

STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT

State South Carolina

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.
	b. (ii) For SSI-related individuals, meets the non-financial criteria of the SSI program or more restrictive SSI-related categorically needy criteria.
1902(1) of the Act	c. (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(1) of the Act.
1902(m) of the Act	d. (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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August 1991

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STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT

State South Carolina

ELIGIBILITY CONDITIONS AND REQUIREMENTS

Citation(s)	Condition or Requirement
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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Citation	Condition or Requirement
	b. For the medically needy, meets the non-financial eligibility conditions of 42 CFR Part 435.
1905(p) of the Act	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.
1905(s) of the Act	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(s).
42 CFR 435.402	3. Is residing in the United States and-- a. Is a citizen;
Sec. 245A of the Immigration and Nationality Act	b. Is an alien lawfully admitted for permanent residence or otherwise permanently residing in the United States under color of law, as defined in 42 CFR 435.408;
1902(a) and 1903(v) of the Act and 245A(h)(3)(B) of the Immigration & Nationality Act	c. Is an alien granted lawful temporary resident status under section 245A and 210A of the Immigration and Nationality Act if the individual is aged, blind, or disabled as defined in section 1614(a)(1) of the Act, under 18 years of age or a Cuban/Haitian entrant as defined in section 501(e)(1) and (2)(A) of P.L. 96-422;

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- d. Is an alien granted lawful temporary resident status under section 210 of the Immigration and Nationality Act not within the scope of c. above (coverage must be restricted to certain emergency services during the five-year period beginning on the date the alien was granted such status);
- e. Is an alien who is not lawfully admitted for permanent residence or otherwise permanently residing in the United States under color of law (coverage must be restricted to certain emergency services).

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.

State/Territory: South Carolina

Citation		Condition or Requirement
42 CFR 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.
42 CFR 433.145 1912 of the Act	6.	Is required, as a condition of eligibility, to assign his or her own rights, or the rights of any other person who is eligible for Medicaid and on whose behalf the individual has legal authority to execute an assignment, to medical support and payments for medical care from any third party. (Medical support is defined as support specified as being for medical care by a court or administrative order.)

State/Territory: South Carolina

Citation	Condition or Requirement
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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(1)(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.

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.

Assignment of rights is automatic because of State law.

42 CFR 435.910 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 Social Security Act (section 1137(D) and newborn children who are eligible under Section 1902(e)(4).

State/Territory: South Carolina

Citation	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.)

State/Territory: South Carolina

Citation

Condition or Requirement

1906 of the Act 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).

State: South Carolina

Citation	Condition or Requirement
435.725 B.	<u>Post-Eligibility Treatment of Institutionalized</u>
435.733	<u>Individuals Without Spouses</u>
435.832	
	1. The following amounts 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 facility or ICF/MR.
Bondi V. Sullivan	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 Reparation Payment (reparation payments made by the Federal Republic of Germany).
105/206 of P.L. 100-383	d. Japanese and Alcutian Restitution Payments.
10405 of P.L. 101-239	e. 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	f. Radiation Exposure Compensation.
	2. The following amounts are deducted from total income in the application of an individual's or couple's income to the cost of institutional care:
	a. Personal Needs Allowance.
	(i) Aged, blind, disabled--
	Individuals \$ <u>30</u> ¹
	Couples \$ <u>60</u> ²
	For individuals with greater needs \$ <u> </u> ³
	1. \$100 if participating in a work therapy program.
	¹ For individuals receiving a VA pension limited to \$90 a month under Section 8003 of P.L. 101-508, the Personal Needs Allowance is the greater of the amount permitted to be paid under Section 8003 (up to \$90) and the amount specified in this section.
	² The deduction described in footnote 1 applies when either member of a couple receives a VA pension described in footnote 1.
	³ Supplement 14 to Attachment 2.6-A 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 when appropriate, identifies the authority for approving that a criterion is met.

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State: South Carolina

Citation	Condition or Requirement
2. For individuals who were required to establish an income trust in order to become eligible for Medicaid, the personal needs allowance includes the additional following deductions because these individuals have greater need:	\$10 maximum monthly fee for the trustee to manage the income trust (Deduction made only if trustee charges a fee. Higher fee not to exceed \$50 is permitted only if authorized by DHHS.); and
	\$20 maximum monthly fee for bank service charges owed by the income trust, should the bank charge a fee; and
	Once per calendar year, a year deduction for federal and state income taxes should the trust owe any taxes.
(ii) AFDC related--	
	Children \$ <u>23</u> Adults \$ _____ With individuals with greater needs-- ⁴ \$ _____ ⁵
(iii) Individuals under age 21 covered in this plan as specified in Item B.7 of <u>ATTACHMENT 2.2-A.</u> \$ _____ For individuals with greater need -- ⁶	
435.725 b. 435.733 435.832	For the maintenance of each member of non-institutionalized family at home. The amount must be based on a reasonable assessment of need but must not exceed the higher of the: • AFDC level; or • Medically needy level: -AFDC level \$ <u>X</u> -Medically Needy level \$ _____ -Other \$ _____
	⁴ Supplement 14 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 authority for approving that a criterion is met.
	⁵ For individuals receiving a VA pension limited to \$90 a month under Section 8003 of P.L. 101-508, the Personal Needs Allowance is the greater of the amount permitted to be paid under Section 8003 (up to \$90) and the amount specified in this section.
	⁶ Supplement 14 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 authority for approving that a criterion is met.
TN No. <u>MA 96-003</u> Supersedes TN No. <u>MA 92-07</u>	Approval Date <u>5/20/96</u>
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Citation Condition or Requirement

- Section 1924 2. Maintenance standards for community spouses and other dependent family members used to calculate monthly income allowances under Section 1924(d) is used (plus excess shelter costs).
- a. Community Spouses
- ___ 1. A standard based on the formula contained in Section 1924(d) is used (plus excess shelter costs).
- X 2. The maximum standard contained in Section 1924(d) (3) (C) .
- ___ 3. A fixed standard which is greater than the minimum standard described in Section 1924(d) (plus actual excess shelter costs not to exceed the maximum standard contained in Section 1924(d) (3) (C) . The standard used is \$_____.
- b. Other family members who are dependent
- X 1. A standard based on the formula contained in Section 1924(d) (1) (C) is used.
- ___ 2. A fixed standard greater than the amount which would be used if the formula described in section 1924(d) (1) (C) were used. The standard is \$_____.

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Citation

Condition or Requirement

c. The standards described above are used for individuals receiving home and community based waiver services in lieu of services provided in a medical and remedial care institution.

d. Definition of Dependency

The definition of dependency below is used to define dependent children, parents and siblings for purposes of deducting allowances under Section 1924.

Internal Revenue Service definition of dependency.

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State: South Carolina

Citation	Condition or Requirement
	3. For children, each family member where there is no community spouse. AFDC level \$ <u>311 for first family member*</u> Medically needy level \$ _____ Other as follows \$ _____
	4. Amounts for incurred medical expenses not subject to payment by a third party. a. Health insurance premiums, deductibles and co-insurance charges b. Necessary medical or remedial care not covered under the Medicaid plan (Reasonable limits on amounts are described in <u>Supplement 3 to ATTACHMENT 2.6-A.</u>)
	5. An amount for maintenance of a single individual's home for not longer than 6 months, if a physician has certified he or she is likely to return home within that period. <u>X</u> Yes. Amount for maintenance of home \$ <u>SSI FBR for an individual.</u> ____ No.
1902(1) of the Act	6. SSI benefits paid under section 1611(e)(1)(E) and (G) of the Act to individuals who receive care in a hospital or nursing facility.

In addition to the Personal Needs Allowance described in item 2, Attachment 2.6-A, Page 4--for the following individuals with greater needs--a deduction for the lesser of 10% of gross monthly income or \$25 per month, when there is a court order requiring guardianship fees.

