

STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT

State of Nebraska

ELIGIBILITY CONDITIONS AND REQUIREMENTS

Citation(s)	Condition or Requirement
	A. <u>General Conditions of Eligibility</u>
	Each individual covered under the plan:
42 CFR Part 435, Subpart G	1. Is financially eligible (using the methods and standards described in Parts B and C of this Attachment) to receive services.
42 CFR Part 435, Subpart F	2. Meets the "applicable non-financial eligibility conditions." a. For the categorically needy: (i) Except as specified under items A.2.a.(ii) and (iii) below, for AFDC-related individuals, meets the non-financial eligibility conditions of the AFDC program. (ii) For SSI-related individuals, meets the non-financial criteria of the SSI program or more restrictive SSI-related categorically needy criteria.
1902(l) of the Act	(iii) For financially eligible pregnant women, infants or children covered under sections 1902(a)(10)(A)(i)(IV), 1902(a)(10)(A)(i)(VI), 1902(a)(10)(A)(i)(VII), and 1902(a)(10)(A)(ii)(IX) of the Act, meets the non-financial criteria of section 1902(l) of the Act.
1902(m) of the Act	(iv) For financially eligible aged and disabled individuals covered under section 1902(a)(10)(A)(ii)(X) of the Act, meets the non-financial criteria of section 1902(m) of the Act.

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State of Nebraska

Citation(s)	Condition or Requirement
1905(p) of the Act	<ul style="list-style-type: none"> <li>b. For the medically needy, meets the non-financial eligibility Conditions of 42 CFR Part 435.</li> <li>c. For financially eligible qualified Medicare beneficiaries covered under section 1902(a)(10)(E)(I) of the Act, meets the non-financial criteria of section 1905(p) of the Act.</li> </ul>
1905(s) of the Act	<ul style="list-style-type: none"> <li>d. For financially eligible qualified disabled and working individuals covered under section 1902(a)(10)(E)(ii) of the Act, Meets the non-financial criteria of section 1905(a).</li> </ul>
1905(p)(3)(A)(ii) of the Act	<ul style="list-style-type: none"> <li>e. For financially eligible specified low income Medicare beneficiaries covered under section 1902(a)(10)(E)(iii) of the Act, meets the non-financial criteria under 1905(p)(3)(A)(ii) of the Act.</li> </ul>
42 CR 435.406	<ul style="list-style-type: none"> <li>3. Is residing in the United States and--               <ul style="list-style-type: none"> <li>a. Is a citizen or national of the United States;</li> <li>b. Is a qualified alien (QA) as defined in section 431 of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (PRWORA) as amended, and the QA's eligibility is required by section 402(b) of PRWORA as amended, and is not prohibited by section 403 of PRWORA as amended;</li> <li>c. Is a qualified alien subject to the 5-year bar as described in section 403 of PRWORA, so that eligibility is limited to treatment of an emergency medical condition as defined in section 401 of PRWORA;</li> <li>d. Is a non-qualified alien, so that eligibility is limited to treatment of an emergency medical condition as defined in section 401 of PRWORA;</li> </ul> </li> </ul>

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Citation(s)	Condition or Requirement
	<p>e. Is a QA whose eligibility is authorized under section 402(b) of PRWORA as amended, and is not prohibited by section 403 of PRWORA as amended.</p> <p style="padding-left: 40px;"><input checked="" type="checkbox"/> State covers all authorized QAs. <input type="checkbox"/> State does not cover authorized QAs.</p> <p>f. State elects CHIPRA option to provide full Medicaid coverage to otherwise eligible pregnant women or children as specified below who are aliens lawfully residing in the United States; including the following:</p> <p>(1) A qualified alien as defined in section 431 of PRWORA (8 U.S.C. §1641);</p> <p>(2) An alien in nonimmigrant status who has not violated the terms of the status under which he or she was admitted or to which he or she has changed after admission;</p> <p>(3) An alien who has been paroled into the United States pursuant to section 212(d)(5) of the Immigration and Nationality Act (INA) (8 U.S.C. §1182(d)(5)) for less than 1 year, except for an alien paroled for prosecution, for deferred inspection or pending removal proceedings;</p> <p>(4) An alien who belongs to one of the following classes:</p> <ul style="list-style-type: none"><li>(i) Aliens currently in temporary resident status pursuant to section 210 or 245A of the INA (8 U.S.C. §§1160 or 1255a, respectively);</li><li>(ii) Aliens currently under Temporary Protected Status (TPS) pursuant to section 244 of the INA (8 U.S.C. § 1254a), and pending applicants for TPS who have been granted employment authorization;</li><li>(iii) Aliens who have been granted employment authorization under 8 CFR 274a.12(c)(9), (10), (16), (18), (20), (22), or (24);</li></ul>

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Citation(s)	Condition or Requirement
	(iv) Family Unity beneficiaries pursuant to section 301 of Pub. L. 101-649, as amended;
	(v) Aliens currently under Deferred Enforced Departure (DED) pursuant to a decision made by the President;
	(vi) Aliens currently in deferred action status; or
	(vii) Aliens whose visa petition has been approved and who have a pending application for adjustment of status;
	(5) A pending applicant for asylum under section 208(a) of the INA (8 U.S.C. § 1158) or for withholding of removal under section 241(b)(3) of the INA (8 U.S.C. § 1231) or under the Convention Against Torture who has been granted employment authorization, and such an applicant under the age of 14 who has had an application pending for at least 180 days;
	(6) An alien who has been granted withholding of removal under the Convention Against Torture;
	(7) A child who has a pending application for Special Immigrant Juvenile status as described in section 101(a)(27)(J) of the INA (8 U.S.C. § 1101(a)(27)(J));
	(8) An alien who is lawfully present in the Commonwealth of the Northern Mariana Islands under 48 U.S.C. § 1806(e); or
	(9) An alien who is lawfully present in American Samoa under the immigration laws of American Samoa.
	<u>  X  </u> Elected for pregnant women.
	<u>  X  </u> Elected for children under age <u>19</u> .

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Citation(s)	Condition or Requirement
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- a.  The State provides assurance that for an individual whom it enrolls in Medicaid under the CHIPRA section 214 option, it has verified, at the time of the individual's initial eligibility determination and at the time of the eligibility redetermination, that the individual continues to be lawfully residing in the United States. The State must first attempt to verify this status using information provided at the time of initial application. If the State cannot do so from the information readily available, it must require the individual to provide documentation or further evidence to verify satisfactory immigration status in the same manner as it would for anyone else claiming satisfactory immigration status under section 1137(d) of the Act.

42 CFR 435.403  
1902(b) of the  
Act

4. Is a resident of the State, regardless of whether or not the individual maintains the residence permanently or maintains it at a fixed address.

State has interstate residency agreement with the following States:

State has open agreement(s).

Not applicable; no residency requirement.

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Citation(s)	Condition or Requirement
435.1008	5. a. Is not an inmate of a public institution. Public institutions do not include medical institutions, nursing facilities and intermediate care facilities for the mentally retarded, or publicly operated community residences that serve no more than 16 residents, or certain child care institutions.
42 CFR 435.1008 1905(a) of the Act	b. Is not a patient under age 65 in an institution for mental diseases except as an inpatient under age 22 receiving active treatment in an accredited psychiatric facility or program.  <input type="checkbox"/> Not applicable with respect to individuals under age 22 in psychiatric facilities or programs. Such services are not provided under the plan.
433.145 435.604 1912 of the Act	6. Is required, as a condition of eligibility, to assign rights to medical support and to payments for medical care from any third party, to cooperate in obtaining such support and payments, and to cooperate in identifying and providing information to assist in pursuing any liable third party. The assignment of rights obtained from an applicant or recipient is effective only for services that are reimbursed by Medicaid. The requirements of 42 CFR 433.146 through 433.148 are met.  An applicant or recipient must also cooperate in establishing the paternity of any eligible child and in obtaining medical support and payments for himself or herself and any other person who is eligible for Medicaid and on whose behalf the individual can make an assignment; except that individuals described in §1902(l)(1)(A) of the Social Security Act (pregnant women and women in the post-partum period) are exempt from these requirements involving paternity and obtaining support. Any individual may be exempt from the cooperation requirements by demonstrating good cause for refusing to cooperate.

