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PERMANENT ADMINISTRATIVE RULES

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RULE CAPTION

Income Eligibility Guidelines for OCCS Medical Programs
Not more than 15 words

RULEMAKING ACTION

ADOPT:

AMEND: 410-200-0315

REPEAL: 410-200-0315 (T)

RENUMBER:

AMEND & RENUMBER:

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410-200-0315

Standards and Determining Income Eligibility

- (1) *MAGI-based income* not specifically excluded is countable, and its value is used in determining the eligibility and benefit level of an *applicant* or *beneficiary*.
- (2) *MAGI-based income* is considered available on the date it is received or the date a member of the *household group* has a legal right to the payment and the legal ability to make it available, whichever is earlier, except as follows:
 - (a) Income usually paid monthly or on some other regular payment schedule is considered available on the regular payment date if the date of payment is changed because of a holiday or weekend.
 - (b) Income withheld or diverted at the request of an individual is considered available on the date the income would have been paid without the withholding or diversion.
 - (c) An advance or draw of earned income is considered available on the date it is received.
- (3) In determining financial eligibility for each *applicant*, the sum of the *budget month MAGI-based income* of all *household group* members is combined and compared to the applicable income standard for the *family size*. If the income is at or below the *MAGI income standard*, the individual meets the financial eligibility requirements. Except as provided in section (4)(a), if income exceeds the *MAGI income standard*, the individual is ineligible.
- (4) This section applies to MAGI Medicaid/CHIP programs that became effective January 1, 2014:
 - (a) If an individual is ineligible for MAGI Medicaid based solely on income and would otherwise be eligible for MAGI CHIP or be referred to the Exchange for *APTC*, a disregard equivalent to five percentage points of the *federal poverty level* for the applicable *family size* shall be applied to the *household group's* income. If the resulting amount is below the income standard for the applicable program and *family size*, the individual meets the financial eligibility requirements in the following programs:
 - (A) The MAGI Parent or Other Caretaker Relative Program;
 - (B) The MAGI Child Program;
 - (C) The MAGI Adult Program; and
 - (D) The MAGI Pregnant Woman Program.
 - (b) If an individual is ineligible for MAGI CHIP based solely on income and would otherwise be referred to the Exchange for *APTC*, a disregard equivalent to five percentage points of the

federal poverty level for the applicable *family size* shall be applied to the *household group's* income. If the resulting amount is below the income standard for the applicable program and *family size*, the individual meets the financial eligibility requirements in the MAGI CHIP.

(c) Effective April 12, 2014, the *MAGI income standard* for the MAGI Parent or Other Caretaker-Relative program is set as follows:

<i>Family size</i>	Standard	If Income Exceeds Standard for Individuals who are 65+ and Ineligible for Medicare	Income Prior to Applying Disregard
1	\$399	\$49	\$448
2	515	66	581
3	611	83	694
4	747	100	847
5	872	117	989
6	998	134	1132
7	1,114	151	1,265
8	1,230	168	1,398
9	1,321	184	1,505
10	1,456	201	1,657
+1	+136	+17	+153

(d) Effective April 12, 2014, the *MAGI income standard* for the MAGI Child Program and the MAGI Adult Program is set at 133 percent of the *FPL* as follows. If an individual's *household group* income exceeds the income standard for their *family size*, the appropriate disregard for their *family size* described in section (4)(a) shall be applied:

<i>Family size</i>	Standard 133% 2014 FPL	If income Exceeds 133%, Disregard	Income Prior to Applying Disregard
1	\$1,294	\$49	\$1,343

2	1,744	66	1,810
3	2,194	83	2,277
4	2,644	100	2,744
5	3,094	117	3,211
6	3,544	134	3,678
7	3,994	151	4,145
8	4,444	168	4,612
9	4,894	184	5,078
10	5,344	201	5,545
+1	+450	+17	+467

(e) Effective April 12, 2014, the *MAGI income standard* for the MAGI Pregnant Woman Program and for MAGI Child Program recipients under age one is set at 185 percent *FPL*. If an individual's *household group* income exceeds the income standard for their *family size*, the appropriate disregard for their *family size* described in section (4)(a) shall be applied:

<i>Family size</i>	Standard 185% 2014 FPL	If income Exceeds 185%, Disregard	Income Prior to Applying Disregard
1	\$1,800	\$49	\$1,849
2	2,426	66	2,492
3	3,051	83	3,134
4	3,677	100	3,777
5	4,303	117	4,420
6	4,929	134	5,063
7	5,555	151	5,706
8	6,181	168	6,349
9	6,807	184	6,991

10	7,433	201	7,634
+1	+ 626	+17	+643

(f) Effective April 12, 2014, the *MAGI income standard* for the MAGI CHIP program is set through 300 percent of *FPL* as follows. If a *child's household group* income exceeds the income standard for their *family size*, and the *child* would be otherwise ineligible for MAGI CHIP, the appropriate disregard for their *family size* described in section (5)(a)(B) shall be applied:

<i>Family size</i>	Standard 300% 2014 FPL	If Income Exceeds 300%, Disregard	Income Prior to Applying Disregard
1	\$2,918	\$49	\$2,967
2	3,933	66	3,999
3	4,948	83	5,031
4	5,963	100	6,063
5	6,978	117	7,095
6	7,993	134	8,127
7	9,008	151	9,159
8	10,023	168	10,191
9	11,038	184	11,222
10	12,053	201	12,254
+1	+1,015	+17	+1,032

(g) When the Department makes an *ELE* determination and the *child* meets all MAGI CHIP or MAGI Child Program nonfinancial eligibility requirements, the household size determined by the Department is used to determine eligibility regardless of the *family size*. The countable income of the household is determined by the *ELA*. A *child* is deemed eligible for MAGI CHIP or MAGI Child Program as follows:

(A) Effective April 12, 2014, if the *MAGI-based income* of the *household group* is below 163 percent of the 2014 *federal poverty level* as listed below, the Department deems the *child* eligible for the MAGI Child Program.

Household Size	Standard 163% 2014 FPL
1	\$1,586
2	2,137
3	2,689
4	3,240
5	3,792
6	4,343
7	4,895
8	5,446
9	5,998
10	6,549
+1	552

(B) If the *MAGI-based income* of the *household group* is at or above 163 percent of the *FPL* through 300 percent of the *FPL* as listed in section (4)(f) of this rule, the *Agency* deems the *child* eligible for MAGI CHIP.

(5) For eligibility decisions effective October 1, 2013 through December 31, 2013, the *MAGI income standards* listed in this section are used.

(a) Individuals who apply from October 1, 2013 through December 31, 2013 shall first be considered for the programs described in OAR 410-200-0510. Individuals found ineligible based on information from all *budget months* of October, November, or December 2013 shall have their eligibility determined as follows:

(A) For individuals who would be eligible for programs based on eligibility and income standards found in section (4)(c) through (e) as of January 1, 2014, eligibility for the applicable program shall begin as of that date.

(B) For individuals who are ineligible for programs which begin on January 1, 2014 who would otherwise be eligible for MAGI CHIP or be referred to the Exchange for *APTC* as of January 1, 2014, a disregard equivalent to five percentage points of the *federal poverty level* for the applicable *family size* will be applied to the *household group's* income. If the resulting amount is below the January 1, 2014 income standard found in section (4)(c) through (e) for the applicable

program and *family size*, the individual meets the financial eligibility requirements for MAGI Medicaid/CHIP.

(b) The 2013 *MAGI-based income* standard for the *MAA* and SAC programs is as follows. If a *child's household group* income exceeds the income standard for their *family size*, and the *child* would be otherwise ineligible for Medicaid, the appropriate disregard for their *family size* described in section (5)(a)(B) shall be applied:

<i>Family size</i>	Standard	If <i>child's household group</i> is over the <i>MAA</i> income limit and <i>child</i> is otherwise ineligible for Medicaid, Disregard	Income Prior to Applying Disregard
1	\$399	\$48	\$447
2	515	65	580
3	611	82	693
4	747	99	846
5	872	115	987
6	998	132	1,130
7	1,114	149	1,263
8	1,230	166	1,396
9	1,321	182	1,503
10	1,456	199	1,655
+1	136	17	153

(c) The 2013 *MAGI-based income* standard for the *OHP-OPU* program is set at 100 percent of the 2013 *federal poverty level*:

<i>Family size</i>	Standard
	100% 2013 FPL

1	\$958
2	1,293
3	1,628
4	1,963
5	2,298
6	2,633
7	2,968
8	3,303
9	3,638
10	3,973
+1	+335

(d) The *MAGI-based income* standard for the *OHP-OPC* program is set to 100 percent of the 2013 *federal poverty level*. If a *child's household group* income exceeds the income standard for their *family size*, and the *child* would be otherwise ineligible for Medicaid, the appropriate disregard for their *family size* described in section (5)(a)(B) shall be applied:

Family size	Standard 100% 2013 FPL	If <i>child's household group</i> income exceeds 100% and <i>child</i> would otherwise be ineligible for Medicaid, Disregard	Income Prior to Applying Disregard
1	\$958	\$48	\$1,006
2	1,293	65	1,358
3	1,628	82	1,710
4	1,963	99	2,062
5	2,298	115	2,413
6	2,633	132	2,765

7	2,968	149	3,117
8	3,303	166	3,469
9	3,638	182	3,820
10	3,973	199	4,172
+1	+335	17	352

(e) The 2013 *MAGI-based income* standard for the *OHP-OP6* program is set at 133 percent of the 2013 *federal poverty level*. If a *child's household group* income exceeds the income standard for their *family size*, and the *child* would be otherwise ineligible for Medicaid, the appropriate disregard for their *family size* described in section (5)(a)(B) shall be applied:

Family size	Standard 133% 2013 FPL	If a child's household group income exceeds 133%, Disregard	Income Prior to Applying Disregard
1	\$1,274	\$48	\$1,322
2	1,720	65	1,785
3	2,165	82	2,247
4	2,611	99	2,710
5	3,056	115	3,171
6	3,502	132	3,634
7	3,947	149	4,096
8	4,393	166	4,559
9	4,838	182	5,020
10	5,284	199	5,483
+1	+446	17	463

(f) The 2013 *MAGI-based income* standard for the *OHP-OPP* program is set at 185 percent of the 2013 *federal poverty level*. If a *child's household group* income exceeds the income standard for their *family size*, and the *child* would be otherwise ineligible for Medicaid, the appropriate disregard for their *family size* described in section (5)(a)(B) shall be applied:

<i>Family size</i>	Standard 185% 2013 FPL	If income Exceeds 185%, Disregard	Income Prior to Applying Disregard
1	\$1,772	\$48	\$1,820
2	2,392	65	2,457
3	3,011	82	3,093
4	3,631	99	3,730
5	4,251	115	4,366
6	4,871	132	5,003
7	5,490	149	5,639
8	6,110	166	6,276
9	6,730	182	6,912
10	7,350	199	7,549
+1	+620	17	637

(g) The 2013 *MAGI income standard* for the MAGI CHIP program is set through 300 percent of the 2013 *FPL* as follows:

<i>Family size</i>	Standard 300% 2013 FPL
1	\$2,874
2	3,879
3	4,884
4	5,889
5	6,894
6	7,899

7	8,904
8	9,909
9	10,914
10	11,919
+1	1,005

(h) When the Department makes an *ELE* determination and the *child* meets all MAGI CHIP or MAGI Child Program nonfinancial eligibility requirements, the household size determined by the Department is used to determine eligibility regardless of the *family size*. The countable income of the household is determined by the *ELA*. A *child* is deemed eligible for MAGI CHIP or MAGI Child Program as follows:

(A) If the *MAGI-based income* of the *household group* is below 163 percent of the 2013 *federal poverty level* as listed below, the Department deems the *child* eligible for the MAGI Child Program.

Household Size	Standard 163% 2013 FPL
1	\$1,561
2	2,107
3	2,653
4	3,199
5	3,745
6	4,291
7	4,838
8	5,384
9	5,930
10	6,476
+1	+547

(B) If the *MAGI-based income* of the *household group* is at or above 163 percent of the 2013 *FPL* through 300 percent of the *FPL* as listed in section (5)(g) of this rule, the *Agency* deems the *child* eligible for MAGI CHIP.

Stat. Auth.: ORS 411.402, 411.404, 413.042

Stats. Implemented: ORS 411.400, 411.402, 411.404, 411.406, 411.439, 411.443, 413.032, 414.025, 414.231, 414.440, 414.706