* See page 1 of Supplement 1 to Attachment 2.6-A for variance by family size.

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ELIGIBILITY CONDITIONS AND REQUIREMENTS

Citation(s)	Condition or Requirement
42 CFR 435.711 435.721, 435.831	<p>C. <u>Financial Eligibility</u></p> <p>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>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><u>Supplement 1 to ATTACHMENT 2.6-A</u> specifies the income levels of 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 and 1902(a)(10)(E)(ii) of the Act.</p>

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Citation	Condition or Requirement
<input checked="" 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 medially 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

Citation(s)	Condition or Requirement
1902(r) (2) of the Act	<p>1. <u>Methods of Determining Income</u></p> <p>a. <u>AFDC-related individuals (except for poverty level related pregnant women, infants, and children).</u></p> <p>(1) In determining countable income for AFDC-related individuals, the following methods are used:</p> <p>_____ (a) The methods under the State's approved AFDC plan only; or</p> <p><u>X</u> (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) of 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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ELIGIBILITY CONDITIONS AND REQUIREMENTS

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 are used: ___ The methods of the SSI program only. <u>X</u> The methods of the SSI program and/or any more liberal methods described in <u>Supplement 8a to ATTACHNMENT 2.6A.</u>

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Citation	Condition or Requirement
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- 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 Supplement 4 to ATTACHMENT 2.6-A; and any more liberal methods described in Supplement 8a to ATTACHMENT 2.6-A.
- For institutional couples, the methods specified under section 1611(e) (5) of the Act.
- For optional State supplement recipients under \$435.230, income methods more liberal than SSI, as specified in Supplement 4 to ATTACHMENT 2.6-A.
- For optional State supplement recipients in section 1902(f) State and SSI criteria States without section 1616 or 1634 agreements—(SSA administered OSS).
 - ___ SSI methods only.
 - ___ SSI methods and/or any more liberal methods than SSI described in Supplement 8a to ATTACHMENT 2.6-A.
 - ___ Methods more restrictive and/or more liberal than SSI. More restrictive methods are described in Supplement 4 to ATTACHMENT 2.6-A and more liberal methods are described in Supplement 8a to ATTACHMENT 2.6-A.

In determining relative financial responsibility, the agency considers only the income of spouses living in the same household as available to spouses.

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Citation

Condition or Requirement

42 CFR 435.721 and
435.831
1902(m) (1) (B)
(m) (4), and
1902(r) (2) of
the Act

c. Blind Individuals. In determining countable
income for blind individuals, the following
methods are used:

The methods of the SSI program only.

SSI methods and/or any more liberal methods
described in Supplement 8a to ATTACHMENT
2.6-A.

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 Supplement 4 to ATTACHMENT
2.6-A, and any more liberal methods
described in Supplement 8a to ATTACHMENT
2.6-A.

For institutional couples, the methods
specified under section 1611(e) (5) of the
Act.

For optional State supplement recipients
under §435.230, income methods more liberal
than SSI, as specified in Supplement 4 to
ATTACHMENT 2.6-A.

For optional State supplement recipients
in section 1902(f) States and SSI criteria
States without section 1616 or 1634
agreements--

SSI methods only.

SSI methods and/or any more liberal
methods than SSI described in
Supplement 8a to ATTACHMENT 2.6-A.

Methods more restrictive and/or more
liberal than SSI. More restrictive
methods are described in Supplement
4 to ATTACHMENT 2.6-A and more
liberal methods are described in

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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.

42 CFR 435.721,
and 435.831
1902(m) (1) (B)
(m) (4), and
1902(r) (2) of
the Act

d. Disabled individuals. 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:

- The methods of the SSI program.
- SSI methods and/or any more liberal methods described in Supplement 8a to ATTACHMENT 2.6-A.
- For institutional couples: the methods specified under section 1611(e) (5) of the Act.
- For optional State supplement recipients under §435.230: income methods more liberal than SSI, as specified in Supplement 4 to ATTACHMENT 2.6-A.
- For individuals other than the 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 Supplement 4 to ATTACHMENT 2.6-A; and any more liberal methods described in Supplement 8a to ATTACHMENT 2.6-A.

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- ___ For optional State supplement recipients in section 1902(f) States and SSI criteria States without section 1616 or 1634 agreements--
 - ___ SSI methods only.
 - ___ SSI methods and/or any more liberal methods than SSI described in Supplement 8a to ATTACHMENT 2.6-A.
 - ___ 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 Supplement 4 to ATTACHMENT 2.6-A and more liberal methods are specified in Supplement 8a to ATTACHMENT 2.6-A.
- 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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Citation(s)	Condition or Requirement
1902(1)(3)(E) and 1902(r)(2) of the Act	<p>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-</p> <p>(1) The following methods are used in determining countable income:</p> <p>___ The methods of the State's approved AFDC plan.</p> <p>___ The methods of the approved title IV-E plan.</p> <p><u>X</u> 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></p> <p>___ 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></p>

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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 th 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: ___ The methods of the SSI program only. <u>X</u> SSI methods and/or any more liberal methods than SSI described in <u>Supplement 8a to ATTACHMENT 2.6-A</u> . ___ For institutional couples, the methods specified under section 1611(e) (5) of the Act.

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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.

For individuals with title II income, the revised poverty levels are not effective until the first day of the month following the end of the transition period.

For individuals not receiving title II income, the revised poverty levels are effective no later than the date of publication.

1905(s) of the Act g. (1) Qualified disabled and working individuals.

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.

1905(p) of the Act (2) Specified low-income Medicare beneficiaries.

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.

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1902(a)(10)(A)
(ii)(XIII) of the Act

h. Working Disabled Who Buy In to Medicaid

In determining countable income and resources for working disabled individuals who buy in to Medicaid, the following methodologies are applied:

- The methodologies of the SSI program;
- The agency uses methodologies for treatment of income and resources more restrictive than the SSI program. These more restrictive methodologies are described in Supplement 4 to ATTACHMENT 2.6-A.
- The agency uses more liberal income and/or resource methodologies than the SSI program. More liberal 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.
- The agency requires individuals to pay premiums or other cost-sharing charges. The premiums or other cost-sharing charges, and how they are applied, are described below:

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State: South Carolina

Citation	Condition or Requirement
1902(k) of the Act	<p>2. Medicaid Qualifying Trusts</p> <p>The case of a Medicaid qualifying trust described in section 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><input checked="" type="checkbox"/> 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.</p>
1902(a)(10) of the Act	<p>3. Medically needy income levels (MNILs) are based on family size.</p> <p><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>

State: South Carolina

Citation	Condition or Requirement
42 CFR 435.732, 435.831	<p data-bbox="527 415 1437 504">4. Handling of Excess Income - Spend-down for the Medically Needy in All States and the Categorically Needy in 1902(f) States Only</p> <p data-bbox="617 535 958 567">a. <u>Medically Needy</u></p> <p data-bbox="722 598 1502 829">(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 periods of ___ month(s) (not to exceed 6 months) to determine the amount of excess countable income applicable to the cost of medical care and services.</p> <p data-bbox="722 861 1502 955">(2) If countable income exceeds the MNIL standard, the agency deducts the following incurred expenses in the following order:</p> <p data-bbox="820 987 1485 1039">(a) Health insurance premiums, deductibles and coinsurance charges.</p> <p data-bbox="820 1071 1461 1165">(b) Expenses for necessary medical and remedial care not included in the plan.</p> <p data-bbox="820 1197 1469 1249">(c) Expenses for necessary medical and remedial care included in the plan.</p> <p data-bbox="901 1281 1502 1396">___ Reasonable limits on amounts of expenses deducted from income under a.(2)(a) and (b) above are listed below.</p> <p data-bbox="240 1438 1502 1644">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.</p>

Revision: HFCA-PM-91-8 (MB)
October 1991

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

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Supersedes
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Approval Date 06/04/92

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HCFA ID: 7985E/

State: South Carolina

Citation	Condition or Requirement
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42 CFR 435.732	<p>b. <u>Categorically needy - Section 1902(f) States</u></p> <p>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 style="list-style-type: none">(1) Any SSI benefit received.(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.(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.(4) Other deductions from income described in this plan at <u>ATTACHMENT 2.6-A, Supplement 4</u>.(5) Incurred expenses for necessary medical and remedial services recognized under State law.
1902(a)(17) of the Act, P.L. 100-203	<p>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.</p>

Revision: HFCA-PM-91-8 (MB)
October 1991

ATTACHMENT 2.6-A
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State/Territory: South Carolina

Citation	Condition or Requirement
1903(f) (2) of the Act	4.b. <u>Categorically Needy - Section 1902(f) States</u> (Continued) ____ (6) Spenddown payments made to the State by the individual.