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Citation(s)	Condition or Requirement
42 CFR 435.910	<p>(6. continued) An applicant or recipient must also cooperate in identifying any third party who may be liable to pay for care that is covered under the State plan and providing information to assist in pursuing these third parties. Any individual may be exempt from the cooperation requirements by demonstrating good cause for refusing to cooperate.</p> <p><input checked="" type="checkbox"/> Assignment of rights is automatic because of State law.</p> <p>7. Is required, as a condition of eligibility, to furnish his/her social security account number (or numbers, if he/she has more than one number); except for aliens seeking medical assistance for the treatment of an emergency medical condition under Section 1903(v)(2) of the Act.</p>

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Citation(s)	Condition or Requirement
1902(c)(2)	8. Is not required to apply for AFDC benefits under title IV-A as a condition of applying for, or receiving, Medicaid if the individual is a pregnant woman, infant, or child that the State elects to cover under sections 1902(a)(10)(A)(i)(IV) and 1902(a)(10)(A)(ii)(IX) of the Act.
1902(e)(10)(A) and (B) of the Act	9. Is not required, as an individual child or pregnant woman; to meet requirements under section 402(a)(43) of the Act to be in certain living arrangements. (Prior to terminating AFDC individuals who do not meet such requirements under a State's AFDC plan, the agency determines if they are otherwise eligible under the State's Medicaid plan.)  10. Is required to apply for enrollment in an employer-based cost-effective group health plan, if such plan is available to the individual. Enrollment is a condition of eligibility except for the individual who is unable to enroll on his/her own behalf (failure of a parent to enroll a child does not affect a child's eligibility).

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Citation	Condition or Requirement
<b>B. <u>Posteligibility Treatment of Institutionalized Individuals' Incomes</u></b>	
	1. The following items are not considered in the posteligibility process:
1902(o) of the Act	a. SSI and SSP benefits paid under §1611(e)(1)(E) and (G) of the Act to individuals who receive care in a hospital, nursing home, SNF, or ICF.
Bondi v. Sullivan (SSI)	b. Austrian Reparation Payments (pension (reparation) payments made under §500 - 506 of the Austrian General Social Insurance Act). Applies only if State follows SSI program rules with respect to the payments.
1902(r)( 1) of the Act	c. German Reparations Payments (reparation payments made by the Federal Republic of Germany).
105/206 of P. L. 100-383	d. Japanese and Aleutian Restitution Payments.
1. (a) of P.L. 103-286	e. Netherlands Reparation Payments based on Nazi, but not Japanese, persecution (during World War II
10405 of P.L. 101-239	f. Payments from the Agent Orange Settlement Fund or any other fund established pursuant to the settlement in the In re Agent orange product liability litigation, M.D.L. No.381 (E.D.N.Y.)
6(h)(2) of P.L. 101-426	g. Radiation Exposure Compensation.
12005 of P. L. 103-66	h. VA pensions limited to \$90 per month under 38 U.S.C. 5503.

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Citation	Condition or Requirement
1924 of the Act 435.725 435.733 435.832	<p>2. The following monthly amounts for personal needs are deducted from total monthly income in the application of an institutionalized individual's or couple's income to the cost of institutionalized care:</p> <p>Personal Needs Allowance (PNA) of not less than \$30 For Individuals and \$60 For Couples For All Institutionalized Persons.</p> <p>a. Aged, blind, disabled: Individuals \$ 60 Couples \$ 120</p> <p>For the following persons with greater need:</p> <ul style="list-style-type: none"><li>▪ Individuals with a guardian or conservator</li><li>▪ Individuals in an ICF-MR (ICF-ID) who participate in a sheltered workshop</li></ul> <p>Supplement 15 to <u>Attachment 2.6-A</u> describes the greater need; describes the basis or formula for determining the deductible amount when a specific amount is not listed above; lists the criteria to be met; and, where appropriate, identifies the organizational unit which determines that a criterion is met.</p> <p>b. AFDC related: Children \$ 60 Adults \$ 60</p> <p>For the following persons with greater need:</p> <ul style="list-style-type: none"><li>▪ Individuals with a guardian or conservator</li><li>▪ Individuals in an ICF-MR (ICF-ID) who participate in a sheltered workshop</li></ul> <p>Supplement 15 to <u>Attachment 2.6-A</u> describes the greater need; describes the basis or formula for determining the deductible amount when a specific amount is not listed above; lists the criteria to be met; and, where appropriate, identifies the organizational unit which determines that a criterion is met.</p> <p>c. Individual under age 21 covered in the plan as specified in Item B. 7. of <u>Attachment 2.2-A</u>. \$ N/A</p>

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Citation	Condition or Requirement
1924 of the Act	<p>For the following persons with greater need:</p> <ul style="list-style-type: none"><li>▪ Individuals with a guardian or conservator</li><li>▪ Individuals in an ICF-MR (ICF-ID) who participate in a sheltered workshop</li></ul> <p>Supplement 15 to <u>Attachment 2.6-A</u> describes the greater need; describes the basis or formula for determining the deductible amount when a specific amount is not listed above; lists the criteria to be met; and, where appropriate, identifies the organizational unit which determines that a criterion is met.</p> <p>3. In addition to the amounts under item 2, the following monthly amounts are deducted from the remaining income of an institutionalized individual with a community spouse:</p> <p>a. The monthly income allowance for the community spouse, calculated using the formula in §1924(d)(2), is the amount by which the maintenance needs standard exceeds the community spouse's income. The maintenance needs standard cannot exceed the maximum prescribed in § 1924 (d)(3)(C). The maintenance needs standard consists of a poverty level component plus an excess shelter allowance.</p> <p><input checked="" type="checkbox"/> The poverty level component is calculated using the applicable percentage (set out §1924(d)(3)(B) of the Act) of the official poverty level.</p> <p><input type="checkbox"/> The poverty level component is calculated using a percentage greater than the applicable percentage, equal to ___%, of the official poverty level (still subject to maximum maintenance needs standard).</p> <p><input type="checkbox"/> The maintenance needs standard for all community spouses is set at the maximum permitted by §1924(d)(3)(C).</p> <p>Except that, when applicable, the State will set the community spouse's monthly income allowance at the amount by which exceptional maintenance needs, established at a fair hearing, exceed the community spouse's income, or at the amount of any court-ordered support.</p>

