continued)

- (c) In addition to the group under b. (1)(a) and (b), individuals placed in foster homes or private institutions by private, nonprofit agencies (and are under the age of _____).
- (2) Individuals in adoptions subsidized in full or part by a public agency (who are under the age of _____).
- (3) Individuals in NFs (who are under the age of). NF services are provided under this plan.
- (4) In addition to the group under (b)(3), individuals in ICFs/MR (who are under the age of _____).
- (5) Individuals receiving active treatment as inpatients in psychiatric facilities or programs (who are under the age of _____). Inpatient psychiatric services for individuals under age 21 are provided under this plan.
- (6) Other defined groups (and ages), as specified in Supplement 1 of ATTACHMENT 2.2-A.

*Information was previously on page 18, which was updated by SP-240.

Delaware does not have a Medically Needy program.

TN No. SPA #300	Approval Date <u>May 27, 1992</u>
Supersedes	HCFA ID 7983E
TN No. SPA #240*	Effective Date <u>January 1, 1992</u>

STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT
STATE/TERRITORY: DELAWARE

Agency*	Citation(s)	Condition or Requirement
		C. <u>Optional Coverage includes the medically needy.</u> (Continued)
42 CFR 435.310	<input type="checkbox"/>	6. Caretaker relatives.
42 CFR 435.320 and 435.330	<input type="checkbox"/>	7. Aged individuals.
42 CFR 435.322 and 435.330	<input type="checkbox"/>	8. Blind individuals.
42 CFR 435.324 and 435.330	<input type="checkbox"/>	9. Disabled individuals.
42 CFR 435.326	<input type="checkbox"/>	10. Individuals who would be ineligible if they were not enrolled in an HMO. Categorically needy individuals are covered under 42 CFR 435.212 and the same rules apply to medically needy individuals.
435.340	<input type="checkbox"/>	11. Blind and disabled individuals who: <ul style="list-style-type: none"><input type="checkbox"/> a. Meet all current requirements for Medicaid eligibility except the blindness or disability criteria;<input type="checkbox"/> b. Were eligible as medically needy in December 1973 as blind or disabled; and<input type="checkbox"/> c. For each consecutive continue to meet the criteria. month after December 173 December 1973 eligibility

*Information was previously on page 18 and 19 which were updated as indicated.

Delaware does not have a Medically Needy program.

TN No. SPA <u>#300</u>	Approval Date <u>May 27, 1992</u>
Supersedes HCFA ID: 7983E	
TN No. SPA <u>#240 & 276*</u>	Effective Date <u>January 1, 1992</u>

STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT
STATE/TERRITORY: DELAWARE

Agency*	Citation(s)	Condition or Requirement
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C. Optional Coverage includes the medically needy.
(Continued)

1906 of the Act

12. Individuals required to enroll in cost effective employer-based group health plans remain eligible for a minimum enrollment period of _____ months.

TN No. SPA <u>#308</u>	Approval Date <u>February 17, 1993</u>
Supersedes	
TN No. SPA <u>NEW</u>	Effective Date <u>July 1, 1992</u>

STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT
STATE/TERRITORY: DELAWARE

Agency*	Citation(s)	Condition or Requirement
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REQUIREMENTS RELATING TO DETERMINING ELIGIBILITY FOR MEDICARE
PRESCRIPTION DRUG LOW-INCOME SUBSIDIES

1935(a) and 1902(a)(66)

42 CFR 423.774
and 423.904

The agency provides for making Medicare prescription drug Low Income Subsidy determinations under Section 1935(a) of the Social Security Act.

1. The agency makes determinations of eligibility for premium and cost-sharing subsidies under and in accordance with section 1860D-14 of the Social Security Act;
2. The agency provides for informing the Secretary of such determinations in cases in which such eligibility is established or redetermined;
3. The agency provides for screening of individuals for Medicare cost-sharing described in Section 1905(p)(3) of the Act and offering enrollment to eligible individuals under the State plan or under a waiver of the State plan.

TN No. SPA #408

Supersedes

TN No. SPA N/A

Approval Date November 16, 2005

Effective Date July 1, 2005

STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT
STATE/TERRITORY: DELAWARE

Method for Determining Cost Effectiveness of Caring for
Certain Disabled Children At Home

At the time of application and redetermination of eligibility for the Disabled Children's Program, cost of care is verified and then compared to the cost of care in the type of facility from which the child is being diverted. A level of care is determined by Medicaid's Medical Review Team. If the child is in need of intermediate, skilled, or super-skilled care, the cost of care at home is compared to the Delaware Medicaid pediatric long-term care rates. The home care cost for children diverted from acute hospitalization is compared to the per diem rates paid to the local pediatric hospital.

TN No. SPA #300

Approval Date May 27, 1992

Supersedes

TN No. SPA NEW

Effective Date January 1, 1992