NOTE: FFP will be reduced to the extent a State
is paid a spenddown payment by the individual.

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HCFA ID: 7985E/

State: South Carolina

Citation	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.

State: South Carolina

Citation	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,
including 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 SSI program.

 X SSI methods and/or any more 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.

State: South Carolina

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

c. Blind individuals. For blind individuals the agency uses the following methods for treatment of resources:

The methods of the SSI program.

SSI methods and/or any more liberal methods described in Supplement 8b to ATTACHMENT 2.6-A.

Methods that are more restrictive and/or more liberal than those of the SSI program. Supplement 5 to ATTACHMENT 2.6-A describe the more restrictive methods and Supplement 8b to ATTACHMENT 2.6-A specify the more liberal methods.

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.

State: South Carolina

Citation	Condition or Requirement
1902 (a) (10) (A), 1902 (a) (10) (C), 1902 (m) (1) (B) and (C), and 1902 (r) (2) of the Act	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: <input type="checkbox"/> The methods of the SSI program. <input checked="" type="checkbox"/> SSI methods and/or any more liberal methods described in <u>Supplement 8a to ATTACHMENT 2.6-A.</u> <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> In determining relative financial responsibility, the agency consider only the resources of spouses living in the same household as available to spouses and the resources of parents as available to spouses and the resources of parents as available to children living with parents until the children become 21.
1902 (I) (3) and 1902 (r) (2) of the Act	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> The agency uses the following methods in the treatment of resources. <input type="checkbox"/> The methods of the SSI program only. <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>

State: South Carolina

Citation	Condition or Requirement
	<input checked="" 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>
	<input type="checkbox"/> Not applicable. The agency does not consider resources in determining eligibility.
	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.
1902(l) (3) and 1902(r) (2) of the Act	f. <u>Poverty level infants covered under section 1902(a)(10)(A)(i)(IV) of the Act.</u> The agency uses the following methods for the treatment of resources: <input type="checkbox"/> The methods of the State's approved AFDC plan. <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>
1902(l) (3) (C) of the Act	
1902(r) (2) of the Act	<input checked="" 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>
	<input type="checkbox"/> Not applicable. The agency does not consider resources in determining eligibility.

STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT

State: South Carolina

ELIGIBILITY CONDITIONS AND REQUIREMENTS

Citation	Condition or Requirement
1902(l)(3) and 1902(r)(2) of the Act	<p>g. 1. <u>Poverty level children covered under sections 1902(a)(10)(A)(i)(VI); 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>
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), 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(r)(2) of the Act	<p><input checked="" 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> <p><input 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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Supersedes
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STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT

State: South Carolina

ELIGIBILITY CONDITIONS AND REQUIREMENTS

Citation	Condition or Requirement
1902(l) (3) and 1902(r) (2) of the Act	<p>g. 2. <u>Poverty level children covered under sections 1902(a) (10) (A) (i) (VII)</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>
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 of ATTACHMENT 2.6-A.</u></p>
1902(r) (2) of the Act	<p><input checked="" 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></p> <p><input type="checkbox"/> Not applicable. The agency does not consider resources in determining eligibility.</p> <p>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.</p>

State: South Carolina

Citation	Condition or Requirement
1905(p) (1) (C) and (D) and 1902(r) (2) of the Act	5. h. <u>Qualified Medicare beneficiaries covered under section 1902(a) (10) (E) (i) of the Act--</u> The agency used the following methods for treatment of resources: ___ The methods of the SSI program only. <u>X</u> 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. 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: ___ Same as SSI resource standards. ___ 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> specified for 1902(f) States the categorically needy resource levels for all covered categorically needy groups.

State/Territory: South Carolina

Citation	Condition or Requirement
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: ___ Same as SSI resource standards. ___ 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 those 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.

State: South Carolina

ELIGIBILITY CONDITIONS AND REQUIREMENTS

Citation	Condition or Requirement
1902 (1) (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 a resource standard.</p> <p><input checked="" 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 not more restrictive than the standard applied in the State's approved AFDC plan.</p> <p><input type="checkbox"/> No. The agency does not apply a resource standard to these individuals.</p>
1902 (1) (3) (A) and (C) of the Act	<p>d. For children covered under the provisions of section 1902(a)(10)(A)(i)(VI) and (VII) of the Act, the agency applies a resource standard.</p> <p><input checked="" 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 type="checkbox"/> No. The agency does not apply a resource standard to these individuals.</p>

State: South Carolina

Citation	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: ___ Same as SSI resource standards. ___ Same as the medically needy resource standards, which are higher than the SSI resource standards (if the State covers medically needy). <u>X</u> Same as QMB resource standards. <u>Supplement 2 to ATTACHMENT 2.6-A. specifies the resource levels for these individuals.</u>

State: South Carolina

Citation	Condition or Requirement
<p>1902(a)(10)(C)(i) of the Act</p>	<p>7. Resource Standard - Medically Needy</p> <ul style="list-style-type: none"> a. Resource standards are based on family size. b. A single standard is employed in determining resource resource eligibility for all groups. <input type="checkbox"/> c. In 1902(f) States, the resource standards are more restrictive than in 7.b. above for-- <ul style="list-style-type: none"> <input type="checkbox"/> Aged <input type="checkbox"/> Blind <input type="checkbox"/> Disabled <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 to ATTACHMENT 2.6-A</u> so indicates.</p>
<p>1902(a)(10)(E), 1905(p)(1)(D), 1905(p)(2)(B) and 1860D-14(a)(3)(D) of the Act</p>	<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 1902(a)(10)(E)(iv) of the Act, the resource standard is three times the SSI resource limit, adjusted annually since 1996 by the increase in the consumer price index.</p>

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Supersedes TN No. MA 92-007

State: South Carolina

Citation	Condition or Requirement
1902(a)(10)(E)(ii), 1905(s) and 1860D-14(a)(3)(D) 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 two times the SSI resource limit.</p>
1902(u) of the Act	<p>10. For COBRA continuation beneficiaries, the resource standard is:</p> <p style="margin-left: 40px;">___ Twice the SSI resource standard for an individual.</p> <p style="margin-left: 40px;">___ More restrictive standard as applied under section 1902(f) of the Act as described in <u>Supplement 8 to Attachment 2.6-A</u>.</p> <p>11. Excess Resources</p> <p style="margin-left: 40px;">a. Categorically Needy, Qualified Medicare Beneficiaries, and Qualified Disabled and Working Individuals</p> <p style="margin-left: 80px;">Any excess resources make the individual ineligible.</p> <p style="margin-left: 40px;">b. Categorically Needy Only</p> <p style="margin-left: 80px;"><input checked="" 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 style="margin-left: 40px;">c. Medically Needy</p> <p style="margin-left: 80px;">Any excess resources make the individual ineligible.</p>

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 Supersedes
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 HCFA ID: 7985E

State: South Carolina

Citation	Condition or Requirement
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42 CFR
435.914

11. Effective Date of Eligibility

a. Groups Other Than Qualified Medicare Beneficiaries

(1) For the prospective period.

Coverage is available for the full month if the following individuals are eligible at any time during the month.