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Citation	Condition or Requirement
	<p>In determining any excess shelter allowance, utility expenses are calculated using:</p> <ul style="list-style-type: none"><li><input checked="" type="checkbox"/> the standard utility allowance under §5(e) of the Food Stamp Act of 1977 or</li><li><input type="checkbox"/> the actual unreimbursable amount of the community spouse's utility expenses less any portion of such amount included in condominium or cooperative charges.</li></ul> <p>b. The monthly income allowance for other dependent family members living with the community spouse is:</p> <ul style="list-style-type: none"><li><input checked="" type="checkbox"/> one-third of the amount by which the poverty level component (calculated under §1924(d)(3)(A)(i) of the Act, using the applicable percentage specified in §1924(d)(3)(B)) exceeds the dependent family member's monthly income.</li><li><input type="checkbox"/> a greater amount calculated as follows:</li></ul> <p>The following definition is used in lieu of the definition provided by the Secretary to determine the dependency of family members under §1924 (d)(1):</p> <p>c. Amounts for health care expenses described below that are incurred by and for the institutionalized individual and are not subject to payments by a third party:</p> <ul style="list-style-type: none"><li>(i) Medicaid, Medicare, and other health insurance premiums, deductibles, or coinsurance charges, or copayments.</li><li>(ii) Necessary medical or remedial care recognized under State law but not covered under the State plan. (Reasonable limits on amounts are described in Supplement 3 to <u>ATTACHMENT 2.6-A.</u>)</li></ul>

State: Nebraska

Citation	Condition or Requirement
435.725 435.733 435.832	<p>4. In addition to any amounts deductible under the items above, the following monthly amounts are deducted from the remaining monthly income of an institutionalized individual or an institutionalized couple.</p> <p>a. An amount for the maintenance needs of each member of a family living in the institutionalized individual's home with no community spouse living in the home. The amount must be based on a reasonable assessment of need but must not exceed the higher of the:</p> <ul style="list-style-type: none"><li><input type="radio"/> AFDC level or</li><li><input type="radio"/> Medically needy level:</li></ul> <p>(Check one)</p> <ul style="list-style-type: none"><li><input type="checkbox"/> AFDC level in Supplement 1</li><li><input checked="" type="checkbox"/> Medically needy level in Supplement 1</li><li><input type="checkbox"/> Other: \$</li></ul> <p>b. Amounts for health care expenses described below that have not been deducted under 3.c. above (i.e., for an institutionalized individual with a community spouse), are incurred by and for the institutionalized individual or institutionalized couple, and are not subject to the payment by a third party:</p> <ul style="list-style-type: none"><li>(i) Medicaid, Medicare, and other health insurance premiums, deductibles, or coinsurance charges, or copayments.</li><li>(ii) Necessary medical or remedial care recognized under State law but not covered under the State plan. (Reasonable limits on amount are described in Supplement 3 to <u>ATTACHMENT 2.6-A.</u>)</li></ul>
435.725 435.733 435.832	<p>5. At the option of the State, as specified below, the following is deducted from any remaining monthly income of an institutionalized individual or an institutionalized couple:</p> <p>A monthly amount for the maintenance of the home of the individual or couple for not longer than 6 months if a physician has certified that the individual, or one member of the institutionalized couple, is likely to return to the home within that period:</p> <ul style="list-style-type: none"><li><input type="checkbox"/> No.</li><li><input checked="" type="checkbox"/> Yes (the applicable amount is shown on page 5a.)</li></ul>

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Citation	Condition or Requirement
<input type="checkbox"/>	Amount for maintenance of home is: \$_____.
<input checked="" type="checkbox"/>	Amount for maintenance of home is the actual maintenance costs not to exceed \$281.
<input type="checkbox"/>	Amount for maintenance of home is deductible when countable income is determined under §1924(d)(1) of the Act only if the individual's home and the community spouse's home are different.
<input checked="" type="checkbox"/>	Amount for maintenance of home is not deductible when countable income is determined under §1924(d)(1) of the Act.

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State of Nebraska

ELIGIBILITY CONDITIONS AND REQUIREMENTS

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Citation(s)	Condition or Requirement
42 CFR 435.711 435.721, 435.831	<p data-bbox="581 564 886 600">C. <u>Financial Eligibility</u></p> <p data-bbox="646 632 1484 831">For individuals who are AFDC or SSI recipients, the income and resource levels and methods for determining countable income and resources of the AFDC and SSI program apply, unless the plan provides for more restrictive levels and methods than SSI for SSI recipients under section 1902(f) of the Act, or more liberal methods under section 1902(r)(2) of the Act, as specified below.</p> <p data-bbox="646 867 1422 999">For individuals who are not AFDC or SSI recipients in a non-section 1902(f) State and those who are deemed to be cash assistance recipients, the financial eligibility requirements specified in this section C apply.</p> <p data-bbox="646 1035 1468 1367"><u>Supplement 1 to ATTACHMENT 2.6-A</u> specifies the income levels for mandatory and optional categorically needy groups of individuals, including individuals with incomes related to the Federal income poverty level--pregnant women and infants or children covered under sections 1902(a)(10)(A)(i)(IV), 1902(a)(10)(A)(i)(VI), 1902(a)(10)(A)(i)(VII), and 1902(a)(10)(A)(ii)(IX) of the Act and aged and disabled individuals covered under section 1902(a)(10)(A)(ii)(X) of the Act--and for mandatory groups of qualified Medicare beneficiaries covered under section 1902(a)(10)(E)(i) of the Act.</p>

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Citation(s)	Condition or Requirement
<input type="checkbox"/>	<u>Supplement 2 to ATTACHMENT 2.6-A</u> specifies the resource levels for mandatory and optional categorically needy poverty level related groups, and for medically needy groups.
<input type="checkbox"/>	<u>Supplement 7 to ATTACHMENT 2.6-A</u> specifies the income levels for categorically needy aged, blind and disabled persons who are covered under requirements more restrictive than SSI.
<input type="checkbox"/>	<u>Supplement 4 to ATTACHMENT 2.6-A</u> specifies the methods for determining income eligibility used by States that have more restrictive methods than SSI, permitted under section 1902(f) of the Act.
<input type="checkbox"/>	<u>Supplement 5 to ATTACHMENT 2.6-A</u> specifies the methods for determining resource eligibility used by States that have more restrictive methods than SSI, permitted under section 1902(f) of the Act.
<input checked="" type="checkbox"/>	<u>Supplement 8a to ATTACHMENT 2.6-A</u> specifies the methods for determining income eligibility used by States that are more liberal than the methods of the cash assistance programs, permitted under section 1902(r)(2) of the Act.
<input checked="" type="checkbox"/>	<u>Supplement 8b to ATTACHMENT 2.6-A</u> specifies the methods for determining resource eligibility used by States that are more liberal than the methods of the cash assistance programs, permitted under section 1902(r)(2) of the Act.

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ELIGIBILITY CONDITIONS AND REQUIREMENTS

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Citation(s)	Condition or Requirement
1902(r)(2) of the Act	<p>1. <u>Methods of Determining Income</u></p> <p>a. AFDC-related individuals (except for poverty level related pregnant women, infants, and children)</p> <p>(1) In determining countable income for AFDC-related individuals, the following methods are used:</p> <p><input checked="" type="checkbox"/> (a) The methods under the approved AFDC plan only; or</p> <p><input type="checkbox"/> (b) The methods under the State's approved AFDC plan and/or any more liberal methods described in <u>Supplement 8a to Attachment 2.6-A</u>.</p> <p>(2) In determining relative financial responsibility, the agency considers only the income of spouses living in the same household as available to spouses and the income of parents as available to children living with parents until the children become 21.</p>
1902(e)(6) the Act	<p>(3) Agency continues to treat women eligible under the provisions of sections 1902(a)(10) of the Act as eligible, without regard to any changes in income of the family of which she is a member, for the 60-day period after her pregnancy ends and any remaining days in the month in which the 60th day falls.</p>

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Citation(s)	Condition or Requirement
42 CFR 435.721 435.831, and 1902(m)(1)(B)(m)(4) and 1902(r)(2) of the Act	b. <u>Aged individuals</u> . In determining countable income for aged individuals, including aged individuals with incomes up to the Federal poverty level described in section 1902(m)(1) of the Act, the following methods used:  <input type="checkbox"/> The methods of the SSI program only.  <input checked="" type="checkbox"/> The methods of the SSI program and/or any more liberal methods described in <u>Supplement 8a to ATTACHMENT 2.6-A</u> .

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Citation(s)	Condition or Requirement
	<p><input type="checkbox"/> For individuals other than optional State supplement recipients, more restrictive methods than SSI, applied under the provisions of section 1902(f) of the Act, as specified in <u>Supplement 4 to ATTACHMENT 2.6-A</u>; and any more liberal methods described in <u>Supplement 8a to ATTACHMENT 2.6-A</u>.</p> <p><input checked="" type="checkbox"/> For institutional couples, the methods specified under section 1611(e)(5) of the Act.</p> <p><input type="checkbox"/> For optional State supplement recipients under §435.230, income methods more liberal than SSI, as specified in <u>Supplement 4 to Attachment 2.6-A</u>.</p> <p><input checked="" type="checkbox"/> For optional State supplement recipients in section 1902(f) States and SSI criteria States without section 1616 or 1634 agreements--</p> <p><input type="checkbox"/> SSI methods only.</p> <p><input checked="" type="checkbox"/> SSI methods and/or any more liberal methods than SSI described in <u>Supplement 8a to Attachment 2.6-A</u>.</p> <p><input type="checkbox"/> Methods more restrictive and/or more liberal than SSI. More restrictive methods are described in <u>Supplement 4 to ATTACHMENT 2.6-A</u> and more liberal methods are described in <u>Supplement 8a to Attachment 2.6-A</u>.</p> <p>In determining relative financial responsibility, the agency considers only the income of spouses living in the same household as available to spouses.</p>

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Citation(s)	Condition or Requirement
42 CFR 435.721 and 435.831 1902(m)(1) (B), (m) (4), and 1902(r) (2). of the Act	<p>c. <u>Blind individuals</u>. In determining countable income for blind individuals, the following methods are used:</p> <ul style="list-style-type: none"><li><input type="checkbox"/> The methods of the SSI program only.</li><li><input checked="" type="checkbox"/> SSI methods and/or any more liberal methods described in <u>Supplement 8a to ATTACHMENT 2.6-A</u></li><li><input type="checkbox"/> For individuals other than optional State supplement recipients, more restrictive methods than SSI, applied under the provisions of section 1902(f) of the Act, as specified in <u>Supplement 4 to ATTACHMENT 2.6-A</u>, and any more liberal methods described in <u>Supplement 8a to ATTACHMENT 2.6-A</u>.</li><li><input checked="" type="checkbox"/> For institutional couples, the methods specified under section 1611(e)(5) of the Act.</li><li><input type="checkbox"/> For optional State supplement recipients under §435.230, income methods more liberal than SSI, as specified in <u>Supplement 4 to ATTACHMENT 2.6-A</u>.</li><li><input checked="" type="checkbox"/> For optional .State supplement recipients in section 1902(f) States and SSI criteria States without section 1616 or 1634 agreements--<ul style="list-style-type: none"><li><input type="checkbox"/> SSI methods only.</li><li><input checked="" type="checkbox"/> SSI methods and/or any more liberal methods than SSI described in <u>Supplement 8a to ATTACHMENT 2.6-A</u>.</li><li><input type="checkbox"/> Methods more restrictive and/ or more liberal than SSI. More restrictive methods are described in <u>Supplement 4 to ATTACHMENT 2.6-A</u> and more liberal methods are described in <u>Supplement 8a to ATTACHMENT 2.6-A</u>.</li></ul></li></ul>

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State of Nebraska

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Citation(s)	Condition or Requirement
42 CFR 435.721 and 435.831 1902(m)(1)(B), (m)(4), and 1902(r)(2) of the Act	<p data-bbox="760 468 1487 632">In determining relative responsibility, the agency considers only the income of spouses living in the same household as available to spouses and the income of parents as available to children living with parents until the children become 21.</p> <p data-bbox="711 667 1487 800">d. <u>Disabled individuals</u>. In determining countable income of disabled individuals, including individuals with incomes up to the Federal poverty level described in section 1902(m) of the Act the following methods are used:</p> <ul style="list-style-type: none"><li data-bbox="760 835 1252 867"><input type="checkbox"/> The methods of the SSI program.</li><li data-bbox="760 898 1422 999"><input checked="" type="checkbox"/> SSI methods and/or any more liberal methods described in <u>Supplement 8a to ATTACHMENT 2.6-A</u>.</li><li data-bbox="760 1031 1425 1098"><input checked="" type="checkbox"/> For institutional couples: the methods specified under section 1611(e)(5) of the Act.</li><li data-bbox="760 1129 1459 1266"><input type="checkbox"/> For optional State supplement recipients under §435.230: income methods more liberal than SSI, as specified in <u>Supplement 4 to ATTACHMENT 2.6-A</u>.</li><li data-bbox="760 1297 1455 1566"><input type="checkbox"/> For individuals other than optional State supplement recipients (except aged and disabled individuals described in section 1903(m)(1) of the Act): more restrictive methods than SSI, applied under the provisions of section 1902(f) of the Act, as specified in <u>Supplement 4 to ATTACHMENT 2.6-A</u>; and any more liberal methods described in <u>Supplement 8a to ATTACHMENT 2.6-A</u>.</li></ul>

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Citation(s)	Condition or Requirement
	<input checked="" type="checkbox"/> For optional State supplement recipients in section 1902(f) States and SSI criteria States without section 1616 or 1634 agreements—
	<input type="checkbox"/> SSI methods only.
	<input checked="" type="checkbox"/> SSI methods and/or any more liberal methods than SSI described in <u>Supplement 8a to ATTACHMENT 2.6-A</u> .
	<input type="checkbox"/> Methods more restrictive and/or more liberal than SSI, except for aged and disabled individuals described in section 1902(m)(1) of the Act. More restrictive methods are described in <u>Supplement 4 to ATTACHMENT 2.6-A</u> and more liberal methods are specified in <u>Supplement 8a to ATTACHMENT 2.6-A</u> .

In determining relative financial responsibility, the agency considers only the income of spouses living in the same household as available to spouses and the income of parents as available to children living with parents until the children become 21.

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STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT

State of Nebraska

ELIGIBILITY CONDITIONS AND REQUIREMENTS

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Citation(s)	Condition or Requirement
1902(l)(3)(E) and 1902(r)(2) of the Act	e. <u>Poverty level pregnant women, infants, and children.</u> For pregnant women and infants or children covered under the provisions of sections 1902(a)(10)(A)(i)(IV), (VI), and (VII), and 1902(a)(10)(A)(ii)(IX) of the Act--  (1) The following methods are used in countable income:  <input checked="" type="checkbox"/> The methods of the State's approved AFDC plan.  <input type="checkbox"/> The methods of the approved title IV-E plan.  <input type="checkbox"/> The methods of the approved AFDC State plan and/or any more liberal methods described in <u>Supplement 8a to ATTACHMENT 2.6-A.</u> .  <input type="checkbox"/> The methods of the approved title IV-E plan ,and/or any more liberal methods described in <u>Supplement 8a to ATTACHMENT 2.6-A.</u>

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STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT

State of Nebraska

ELIGIBILITY CONDITIONS AND REQUIREMENTS

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Citation(s)	Condition or Requirement
	(2) In determining relative financial responsibility, the agency considers only the income of spouses living in the same household as available to spouses and the income of parents as available to children living with parents until the children become 21.
1902(e)(6) of the Act	(3) The agency continues to treat women eligible under the provisions of sections 1902(a)(10) of the Act as eligible, without regard to any changes in income of the family of which she is a member, for the 60-day period after her pregnancy ends and any remaining days in the month in which the 60 <sup>th</sup> day falls.
1905(p)(1), 1902(m)(4), and 1902(r)(2) of the Act	f. <u>Qualified Medicare beneficiaries</u> . In determining countable income for qualified Medicare beneficiaries covered under section 1902(a)(10)(E)(i) of the Act, the following methods are used:  <input type="checkbox"/> The methods of the SSI program only.  <input checked="" type="checkbox"/> SSI methods and/or any more liberal methods than SSI described in <u>Supplement 8a to ATTACHMENT 2.6-A</u>  <input checked="" type="checkbox"/> For institutional couples, the methods specified under section 1611(e)(5) of the Act.