- Aged, blind, disabled.
- AFDC-related.

Coverage is available only for the period during the month for which the following individuals meet the eligibility requirements.

- Aged, blind, disabled.
- AFDC-related.

(2) For the retroactive period.

Coverage is available for three months before the date of application if the following individuals would have been eligible had they applied:

- Aged, blind, disabled.
- AFDC-related.

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.

- Aged, blind, disabled.
- AFDC-related.

STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT

State South Carolina

ELIGIBILITY CONDITIONS AND REQUIREMENTS

Citation(s)		Condition or Requirement
1920(b) (1) of the Act	<u> </u> (3)	For a presumptive eligibility 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	<u> X </u> 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 qualified Medicare beneficiary under section 1905(p) (1). The eligibility determination is valid for-- <u> X </u> 12 months <u> </u> 6 months <u> </u> ___ months (no less than 6 months and no more than 12 months)

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August 1991

ATTACHMENT 2.6-A
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State: South Carolina

Citation

Condition or Requirement

1902(a)(18)
and 1902(f) of
the Act

12. Transfer of Resources - Categorically and Medically
Needy, Qualified Medicare Beneficiaries, and Qualified
Disabled and Working Individuals

The agency complies with the provisions of section 1917
of the Act with respect to the transfer of resources.

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STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT

State South Carolina

INCOME ELIGIBILITY LEVELS

A. MANDATORY CATEGORICALLY NEEDY

1. AFDC-Related Groups Other Than Poverty Level Pregnant Women and Infants:

<u>Family Size</u>	<u>Need Standard</u>	<u>Payment Standard</u>	<u>Maximum Payment Amounts</u>
1	\$328		\$119
2	442		160
3	555		201
4	668		242
5	782		283
6	895		324
7	1008		365

Continued at bottom of page

2. Pregnant Women and Infants under Section 1902(a)(10)(i)(IV) of the Act, the income eligibility level is 185 percent of the Federal poverty level (as revised annually in the Federal Register) for the size family involved.

<u>Family Size</u>	<u>Need Standard</u>	<u>Payment Standard</u>	<u>Maximum Payment Amounts</u>
8	\$1122		\$407
9	1235		448
10	1348		489
11	1462		530
12	1575		571
13	1688		612
14	1802		654
15	1915		695

STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT

State South Carolina

INCOME ELIGIBILITY LEVELS

A. MANDATORY CATEGORICALLY NEEDY (Continued)

3. For children under Section 1902(a)(10)(A)(i)(VI) of the Act (children who have attained age 1 but have not attained age 6), the income eligibility level is 133 percent of the Federal poverty level (as revised annually in the Federal Register) for the size family involved.
4. For children under Section 1902(a)(10)(A)(i)(VII) of the Act (children who were born after September 30, 1983 and have attained age 6 but have not attained age 19), the income eligibility level is 100 percent of the Federal poverty level (as revised annually in the Federal Register) for the size family involved.

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August 1991

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STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT

State South Carolina

INCOME ELIGIBILITY LEVELS (Continued)

B. OPTIONAL CATEGORICALLY NEEDY GROUPS WITH INCOMES RELATED TO FEDERAL POVERTY LEVEL

1. Pregnant Women and Infants

The levels for determining income eligibility for optional groups of pregnant women and infants under the provisions of sections 1902(a)(10)(A)(ii)(IX) and 1902(1)(2) of the Act are as follows:

Based on 185 percent of the official Federal income poverty level (as revised annually in the Federal Register) for the size family involved).

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STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT

State South Carolina

INCOME ELIGIBILITY LEVELS (Continued)

B. MANDATORY CATEGORICALLY NEEDY GROUPS WITH INCOMES RELATED TO FEDERAL POVERTY LEVEL

2. Children Age 6 and Above

The Levels for determining income eligibility for groups of children who are born after September 30, 1983 and who have attained 6 years of age but are under 19 years of age under the provisions of section 1902(1)(2) of the Act are as follows:

Based on 100 percent of the official Federal income poverty level (as revised annually in the Federal Register) for the size family involved.

STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT

State South Carolina

INCOME ELIGIBILITY LEVELS (Continued)

3. Aged and Disabled Individuals

The levels for determining income eligibility for groups of aged and disabled individuals under the provisions of section 1902(m) (4) of the Act are as follows:

Based on 100 percent of the official Federal income poverty level (as revised annually in the Federal Register) for the size family involved.

If an individual receives a title II benefit, any amount 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.

For individuals with title II income, the revised poverty levels are not effective until the first day of the month following the end of the transition period.

For individuals not receiving title II income, the revised poverty levels are effective no later than the beginning of the month following the date of publication.

STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT

State South Carolina

INCOME LEVELS (Continued)

D. MEDICALLY NEEDY

 Applicable to all groups.

 Applicable to all groups except those specified below. Excepted group income levels are also listed on an attached page 3.

(1) Family Size	(2) Net income level protected for maintenance for <u> </u> months	(3) Amount by which Column (2) exceeds limits specified in 42 CFR 435.1007*	(4) Net income level for persons living in rural areas for <u> </u> months	(5) Amount by which Column (4) exceeds limits specified in 42 CFR 435.1007*
<input type="checkbox"/>	urban only			
<input type="checkbox"/>	urban & rural			
1	\$	\$	\$	\$
2	\$	\$	\$	\$
3	\$	\$	\$	\$
4	\$	\$	\$	\$
For each additional person, add:				
	\$	\$	\$	\$

*The agency has methods for excluding from its claim for FFP payments made on behalf of individuals whose income exceeds these limits.

STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT

State South Carolina

INCOME LEVELS (Continued)

D. MEDICALLY NEEDY

(1)	(2)	(3)	(4)	(5)
Family Size	Net income level protected for maintenance for _____ months	Amount by which Column (2) exceeds limits specified in 42 CFR 435.1007*	Net income level for persons living in rural areas for _____ months	Amount by which Column (4) exceeds limits specified in 42 CFR 435.1007*

- urban only
- urban & rural

5	\$	\$	\$	\$
6	\$	\$	\$	\$
7	\$	\$	\$	\$
8	\$	\$	\$	\$
9	\$	\$	\$	\$
10	\$	\$	\$	\$

For each additional person, add:

\$	\$	\$	\$
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*The agency has methods for excluding from its claim for FFP payments made on behalf of individuals whose income exceeds these limits.

STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT

State South Carolina

INCOME LEVELS (Continued)

E. Optional Groups Other Than the Medically Needy

1. Institutionalized Individuals Under Special Income Levels as follows:

300 percent of the Supplemental Security Income maximum benefit rate.

STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT

State: South Carolina

Income Eligibility Levels - Institutionalized Individuals

Individual - 3 times the SSI FBR*

*Medicaid Cap for an individual in an institution does not exceed 300 percent of the Supplemental Security Income Federal Benefit Rate for an individual.

TN No. MA 00-007

Supersedes Approval Date 5/01/00 Effective Date 1/01/00

TN No. MA 91-02

STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT

State: South Carolina

RESOURCE LEVELS

A. CATEGORICALLY NEEDY GROUPS WITH INCOMES RELATED TO FEDERAL POVERTY LEVEL

1. Pregnant Women

a. Mandatory Groups

- Same as SSI resources levels.
 Less restrictive than SSI resource levels and is as follows:

<u>Family Size</u>	<u>Resource Level</u>
<u>1</u>	<u>30,000</u>
<u>2</u>	<u>30,000</u>
For all Family Sizes	<u>30,000</u>

b. Optional Groups

- Same as SSI resources levels.
 Less restrictive than SSI resource levels and is as follows:

<u>Family Size</u>	<u>Resource Level</u>
<u>1</u>	
<u>2</u>	

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STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT

State: South Carolina

2. Infants

a. Mandatory Group of Infants

- Same as resource levels in the State's approved AFDC plan.
 Less restrictive than the AFDC levels and are as follows:

<u>Family Size</u>	<u>Resource Level</u>
<u>1</u>	<u>30,000</u>
<u>2</u>	<u>30,000</u>
<u>3</u>	<u>30,000</u>
<u>4</u>	<u>30,000</u>
<u>5</u>	<u>30,000</u>
<u>6</u>	<u>30,000</u>
<u>7</u>	<u>30,000</u>
<u>8</u>	<u>30,000</u>
<u>9</u>	<u>30,000</u>
<u>10</u>	<u>30,000</u>
For all Family Sizes	<u>30,000</u>

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STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT

State: South Carolina

b. Optional Group of Infants

- Same as resource levels in the State's approved AFDC plan.
- Less restrictive than the AFDC levels and are as follows:

<u>Family Size</u>	<u>Resource Level</u>
<u>1</u>	
<u>2</u>	
<u>3</u>	
<u>4</u>	
<u>5</u>	
<u>6</u>	
<u>7</u>	
<u>8</u>	
<u>9</u>	
<u>10</u>	

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STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT

State: South Carolina

3. Children

a. Mandatory Group of Children of Children under Section 1902(a)(10)(A)(i)(VI) of the Act. (Children who have attained age 1 but have not attained age 6.)

- Same as resource levels in the State's approved AFDC plan.
- Less restrictive than the AFDC levels and are as follows:

<u>Family Size</u>	<u>Resource Level</u>
<u>1</u>	<u>30,000</u>
<u>2</u>	<u>30,000</u>
<u>3</u>	<u>30,000</u>
<u>4</u>	<u>30,000</u>
<u>5</u>	<u>30,000</u>
<u>6</u>	<u>30,000</u>
<u>7</u>	<u>30,000</u>
<u>8</u>	<u>30,000</u>
<u>9</u>	<u>30,000</u>
<u>10</u>	<u>30,000</u>
For all Family Sizes	<u>30,000</u>

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STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT

State: South Carolina

b. Mandatory Group of Children under Section 1902(a)(10)(A)(i)(VII) of the Act. (Children born after 9/30/83 who have attained age 6 but have not attained age 19.)

- Same as resource levels in the State's approved AFDC plan.
 Less restrictive than the AFDC levels and are as follows:

<u>Family Size</u>	<u>Resource Level</u>
<u>1</u>	<u>30,000</u>
<u>2</u>	<u>30,000</u>
<u>3</u>	<u>30,000</u>
<u>4</u>	<u>30,000</u>
<u>5</u>	<u>30,000</u>
<u>6</u>	<u>30,000</u>
<u>7</u>	<u>30,000</u>
<u>8</u>	<u>30,000</u>
<u>9</u>	<u>30,000</u>
<u>10</u>	<u>30,000</u>
For all Family Sizes	<u>30,000</u>

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TN No. MA 92-17

HCFA ID: 7985E

STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT

State: South Carolina

4. Aged and Disabled Individuals

- Same as SSI resources levels.
- More restrictive than SSI levels and are as follows:

<u>Family Size</u>	<u>Resource Level</u>
<u>1</u>	_____
<u>2</u>	_____
<u>3</u>	_____
<u>4</u>	_____
<u>5</u>	_____

- Same as medically needy resource levels (applicable only if State has a medically needy program)
- Same as QMB resource levels

TN No. MA 92-023

Supersedes Approval Date: 02/19/93

Effective Date 10/01/92

TN No. MA 92-07

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STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT

State: South Carolina

RESOURCE LEVELS (Continue)

B. MEDICALLY NEEDY

Applicable to all groups -

- Except those specified below under the provisions of section 1902(f) of the Act

<u>Family Size</u>	<u>Resource Level</u>
<u>1</u>	_____
<u>2</u>	_____
<u>3</u>	_____
<u>4</u>	_____
<u>5</u>	_____
<u>6</u>	_____
<u>7</u>	_____
<u>8</u>	_____
<u>9</u>	_____
<u>10</u>	_____

For each additional person _____

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TN No. MA 92-07

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STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT

State: South Carolina

LIMITATIONS ON NON-COVERED MEDICAL EXPENSES

The following is a listing of Medical expenses which are allowable deductions from the recipient's monthly recurring income:

- Prescription drugs above the four(4) prescriptions per month limit, not to exceed \$54.00 per additional prescription per month.
- Eyeglasses not otherwise covered by the Medicaid Program, not to exceed a total of \$108.00 per occurrence for lenses, frames and dispensing fee. The necessity for eyeglasses must be certified by a licensed practitioner of optometry or ophthalmology.
- Dentures - A one-time expense, not to exceed \$651.00 per plate or \$1320.00 for one full pair of new dentures. The necessity for dentures must be certified by a licensed dental practitioner. An expense for more than one pair of dentures must be approved by the staff of the South Carolina Department of Health and Human Services (SCDHHS).
- Denture repair which is justified as necessary by a licensed dental practitioner, not to exceed \$77.00 per occurrence.
- Physician and other medical practitioner visits above the 12 visit limit per fiscal year, not to exceed \$69.00 per visit.
- Hearing Aids - A one time expense, not to exceed \$1000.00 for one or \$2000.00 for both. The necessity for a hearing aid must be certified by a licensed practitioner. An expense for more than one hearing aid must be prior approved by the staff of SCDHHS.
- The deduction for medical and remedial care expenses that were incurred as the result of imposition of a transfer of assets penalty period is limited to zero.
- Reasonable and necessary medical and remedial care expenses not covered by Medicaid incurred in the 3 months prior to the month of application are allowable deductions. Expenses incurred prior to this three month period are not allowable deductions.

TN No. SC 15-009

Supersedes

TN No. SC 06-017Approval Date: 11-10-15Effective Date 10/01/15

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SUPPLEMENT 4 TO ATTACHMENT 2.6-A

Page 1

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STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT

State: South Carolina

METHODS FOR TREATMENT OF INCOME THAT DIFFER FROM
THOSE OF THE SSI PROGRAM

(Section 1902(f) more restrictive methods and criteria and State supplement criteria in SSI criteria States without section 1634 agreements and in section 1902(f) States. Use to reflect more liberal methods only if you limit to State supplement recipients. DO NOT USE this supplement to reflect more liberal policies that you elect under the authority of section 1902(r)(2) of the Act. Use Supplement 8a for section 1901(r)(2) methods.)

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Supersedes
TN No. MA 84-11

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SUPPLEMENT 5 TO ATTACHMENT 2.6-A
Page 1
OMB No.: 0938-

STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT

State: South Carolina

MORE RESTRICTIVE METHODS OF TREATING RESOURCES
THAN THOSE OF THE SSI PROGRAM - Section 1902(f) States only

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TN No. MA 87-16

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SUPPLEMENT 5a TO ATTACHMENT 2.6-A

Page 1

OMB No.: 0938-

STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT

State: South Carolina

METHODS FOR TREATMENT OF RESOURCES FOR INDIVIDUALS
WITH INCOMES RELATED TO FEDERAL POVERTY LEVELS

(Do not complete if you are electing more liberal methods under the authority of section 1902(r)(2) of the Act instead of the authority specific to Federal poverty levels. Use Supplement 8b for section 1902(r)(2) methods.)