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Citation(s)	Condition or Requirement
1905(s) of the Act	<p>If an individual receives a title II benefit, any amounts attributable to the most recent increase in the monthly insurance benefit as a result of a title II COLA is not counted as income during a "transition period" beginning with January, when the title II benefit for December is received, and ending with the last day of the month following the month of publication of the revised annual Federal poverty level.</p> <p>For individuals with tile II income, the revised poverty levels are not effective until the first day of the month following the end of the transition period.</p> <p>For individuals not receiving title II income, the revised poverty levels are effective no later than the date of publication.</p> <p>g. (1) <u>Qualified disabled and working individuals.</u></p> <p>In determining countable income for qualified disabled and working individuals covered under 1902(a)(10)(E)(ii) of the Act, the methods of the SSI program are used.</p>
1905(p) of the Act	<p>(2) <u>Specified low-income Medicare beneficiaries.</u></p> <p>In determining countable income for specified low-income Medicare beneficiaries covered under 1902(a)(10)(E)(iii) of the Act, the same method as in f. is used.</p>

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State of Nebraska

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Citation(s)	Condition or Requirement
1902(u) of the Act	<p data-bbox="711 464 1214 495">(h) <u>COBRA Continuation Beneficiaries</u></p> <p data-bbox="760 531 1468 632">In determining countable income for COBRA continuation beneficiaries, the following disregards are applied:</p> <ul data-bbox="760 663 1484 863" style="list-style-type: none"><li data-bbox="760 663 1263 695"><input type="checkbox"/> The disregards of the SSI program;</li><li data-bbox="760 730 1484 863"><input type="checkbox"/> The agency uses methodologies for treatment of income more restrictive than the SSI program. These more restrictive methodologies are described in Supplement 4 to Attachment 2.6-A</li></ul> <p data-bbox="711 898 1468 1068">Note: For COBRA continuation beneficiaries specified at 1902(u)(4), costs incurred from medical care or for any other type of remedial care shall not be taken into account in determining income, except as provided in section 1612(b)(4)(B)(ii).</p>

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Citation(s)	Groups Covered
1902(a)(10)(A) (ii)(XIII) of the Act	<p data-bbox="537 432 1138 464">(i) <u>Working Disabled Who Buy Into Medicaid</u></p> <p data-bbox="537 499 1435 594">In determining countable income and resources for Working Disabled individual who buy into Medicaid, the following methodologies are applied:</p> <ul style="list-style-type: none"> <li data-bbox="537 632 1110 663"><input type="checkbox"/> The methodologies of the SSI program.</li> <li data-bbox="537 699 1435 827"><input type="checkbox"/> The agency uses methodologies for the treatment of income and resources more restrictive than the SSI Program. Those more restrictive methodologies are described in Supplement 4 to Attachment 2.2-A.</li> <li data-bbox="537 863 1468 1031"><input checked="" type="checkbox"/> The agency uses more liberal income and/or resources methodologies than the SSI Program. More liberal income methodologies are described in Supplement 8a to Attachment 2.6-A. More liberal resource methodologies are described in Supplement 8b to Attachment 2.6-A.</li> <li data-bbox="537 1066 1468 1167"><input checked="" type="checkbox"/> The agency requires individuals to pay premiums or other cost sharing charges. The premium or other cost sharing charges and how they are applied are described in Attachment 2.6-A page 12d.</li> </ul>

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Supersedes

Approval Date Jun 6 2000Effective Date Jun 1 1999TN No. (new)

State/Territory: Nebraska

STATE PLAN UNDER TITLE XIS OF THE SOCIAL SECURITY ACT  
ESTABLISHMENT AND APPLICATION OF A PREMIUM OR OTHER  
COST SHARING CHARGES

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

1. A working disabled individual who receives Medicaid benefits may be subject to cost sharing. The following premium or cost sharing procedures are utilized:
  - (a) The amount of the individual's cost share shall be based on a progressive rate dependent on adjusted income (any unearned income plus any earned income less any allowable disregards) in excess of 200 percent of the Federal Poverty Level. The minimum rate is 2 percent and the maximum rate is 10 percent.

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State of Nebraska

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Citation(s)	Condition or Requirement
1902(k) of the Act 1917(d)	<p data-bbox="776 478 1170 512">2. Medicaid Qualifying Trusts</p> <p data-bbox="824 548 1481 980">In the case of a Medicaid qualifying trust described in 1902(k)(2) of the Act, the amount from the trust that is deemed available to the individual who established the trust (or whose spouse established the trust) is the maximum amount that the trustee(s) is permitted under the trust to distribute to the individual. This amount is deemed available to the individual, whether or not the distribution is actually made. This provision does not apply to any trust or initial trust decree established before April 7, 1986, solely for the benefit of a mentally retarded individual who resides in an intermediate care facility for the mentally retarded.</p> <p data-bbox="824 1016 1464 1182">The agency does not count the funds in a trust as described above in any instance where the State determines that it would work an undue hardship. <u>Supplement 10 of ATTACHMENT 2.6-A</u> specifies what constitutes an undue hardship.</p> <p data-bbox="824 1218 1448 1346">Effective October 1, 1993 the Medicaid agency complies with Section 1917 (d) of the Act as amended by the Omnibus Budget Reconciliation Act of 1993.</p>
1902(a)(10) of the Act	<p data-bbox="776 1381 1471 1451">3. Medically needy income levels (MNILs) are based on family size.</p> <p data-bbox="824 1486 1481 1646"><u>Supplement 1 to ATTACHMENT 2.6-A</u> specifies the MNILs for all covered medically needy groups. If the agency chooses more restrictive levels under section 1902(f) of the Act, <u>Supplement 1</u> so indicates.</p>

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Citation(s)

Condition or Requirement

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42 CFR 435.732,  
435.831

4. Handling of Excess Income - Spend-down for the Medically Needy in All States and the Categorically Needy in 1902(f) States Only
  - a. Medically Needy
    - (1) Income in excess of the MNIL is considered as available for payment of medical care and services. The Medicaid agency measures available income for period of 1 month to determine the amount of excess countable income applicable to the cost of medical care and services.
    - (2) If countable income exceeds the MNIL standard, the agency deducts the following incurred expenses in the following order:
      - (a) Health insurance premiums, deductibles and coinsurance charges.
      - (b) Expenses for necessary medical and remedial care not included in the plan.
      - (c) Expenses for necessary medical and remedial care included in the plan.
      - Reasonable limits on amounts of expenses deducted from income under a.(2)(a) and (b) above are listed below.