TN No. MA 92-07
Supersedes
TN No. MA 87-19

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STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT

State: South Carolina

Standards for Optional State Supplementary Payments

Payment Category (Reasonable Classification)	Administered by		Income Level		Income Disregards Employed
	Federal	State	<u>Gross</u> Individual	<u>Net</u> Individual	
(1) Aged, Blind and Disabled Individuals in Domiciliary Facilities	(2)	X	(3) 3 Times Maximum SSI/FBR	(4) Amount Set by General Assembly Each year	(5) SSI

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SUPPLEMENT 7 TO ATTACHMENT 2.6-A

Page 1

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STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT

State: South Carolina

INCOME LEVELS FOR 1902(f) STATES - CATEGORICALLY NEEDY
WHO ARE COVERED UNDER REQUIREMENTS MORE RESTRICTIVE THAN SSI

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TN No. MA 85-11

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SUPPLEMENT 8 TO ATTACHMENT 2.6-A

Page 1

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STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT

State: South Carolina

RESOURCE STANDARDS FOR 1902(f) STATES - CATEGORICALLY NEEDY

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STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT

State: South Carolina

MORE LIBERAL METHODS OF TREATING INCOME
UNDER SECTION 1902(r) (2) OF THE ACT*

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

- A. For Qualified Medicare Beneficiaries, Aged and Disabled, Working Disabled, and Specified Low-Income Medicare Beneficiaries, the rules for valuing in-kind support and maintenance are not applied.
- B. For pregnant women with income below the state established poverty level (185% as of 7/90), a married pregnant minor who lives with her parents is automatically considered emancipated and her parents income is not considered in determining her eligibility.
- C. For pregnant women, infants and children with income below the state established poverty level (185% as of 7/90), a deduction of child care expenses of \$200 per month per child less the amount paid by the ABC voucher program for each child receiving child care is used.
- D. For individuals applying under Section 1902(m)(1) of the Act, disregard the first \$50 of unearned income.
- E. For Poverty Level Aged and Disabled when the annual Social Security and Railroad Retirement COLAs and Poverty Level adjustments cause ineligibility, disregard the most recent COLA increase. This disregard continues until the individual loses Medicaid coverage for any other reason for three consecutive months.
- F. For the Working Disabled Program, disregard unearned income between the SSI Federal Benefit Rate and 100% of the Federal Poverty Level.
- G. For minors under age 18 covered under Section 1902(a)(10)(A)(ii)(XXI) and 1902(ii) of the Act, all income of their parents is disregarded.

*More liberal methods may not result in exceeding gross income limitations under section 1903(f).

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SUPPLEMENT 8a to ATTACHMENT 2.6-A
Page 1.1
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STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT

State: South Carolina

MORE LIBERAL METHODS OF TREATING INCOME
UNDER SECTION 1902(r) (2) OF THE ACT*

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

- f. Disregard all income for the 2101(f)-like reasonable classification of children described at Supplement 1 to Attachment 2.2-A page 1.

TN NO. SC 13-025

Supersedes:

TN No. New Page

Approval Date: 02-21-14

Effective Date: 12/31/13

State Plan Under Title XIX of the Social Security Act

State: South Carolina

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

Wages paid by the Census Bureau for temporary employment related to census activities are excluded for the following eligibility groups:

Qualified children and pregnant women under 1902(a)(10)(A)(i)(III).

Poverty level pregnant women and infants (133 -185% FPL) under 1902(a)(10)(A)(i)(IV).

Poverty level children under age 6 (133% FPL) under 1902(a)(10)(A)(i)(VI).

Poverty level children under age 19 (100% FPL) under 1902(a)(10)(A)(i)(VII).

Optional categorically needy groups under 1902(a)(10)(A)(ii) as included in our State Plan.

1902(a)(10)(A)(ii)(IV)	Eligible for cash assistance if not in medical institution
1902(a)(10)(A)(ii)(I)	Reasonable categories of AFDC-1905(a)(i)related children
1902(a)(10)(A)(ii)(VIII)	State subsidized adoption children
1902(a)(10)(A)(ii)(XI)	State supplemental payments only
1902(a)(10)(A)(ii)(IX) 1902(l)(1)(A) and (B)	Optional poverty level pregnant and women & infants
1902(a)(10)(A)(ii)(X)	Aged/disabled with income no more than 100% FPL
1902(a)(10)(A)(ii)(XIII)	Working disabled who buy into Medicaid
1902(a)(10)(A)(ii)(XVII)	Independent foster care adolescents

NOTE: The Special Income Level Group under 1902(a)(10)(A)(ii)(V), the Individuals Who Would be Eligible if in an Institution Group under 1902(a)(10)(A)(ii)(VI) and the Hospice Group under 1902(a)(10)(A)(ii)(VII) cannot be included in this disregard.

* Less restrictive methods may not result in exceeding gross income limitations under section 1903(f).

State Plan Under Title XIX of the Social Security Act

State: South Carolina

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

X For all eligibility groups not subject to the limitations on payment explained in section 1903(f) of the Act*: All wages paid by the Census Bureau for temporary employment related to Census 2000 activities are excluded.

* Less restrictive methods may not result in exceeding gross income limitations under section 1903(f).

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STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT

State: South Carolina

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

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

A. For Qualified Medicare Beneficiaries, Aged and Disabled individuals with income under poverty and Specified Low-Income Medicare Beneficiaries:

1. The value of life estate interest in real property is excluded;
2. the value of household goods and personal effects is excluded;
3. the value of undivided interest in heirs property is excluded;
4. the cash value of life insurance is excluded if the combined face value of all policies is \$10,000 or less; and
5. resource determination are not restricted to the first moment of the first day of the month. An individual who is otherwise eligible and whose resources are within the limit at anytime during the month is eligible for Medicaid for the entire month.

B. For Working Disabled Beneficiaries:

1. the value of life estate interest in real property is excluded;
2. the value of household goods and personal effects is excluded;
3. the value of undivided interest in heirs property is excluded;
4. resource determination are not restricted to the first moment of the first day of the month. An individual who is otherwise eligible and whose resources are within the limit at anytime during the month is eligible for Medicaid for the entire month;
5. the cash value of life insurance is excluded;
6. exclude additional resources of \$2000 for an individual.

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STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT

State: South Carolina

C. For AFDC related groups:

1. Primary residence and the land on which it is located, as well as other buildings on this property is excluded;
2. Qualified retirement plans are excluded;
3. Cash value of Life Insurance policies with face value of \$10,000 or less and for which the cash value does not exceed the face value is excluded;
4. The exclusion of \$1500 of equity value for bona fide funeral arrangements for AFDC-related groups also includes revocable burial contracts, revocable trusts, installment sales contracts for burial spaces, cash, financial accounts such as checking, savings, or CD's, stocks or bonds, life insurance cash value;
5. The equity value of \$20,000 or less for one vehicle, not used for producing income, for each licensed driver is excluded;

METHODOLOGIES FOR TREATMENT OF RESOURCES
THAT DIFFERS FROM THOSE OF THE SSI PROGRAM

D. For all Medicaid covered groups:

In developing the burial fund exclusion, the amount which can be designated for burial is no longer offset by the face value of life insurance policies where the individual's total face value of all policies is less than \$1500.

- E. For Individuals applying for or receiving assistance under the category of eligibility for the working disabled, resources held in a formalized retirement plan are excluded in the eligibility determination for so long as the individual remains engaged in substantial gainful activity. For purposes of this provision, a formalized retirement plan shall include, but not be limited to, the following: IRAs of any type; 401(K) plans; 403(b) plans; 457 plans; Keogh plans; Simplified Employee Pension (SEP) plans; Savings Incentive Match Plan for Employees (SIMPLE); and any other employment-administered retirement or deferred compensation plan, regardless of whether such plan is a defined benefit plan or a defined contribution plan, and regardless of whether such plan is deemed a "qualified" plan for tax purposes by the Internal Revenue Service.

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STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT

State: South Carolina

STATE LONG-TERM CARE INSURANCE PARTNERSHIP

1902(r) (2) The following more liberal methodology applies to individuals
1917(b) (1) (C) who are eligible for medical assistance under one of the
following eligibility groups:

1902(a) (10) (A) (ii) Optional Groups
(V)

An individual who is a beneficiary under a long-term care insurance policy that meets the requirements of a "qualified State long-term care insurance partnership" policy (partnership policy) as set forth below, is given a resource disregard as described in this amendment. The amount of the disregard is equal to the amount of the insurance benefit payments made to or on behalf of the individual. The term "long-term care insurance policy" includes a certificate issued under a group insurance contract.

X The State Medicaid Agency (Agency) stipulates that the following requirements will be satisfied in order for a long-term care policy to qualify for a disregard. Where appropriate, the Agency relies on attestations by the State Insurance Commissioner (Commissioner) or other State official charged with regulation and oversight of insurance policies sold in the state, regarding information within the expertise of the State's Insurance Department.

- The policy is a qualified long-term care insurance policy as defined in section 7702B(b) of the Internal Revenue Code of 1986.
- The policy meets the requirements of the long-term care insurance model regulation and long-term care insurance model Act promulgated by the National Association of Insurance Commissioners (as adopted as of October 2000) as those requirements are set forth in section 1917(b) (5) (A) of the Social Security Act.

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Supersedes Approval Date 12/12/08 Effective Date 01/01/09
TN No. New Page

STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT

State: South Carolina

STATE LONG-TERM CARE INSURANCE PARTNERSHIP

- The policy was issued no earlier than the effective date of this State plan amendment.
- The insured individual was a resident of a Partnership State when coverage first became effective under the policy. If the policy is later exchanged for a different long-term care policy, the individual was a resident of a Partnership State when coverage under the earliest policy became effective.
- The policy meets the inflation protection requirements set forth in section 1917(b)(1)(C)(iii)(IV) of the Social Security Act.
- The Commissioner requires the issuer of the policy to make regular reports to the Secretary that include notification regarding when benefits provided under the policy have been paid and the amount of such benefits paid, notification regarding when the policy otherwise terminates, and such other information as the Secretary determines may be appropriate to the administration of such partnerships.
- The State does not impose any requirement affecting the terms or benefits of a partnership policy that the state does not also impose on non-partnership policies.
- The State Insurance Department assures that any individual who sells a partnership policy receives training, and demonstrates evidence of an understanding of such policies and how they relate to other public and private coverage of long-term care.
- The Agency provides information and technical assistance to the Insurance Department regarding the training described above.

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TN No. New Page

STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT

State South Carolina

1917
of the
Act

The agency provides for the denial of payment for institutional services or home and community based services for individuals who disposed of resources for less than fair market value within 30 months of requesting Medicaid sponsorship of such services.

A. The penalty applies to institutionalized individuals and to individuals who receive home and community based services.

An institutionalized individual is an individual who resides in a medical institution or nursing facility and his eligibility for Medicaid sponsorship of payment is contingent upon his meeting the level of care criteria established by the State. A nursing facility does not include an intermediate care facility for the mentally retarded.

B. The penalty applies if the request for Medicaid sponsorship for institutional care or home and community based services was made July 1, 1988 and later and if the transfer for less than fair market value occurred July 1, 1988 and later.

C. The penalty period is described below:

1. For individuals residing in an institution, the penalty is the lesser of:

- 30 months of ineligibility for a vendor payment for institutional care from the date of transfer; or
- The number of months it takes to reduce the uncompensated value to zero or within the resource limit when the average private nursing home rate in the state, at the time of application or redetermination of nursing facility services, is divided.

2. For individuals receiving home and community based services, the penalty is lesser of:

- 30 months of ineligibility for Medicaid payment of home and community based services from the date of transfer; or

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STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT

State South Carolina

- The number of months it takes to reduce the uncompensated value to zero or within the resource limit when the average private nursing home rate in the state, at the time of application or redetermination of nursing facility services, is divided.

D. No penalty is imposed for the transfer:

1. Of a home to a:

- a. spouse,
- b. child under age 21 or a blind or disabled child,
- c. sibling with equity interest who lived in the home at least one (1) year before the individual's admission to the institution, or
- d. child who lived in the parent(s) home for at least two (2) years before the parent was admitted to the institution and who provided care for the parent which delayed institutionalization.

2. Of resources to a community spouse, after 9/30/89, or blind or disabled child, after 7/1/88. The penalty is imposed for transfer to the community spouse prior to 10/1/89.

3. If the individual can show that the intended to dispose of resources at fair market value or for other consideration. This would be an individual who inadvertently did not receive adequate compensation or an individual who transferred resources to another individual in return for care which delayed institutionalization.

4. If the individual can show that the resources were transferred for some reason other than to qualify for Medicaid. For example, an individual may have been elderly or had a disabling condition at the time of transfer, but he did not need nursing home care. Subsequent to the transfer, the individual's condition deteriorated so that nursing home care became necessary.

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SUPPLEMENT 9 TO ATTACHMENT 2.6-A

Page 3

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STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT

State South Carolina

This individual would not be penalized for a transfer which occurred prior to the time his health deteriorated.

5. If the imposition of the penalty would work an undue hardship. An undue hardship is defined as discharge by the medical facility or denial of home and community based serviced which would result in the individual being placed in a life threatening situation.

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STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT

STATE South Carolina

THE FOLLOWING TRANSFER OF ASSETS POLICY APPLIES FOR TRANSFERS WHICH OCCURRED ON OR AFTER AUGUST 11, 1993. (THE RULES FOUND ON PAGES 1 THROUGH 3 APPLY TO TRANSFERS WHICH OCCURRED PRIOR TO AUGUST 11, 1993.) AMENDMENTS DO NOT APPLY TO SERVICES PROVIDED BEFORE OCTOBER 1, 1993.

If the institutional individual or his spouse disposed of assets for less than fair market value on or after the look-back date, the individual is ineligible for certain Medicaid services throughout a penalty period.

APPLIES TO: Individuals residing in nursing facilities, individuals receiving care based on a level of care equivalent to that of nursing facility services, (e.g., swing beds) and individuals receiving home and community based services.

ASSETS ARE: Resources defined as countable resources by the Supplemental Security Income (SSI) program. Although the home is considered an excluded resource for SSI purposes, it is not exempt from the transfer of assets rules. Assets may also include income.

JOINTLY HELD ASSETS: An asset held by an individual in common with another person in a joint tenancy in common or similar arrangement, is considered to be transferred by the individual when any action is taken by the individual or the other person to reduce or eliminate the individual's ownership or control of the asset. However, the individual is not penalized if the other person can prove that the institutionalized individual has no ownership interest or only partial interest in the asset and the part removed was the amount owned by the other person.

LOOK-BACK DATE: Is 36 months (60 months if the assets were transferred through a trust) before the date the individual is both an institutionalized individual and has applied for Medicaid.

SERVICES NOT COVERED BY MEDICAID DURING THE PENALTY PERIOD: Nursing facility services, a level of care in any institution equivalent to that of nursing facility services, and home and community based services.

PENALTY PERIOD CALCULATION: The penalty period begins on the first day of the month in which the transfer occurred. The total cumulative uncompensated value of all assets transferred by the individual or his spouse is divided by the average private pay nursing home rate in the state. The individual would be ineligible for certain Medicaid services (as described above) for the resulting number of months. If the individual made multiple transfers for less than fair market value during the look-back period, the penalties are applied consecutively, not concurrently.

If the institutionalized individual is being penalized due to a transfer by the spouse, the penalty must be apportioned between the spouses if:

the spouse is or becomes eligible for Medicaid; and

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Supersedes

TN No. MA 92-07

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STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT

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a penalty could be assessed against the spouse (i.e., the spouse becomes institutionalized; and

some portion of the penalty against the institutionalized individual remains at the time the above conditions are met.