See page 14a 14b (per MS-91-29) NS

1902(a)(17) of the Act

Incurred expenses that are subject to payment by a third party are not deducted unless the expenses are subject to payment by a third party that is a publicly funded program (other than Medicaid) of a State or local government.

State of Nebraska

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Citation(s)	Condition or Requirement
1903(f)(2) of the Act	a. Medically Needy (Continued)  <input type="checkbox"/> (3) If countable income exceeds the MNIL standard, the agency deducts spenddown payments made to the State by the individual.

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Citation(s)	Condition or Requirement
	<p>Under (2)(b) above, the difference between the State Supplemental payment level for board and room and the State Supplemental payment level (consolidated standard of need) for the alternate care facilities specified below is an allowable excess income obligation when that amount is being applied towards necessary medical and remedial services. The necessity for medical and remedial services is recognized in the following types of alternate care facilities:</p> <ul style="list-style-type: none"><li>Licensed Domiciliary Facility</li><li>Certified Adult Family Home</li><li>Licensed Residential Care Facility</li><li>Licensed Group Home for the Mentally Retarded</li><li>Licensed Center for the Developmentally Disabled</li></ul> <p>Subsistence to obtain medical care: a limit of \$12 per day for meals is allowed for the client, and the same for an attendant if one is necessary.</p>

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Citation(s)	Condition or Requirement
42 CFR 435.732	<p data-bbox="776 512 1430 543">b. <u>Categorically Needy - Section 1902 (f) States</u></p> <p data-bbox="841 579 1479 709">The agency applies the following policy under the provisions of section 1902(f) of the Act. The following amounts are deducted from income to determine the individual's countable income:</p> <ol data-bbox="841 747 1521 1381" style="list-style-type: none"><li data-bbox="841 747 1230 779">(1) Any SSI benefit received.</li><li data-bbox="841 816 1479 982">(2) Any State supplement received that is within the scope of an agreement described in sections 1616 or 1634 of the Act, or a State supplement within the scope of section 1902(a)(10)(A)(ii)(XI) of the Act.</li><li data-bbox="841 1020 1521 1150">(3) Increases in OASDI that are deducted under §§435.134 and 435.135 for individuals specified in that section, in the manner elected by the State under that section.</li><li data-bbox="841 1188 1479 1251">(4) Other deductions from income described in this plan at <u>Attachment 2.6-A, Supplement 4</u>.</li><li data-bbox="841 1289 1430 1381">(5) Incurred expenses for necessary medical and remedial services recognized under State law.</li></ol>
1902(a)(17) of the Act, P.L. 100-203	Incurred expenses that are subject to payment by a third party are not deducted unless the expenses are subject to payment by a third party that is a publicly funded program (other than Medicaid) of a State or local government.

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Citation(s)	Condition or Requirement
1903(f)(2) of the Act	4.b. <u>Categorically Needy - Section 1902(f) States</u> Continued  <input type="checkbox"/> (6) Spenddown payments made to the State by the individual.  NOTE: FFP will be reduced to the extent State is paid spenddown payment by the individual.

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Citation(s)	Condition or Requirement
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5. Methods for Determining Resources

a. AFDC-related individuals (except for poverty level related pregnant women, infants, and children).

(1) In determining countable resources for AFDC-related individuals, the following methods are used:

(a) The methods under the State's approved AFDC plan; and

(b) The methods under the State's approved AFDC plan and/or any more liberal methods described in Supplement 8b to ATTACHMENT 2.6-A

(2) In determining relative financial responsibility, the agency considers only the resources of spouses living in the same household as available to spouses and the resources of parents as available to children living with parents until the children become 21.

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Citation(s)	Condition or Requirement
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5. Methods for Determining Resources

1902(a)(10)(A),  
1902(a)(10)(C),  
1902(m)(1)(B)  
and (C), and  
1902(r) of the Act

b. Aged individuals. For aged individuals covered under section 1902(a)(10)(A)(ii)(X) of the Act, the agency used the following methods for treatment of resources:

- The methods of the SS1 program.
- SSI methods and/or anymore liberal methods described in Supplement 8b to ATTACHMENT 2.6-A
- Methods that are more restrictive (except for individuals described in section 1902(m)(1) of the Act) and/or more liberal than those of the SSI program. Supplement 5 to ATTACHMENT 2.6-A describes the more restrictive methods and Supplement 8b to ATTACHMENT 2.6-A specifies the more liberal methods.

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Citation(s)	Condition or Requirement
1902(a)(10)(A), 1902(a)(10)(C), 1902(m)(1)(B), and 1902(r) of the Act	<p data-bbox="870 478 1468 611">In determining relative financial responsibility, the agency considers only the resources of spouses living in the same household as available to spouses.</p> <p data-bbox="776 646 1468 743">c. <u>Blind individuals</u>. For blind individuals the agency uses the following methods for treatment of resources:</p> <ul style="list-style-type: none"><li data-bbox="824 779 1305 810"><input type="checkbox"/> The methods of the SSI program.</li><li data-bbox="824 846 1390 945"><input checked="" type="checkbox"/> SSI methods and/or any more liberal methods described in <u>Supplement 8b to ATTACHMENT 2.6-A</u>.</li><li data-bbox="824 980 1406 1213"><input type="checkbox"/> Methods that are more restrictive and/or more liberal than those of the SSI program. <u>Supplement 5 to ATTACHMENT 2.6-A</u> describe the more restrictive methods and <u>Supplement 8b to ATTACHMENT 2.6-A</u> specify the more liberal methods.</li></ul> <p data-bbox="824 1249 1487 1444">In determining relative financial responsibility, the agency considers only the resources of spouses living in the same household as available to spouses and the resources of parents as available to children living with parents until the children become 21.</p>

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Citation(s)	Condition or Requirement
1902(a)(10)(A), 1902(a)(10)(C), 1902(m)(1)(B), and (C), and 1902(r)(2) of the Act	<p>d. <u>Disabled individuals, including individuals covered under section 1902(a)(10)(A)(ii)(X) of the Act.</u> The agency uses the following methods for the treatment of resources:</p> <ul style="list-style-type: none"><li><input type="checkbox"/> The methods of the SSI program.</li><li><input checked="" type="checkbox"/> SSI methods and/or any more liberal methods described in <u>Supplement 8a to ATTACHMENT 2.6-A.</u></li><li><input type="checkbox"/> Methods that are more restrictive (except for individuals described in section 1902(m)(1) of the Act) and/or more liberal than those under the SSI program. More restrictive methods are described in <u>Supplement 5 to ATTACHMENT 2.6-A</u> and more liberal methods are specified in <u>Supplement 8b to ATTACHMENT 2.6-A.</u></li></ul> <p>In determining relative financial responsibility, the agency considers only the resources of spouses living in the same household as available to spouses and the resources of parents as available to children living with parents until the children become 21.</p>
1902(l)(3) and 1902(r)(2) of the Act	<p>e. <u>Poverty level pregnant women covered under sections 1902(a)(10)(A)(i)(IV) and 1902(a)(10)(A)(ii)(IX)(A) of the Act.</u></p> <p>The agency uses the following methods in the treatment of resources.</p> <ul style="list-style-type: none"><li><input type="checkbox"/> The methods of the SSI program only.</li><li><input type="checkbox"/> The methods of the SSI program and/or any more liberal methods described in <u>Supplement 5a or Supplement 8b to ATTACHMENT 2.6-A.</u></li></ul>

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State of Nebraska

Citation(s)	Condition or Requirement
	<p><input type="checkbox"/> Methods that are more liberal than those of SSI. The more liberal methods are specified in <u>Supplement 5a or Supplement 8b to ATTACHMENT 2.6-A.</u></p> <p><input checked="" type="checkbox"/> Not applicable. The agency does not consider resources in determining eligibility.</p> <p>In determining relative financial responsibility, the agency considers only the resources of spouses living in the same household as available to spouses and the resources of parents as available to children living with parents until the children become 21.</p>
1902(l)(3) and 1902(r)(2) of the Act	<p>f. <u>Poverty level infants covered under section 1902(a)(10)(A)(i)(IV) of the Act.</u></p> <p>The agency uses the following methods for the treatment of resources:</p> <p><input type="checkbox"/> The methods of the State's approved AFDC plan.</p> <p><input type="checkbox"/> Methods more liberal than those in the State's approved AFDC plan (but not more restrictive), in accordance with section 1902(l)(3)(C) of the Act, as specified in <u>Supplement 5a of ATTACHMENT 2.6-A.</u></p>
1902(l)(3)(C) of the Act	<p><input type="checkbox"/> Methods more liberal than those in the State's approved AFDC plan (but not more restrictive), as described in <u>Supplement 5a or Supplement 8b to ATTACHMENT 2.6-A.</u></p>
1902(r)(2) of the Act	<p><input checked="" type="checkbox"/> Not applicable. The agency does not consider resources in determining eligibility.</p>

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STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT

State of Nebraska

ELIGIBILITY CONDITIONS AND REQUIREMENTS

Citation(s)	Condition or Requirement
1902(l)(3) and 1902(r)(2) of the Act	<p>g. 1. <u>Poverty level children covered under section 1902(a)(10)(A)(i)(VI) of the Act.</u></p> <p>The agency uses the following methods for the treatment of resource:</p> <p><input type="checkbox"/> The methods of the State's approved AFDC plan.</p>
1902(1)(3)(C) of the Act	<p><input type="checkbox"/> Methods more liberal than those in the State's approved AFDC plan (but not more restrictive), in accordance with section 1902(l)(3)(C) of the Act, as specified in <u>Supplement 5a of ATTACHMENT 2.6-A.</u></p> <p><input type="checkbox"/> Methods more liberal than those in the State's approved AFDC plan (but not more restrictive), as described in <u>Supplement 8b to ATTACHMENT 2.6-A.</u></p>
1902(r)(2) of the Act	<p><input checked="" type="checkbox"/> Not applicable. The agency does not consider resources in determining eligibility.</p> <p>In determining relative financial responsibility, the agency considers only the resources of spouses living in the same household as available to spouses and the resources of parents as available to children living with parents until the children become 21.</p>

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STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT

State of Nebraska

ELIGIBILITY CONDITIONS AND REQUIREMENTS

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Citation(s)	Condition or Requirement
1902(l)(3) and 1902(r)(2) of the Act	g. 2. <u>Poverty level children under section 1902(a)(10)(A)(i)(VII)</u>  The agency uses the following methods for the treatment of resources:  <input type="checkbox"/> The methods of the State's approved AFDC plan.
1902(1)(3)(C) of the Act	<input type="checkbox"/> Methods more liberal than those in the State's approved AFDC plan (but not more restrictive), as specified in <u>Supplement 5a of ATTACHMENT 2.6-A.</u>
1902(r)(2) of the Act	<input type="checkbox"/> Methods more liberal than those in the State's approved AFDC plan (but not more restrictive), as described in <u>Supplement 8a to ATTACHMENT 2.6-A.</u>  <input checked="" type="checkbox"/> Not applicable. The agency does not consider resources in determining eligibility.
	In determining relative responsibility, the agency considers only the resources of spouses living in the same household as available to spouses and the resources of parents as available to children living with parents until the children become 21.

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TN No. (new page)

State of Nebraska

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Citation(s)	Condition or Requirement
1905(p)(1) (C) and (D) and 1902(r)(2) of the Act	5. h. <u>For Qualified Medicare beneficiaries covered under section 1902(a)(10)(E)(i) of the Act</u> the agency uses the following methods for treatment of resources:  <input checked="" type="checkbox"/> The methods of the SSI program only.  <input type="checkbox"/> The methods of the SSI program and/or more liberal methods as described in <u>Supplement 8b to ATTACHMENT 2.6-A.</u>
1905(s) of the Act	i. For qualified disabled and working individuals covered under section 1902(a)(10)(E)(ii) of the Act, the agency uses SSI program methods for the treatment of resources.
1902(u) of the Act	j. For COBRA continuation beneficiaries, the agency uses the following methods for treatment of resources:  <input type="checkbox"/> The methods of the SSI program only.  <input type="checkbox"/> More restrictive methods applied under section 1902(f) of the Act as described in Supplement 5 to Attachment 2.6-A.

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State of Nebraska

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Citation(s)	Condition or Requirement
1902(a)(10)(E)(iii) of the Act	k. <u>Specified low-income Medicare beneficiaries covered under section 1902(a)(10)(E)(iii) of the Act--</u>  The agency uses the same method as in 5.h. of <u>Attachment 2.6-A.</u>
	6. Resource Standard - Categorically Needy
	a. 1902(f) States (except as specified under items 6.c. and d. below).for aged, blind and disabled- individuals:
	<input type="checkbox"/> Same as SSI resource standards.
	<input type="checkbox"/> More restrictive.
	The resource standards for other individuals are the same as those in the related cash assistance program.
	b. Non-1902(f) States (except as specified under items 6.c. and d. below)
	The resource standards are the same as those in the related cash assistance program.
	<u>Supplement 8 to ATTACHMENT 2.6-A</u> specifies for 1902(f) States the categorically needy resource levels for all covered categorically needy groups.

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STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT

State of Nebraska

ELIGIBILITY CONDITIONS AND REQUIREMENTS

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Citation(s)	Condition or Requirement
1902(l)(3)(A) (B) and (C) of the Act	<p>c. For pregnant women and infants covered under the provisions of section 1902(a)(10)(A)(i)(IV) and 1902(a)(10)(A)(ii)(IX) of the Act, the agency applies resource standard.</p> <p><input type="checkbox"/> Yes. <u>Supplement 2 to ATTACHMENT 2.6-A</u> specifies the standard which, for pregnant women, is no more restrictive than the standard under the SSI program; and for infants is no more restrictive than the standard applied in the State's approved plan.</p> <p><input checked="" type="checkbox"/> No. The agency does not apply resource standard to these individuals.</p>
1902(l)(3)(A) and (C) of the Act	<p>d. For children covered under the provisions of section 1902(a)(10)(A)(i)(VI) of the Act, the agency applies a resource standard.</p> <p><input type="checkbox"/> Yes. <u>Supplement 2 to ATTACHMENT 2.6-A</u> specifies the standard which is no more restrictive than the standard applied in the state's approved AFDC plan.</p> <p><input checked="" type="checkbox"/> No. The agency does not apply a resource standard to these individuals.</p>

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State of Nebraska

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Citation(s)	Condition or Requirement
1902(m)(1)(C) and (m)(2)(B) of the Act	e. For aged and disabled individuals described in section 1902(m)(1) of the Act who are covered under section 1902(a)(10)(A)(ii)(X) of the Act, the resource standard is:  <input type="checkbox"/> Same as SSI resource standards.  <input checked="" type="checkbox"/> Same as the medically needy resource standards, which are higher than the SSI resource standards (if the State covers the medically needy).  <u>Supplement 2 to ATTACHMENT 2.6-A</u> specifies the resource levels for these individuals.

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Citation(s)	Condition or Requirement
1902(a)(10)(C)(i) of the Act	<p>7. Resource Standard - Medically Needy</p> <p>a. Resource standards are based on family size.</p> <p>b. A single standard is employed in determining resource eligibility for all groups.</p> <p><input type="checkbox"/> c. In 1902(f) States, the resource standards are more restrictive than in 7.b. above for -</p> <p><input type="checkbox"/> Aged</p> <p><input type="checkbox"/> Blind</p> <p><input type="checkbox"/> Disabled</p> <p><u>Supplement 2 to ATTACHMENT 2.6-A</u> specifies the resource standards for all covered medically needy groups. If the agency chooses more restrictive levels under 7.c., <u>Supplement 2</u> so indicates.</p>
1905(p) (1) (D) and (p) (2 ) (B) of the Act	<p>8. Resource Standard - Qualified Medicare Beneficiaries Specified Low-Income Medicare Beneficiaries, and Qualifying Individuals</p> <p>For qualified Medicare beneficiaries covered under Section 1902(a)(10)(E)(i) of the Act, specified low-income Medicare beneficiaries covered under Section 1902(a)(10)(E)(iii) of the Act, and Qualifying Individuals covered under Section 1902(a)(10)(E)(iv) of the Act, the resource standard is equal to the amount defined under Section 1905(p)(1)(C) of the Act.</p>
1905(s) of the Act	<p>9. Resource Standard-Qualified Disabled and Working Individuals</p> <p>For qualified disabled and working individuals covered under section 1902(a)(10)(E)(ii) of the Act, the resource standard for an individual or a couple (in the case of an individual with a spouse) is twice the SSI resource standard.</p>

State of Nebraska

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Citation(s)	Condition or Requirement
1902(u) of the Act	9. 1 For COBRA continuation beneficiaries, the resource standard is:  <input type="checkbox"/> Twice the SSI resource standard for an individual.  <input type="checkbox"/> More restrictive standard for as applied under section 1902(f) of the Act as described in Supplement 8 to Attachment 2.6-A.

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State of Nebraska

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Citation(s)	Condition or Requirement
1902(u) of the Act	<p data-bbox="716 478 1019 514">10. Excess Resources</p> <p data-bbox="776 548 1455 678">a. Categorically Needy, Qualified Medicare Beneficiaries, Qualified Disabled and Working Individuals, and Specified Low-Income Medicare Beneficiaries</p> <p data-bbox="824 716 1369 779">Any excess resources make the individual ineligible.</p> <p data-bbox="776 816 1154 852">b. Categorically Needy Only</p> <p data-bbox="824 884 1479 982"><input type="checkbox"/> This State has a section 1634 agreement with SSI. Receipt of SSI is provided for individuals while disposing of excess resources.</p> <p data-bbox="776 1020 1040 1056">c. Medically Needy</p> <p data-bbox="824 1087 1369 1150">Any excess resources make the individual ineligible.</p>

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State of Nebraska

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Citation(s)	Condition or Requirement
42 CFR 435.914	<p>11. Effective Date of Eligibility</p> <p>a. Groups Other Than Qualified Medicare Beneficiaries</p> <p>(1) For the prospective period.</p> <p>coverage is available for the full month if the following individuals are eligible at any time during the month.</p> <p><input checked="" type="checkbox"/> Aged, blind, disabled. <input checked="" type="checkbox"/> AFDC-related.</p> <p>Coverage is available only for the period during the month for which the following individuals meet the eligibility requirements.</p> <p><input type="checkbox"/> Aged, blind, disabled. <input type="checkbox"/> AFDC-related.</p> <p>(2) For the retroactive period.</p> <p>Coverage is available for three months before the date of application if the following individuals would have been eligible had they applied:</p> <p><input type="checkbox"/> Aged, blind, disabled. <input type="checkbox"/> AFDC-related.</p> <p>Coverage is available beginning the first day of the third month before the date of application if the following individuals would have been eligible at any time during that month, had they applied..</p> <p><input checked="" type="checkbox"/> Aged, blind, disabled. <input checked="" type="checkbox"/> AFDC-related.</p>

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STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT

State of Nebraska

ELIGIBILITY CONDITIONS AND REQUIREMENTS

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Citation(s)	Condition or Requirement
1920(b)(1) of the Act	<input checked="" type="checkbox"/> (3) For a presumptive eligibility period for pregnant women only.
	Coverage is available for ambulatory prenatal care for the period that begins on the day a qualified provider determines that a woman meets any of the income eligibility levels specified in <u>ATTACHMENT 2.6-A</u> of this approved plan. If the woman files an application for Medicaid by the last day of the month following the month in which the qualified provider made the determination of presumptive eligibility, the period ends on the day that the State agency makes the determination of eligibility based on that application. If the woman does not file an application for Medicaid by the last day of the month following the month in which the qualified provider made the determination, the period ends on that last day.
1902(e)(8) and 1905(a) of the Act	<input checked="" type="checkbox"/> b. For qualified Medicare beneficiaries defined in section 1905(p)(1) of the Act coverage is available beginning with the first day of the month after the month in which the individual is first determined to be a qualified Medicare beneficiary under section 1905(p)(1).The eligibility determination is valid for  <input checked="" type="checkbox"/> 12 months  <input type="checkbox"/> 6 months  <input type="checkbox"/> __ months (no less than 6 months and nor more than 12 months)

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TN No. MS-91-24

State of Nebraska

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Citation(s)	Condition or Requirement
1902(a)(18) and 1902(f) of the Act	<p>12. Pre-OBRA 93 Transfer of Resources - Categorically and Medically Needy, Qualified Medicare Beneficiaries, and Qualified Disabled and Working Individuals</p> <p>The agency complies with the provisions of section 1917 of the Act with respect to the transfer of resources.</p> <p>Disposal of resources at less than fair market value affects eligibility for certain services as detailed in <u>Supplement 9 to Attachment 2.6-A</u>.</p>
1917(c)	<p>13. Transfer of Assets - All eligibility groups</p> <p>The agency complies with the provisions of section 1917(c) of the Act, as enacted by OBRA 93, with regard to the transfer of assets.</p> <p>Disposal of assets at less than fair market value affects eligibility for certain services as detailed in <u>Supplement 9(a) to ATTACHMENT 2.6-A</u>, except in instances where the agency determines that the transfer rules would work an undue hardship.</p>
1917(d)	<p>14. Treatment of Trusts - All eligibility groups</p> <p>The agency complies with the provisions of section 1917(d) of the Act, as amended by OBRA 93, with regard to trusts.</p> <p><input type="checkbox"/> The agency uses more restrictive methodologies under section 1902(f) of the Act, and applies those methodologies in dealing with trusts:</p> <p><input type="checkbox"/> The agency meets the requirements in section 1917(d)(f)(B) of the Act for use of <u>Miller</u> trusts.</p> <p>The agency does not count the funds in a trust in any instance where the agency determines that the transfer would work an undue hardship, as described in <u>Supplement 10 to ATTACHMENT 2.6-A</u>.</p>

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State: Nebraska

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Citation	Condition or Requirement
1924 of the Act	<p>15. The agency complies with the provisions of § 1924 with respect to income and resource eligibility and post eligibility determinations for individuals who are expected to be institutionalized for at least 30 consecutive days and who have a spouse living in the community.</p> <p>When applying the formula used to determine the amount of resources in initial eligibility determinations, the State standard for community spouses is:</p> <p>___ the maximum standard permitted by law;</p> <p><u>X</u> the minimum standard permitted by law; or</p> <p>\$___ a standard that is an amount between the minimum and the maximum.</p>