EXCEPTIONS TO THE PENALTY: No penalty is imposed if:

- A. The assets transferred were a home and title to the home was transferred to:
1. the spouse of the institutionalized individual;
 2. a child who is under age 21 or meets the Supplemental Security Income definition of blindness or disability;
 3. a sibling of the individual who has an equity interest in the home and who was residing in the home for at least one year immediately before the date the individual become institutionalized; or
 4. a son or daughter of the individual (other than a son or daughter described in #2 above) who was residing in the home for at least two years immediately before the individual became institutionalized and who provided care which delayed institutionalization.
- B. The assets were transferred to:
1. the individual's spouse or to another for the sole benefit of the spouse;
 2. another for the sole benefit of the individual's spouse from the spouse;
 3. the individual's blind or disabled child, or a trust established solely for the benefit of the individual's blind or disabled child; or
 4. a trust described in Section 1917(d)(4) established solely for the benefit of an individual who meets the SSI definition of disability.

In this section, a transfer made is considered to be "for the sole benefit of" a spouse, disabled child or individual under age 65, if the transfer is arranged in such a way that no individual except the spouse, child or individual can benefit from the assets transferred in any way at the time of transfer or in the future.

A trust is considered to be established "for the sole benefit of" a spouse, disabled child or individual under age 65 if the trust benefits no one but the individual at the time the trust was established or in the future. However, the trust may provide for reasonable compensation for a trustee to manage the trust.

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TN No. MA 94-003

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If a beneficiary is named to receive the asset, or whatever is left, at the individual's death, the transfer to the trust can still be considered to have been for the sole benefit of the spouse, disabled child or individual under age 65 if the state Medicaid agency is named as the primary beneficiary of the asset to receive up to the amount paid by Medicaid with the other designated beneficiary receiving any remaining amounts.

- C. the individual can show that he intended to dispose of the assets either at fair market value or for other valuable consideration;
- D. the individual can show that he transferred the assets exclusively for a purpose other than to qualify for Medicaid;
- E. all assets transferred for less than fair market value have been returned to the individual; or
- F. it is determined that the denial of eligibility would work an undue hardship. Undue hardship is defined as refusal to admit or discharge by the medical facility or denial of home and community based services which would result in the individual being placed in a life threatening situation.

Revision: HFCA-PM-91-4
August 1991

(BPD)

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TN No. MA 92-07
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HCFA ID: 7985E

STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT

State: South Carolina

TRANSFER OF ASSETS

1917(c) FOR TRANSFERS OF ASSETS FOR LESS THAN FAIR MARKET VALUE MADE ON OR AFTER FEBRUARY 8, 2006, the agency provides for the denial of certain Medicaid services.

1. Institutionalized individuals are denied coverage of certain Medicaid services upon disposing of assets for less than fair market value on or after the look-back date.

The agency does not provide medical assistance coverage for institutionalized individuals for the following services:

Nursing facility services;

Nursing facility level of care provided in a medical institution;

Home and community-based services under a 1915(c) or (d) waiver.

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Supersedes Approval Date: 03/06/07 Effective Date: 10/01/06

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State: South Carolina

TRANSFER OF ASSETS

2. Non-institutionalized individuals:

— The agency applies these provisions to the following non-institutionalized eligibility groups. These groups can be no more restrictive than those set forth in section 1905(a) of the Social Security Act:

The agency withholds payment to non-institutionalized individuals for the following services:

Home health services (section 1905(a)(7));

Home and community care for functionally disabled elderly adults (section 1905(a)(22));

Personal care services furnished to individuals who are not inpatients in certain medical institutions, as recognized under agency law and specified in section 1905(a)(24).

— The following other long-term care services for which payment for medical assistance is otherwise made under the agency plan:

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Supersedes Approval Date: 03/06/07 Effective Date: 10/01/06

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State: South Carolina

TRANSFER OF ASSETS

3. Penalty Date--The beginning date of each penalty period imposed for an uncompensated transfer of assets is the later of:

- the first day of a month during or after which assets have been transferred for less than fair market value;

X The State uses the first day of the month in which the assets were transferred

 The State uses the first day of the month after the month in which the assets were transferred
or

- the date on which the individual is eligible for medical assistance under the State plan and is receiving institutional level care services described in paragraphs 1 and 2 that, were it not for the imposition of the penalty period, would be covered by Medicaid;

AND

which does not occur during any other period of ineligibility for services by reason of a transfer of assets penalty.

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Supersedes Approval Date: 03/06/07 Effective Date: 10/01/06

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TRANSFER OF ASSETS

4. Penalty Period - Institutionalized Individuals--
In determining the penalty for an institutionalized individual, the agency uses:
- X the average monthly cost to a private patient of nursing facility services in the State at the time of application;
- ___ the average monthly cost to a private patient of nursing facility services in the community in which the individual is institutionalized at the time of application.
5. Penalty Period - Non-institutionalized Individuals--
The agency imposes a penalty period determined by using the same method as is used for an institutionalized individual, including the use of the average monthly cost of nursing facility services;
- ___ imposes a shorter penalty period than would be imposed for institutionalized individuals, as outlined below:
6. Penalty period for amounts of transfer less than cost of nursing facility care--
- X Where the amount of the transfer is less than the monthly cost of nursing facility care, the agency imposes a penalty for less than a full month, based on the option selected in item 4.
- X The state adds together all transfers for less than fair market value made during the look-back period in more than one month and calculates a single period of ineligibility, that begins on the earliest date that would otherwise apply if the transfer had been made in a single lump sum.

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State: South Carolina

TRANSFER OF ASSETS

7. Penalty periods - transfer by a spouse that results in a penalty period for the individual--

- (a) The agency apportions any existing penalty period between the spouses using the method outlined below, provided the spouse is eligible for Medicaid. A penalty can be assessed against the spouse, and some portion of the penalty against the individual remains.

If the institutionalized individual is being penalized due to a transfer by the community spouse, and the community spouse becomes institutionalized and applies for Medicaid, the penalty must be apportioned between both spouses. Should one member of the couple should leave the facility or die, the remaining portion of the penalty must be served by the remaining institutionalized spouse.

- (b) If one spouse is no longer subject to a penalty, the remaining penalty period must be served by the remaining spouse.

8. Treatment of a transfer of income--

When income has been transferred as a lump sum, the agency will calculate the penalty period on the lump sum value.

When a stream of income or the right to a stream of income has been transferred, the agency will impose a penalty period for each income payment.

- X For transfers of individual income payments, the agency will impose partial month penalty periods using the methodology selected in 6. above.

- X For transfers of the right to an income stream, the agency will base the penalty period on the combined actuarial value of all payments transferred.

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State: South Carolina

TRANSFER OF ASSETS

9. Imposition of a penalty would work an undue hardship--

The agency does not impose a penalty for transferring assets for less than fair market value in any case in which the agency determines that such imposition would work an undue hardship. The agency will use the following criteria in making undue hardship determinations:

Application of a transfer of assets penalty would deprive the individual:

- (a) Of medical care such that the individual's health or life would be endangered; or
- (b) Of food, clothing, shelter, or other necessities of life.

10. Procedures for Undue Hardship Waivers

The agency has established a process under which hardship waivers may be requested that provides for:

- (a) Notice to a recipient subject to a penalty that an undue hardship exception exists;
- (b) A timely process for determining whether an undue hardship waiver will be granted; and
- (c) A process, which is described in the notice, under which an adverse determination can be appealed.

These procedures shall permit the facility in which the institutionalized individual is residing to file an undue hardship waiver application on behalf of the individual with the consent of the individual or the individual's personal representative.

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State: South Carolina

TRANSFER OF ASSETS

11. Bed Hold Waivers For Hardship Applicants

The agency provides that while an application for an undue hardship waiver is pending in the case of an individual who is a resident of a nursing facility:

X Payments to the nursing facility to hold the bed for the individual will be made for a period not to exceed 30 days (may not be greater than 30).

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TN No. MA 92-007

Supersedes

TN No. MA 87-007

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STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT

State: South Carolina

ELIGIBILITY UNDER SECTION 1931 OF THE ACT

The State covers low-income families and children under Section 1931 of the Act.

The following groups were included in the AFDC State Plan effective July 16, 1996:

 Pregnant women with no other eligible children.

 X AFDC children age 18 who are full-time students in a secondary school or in the equivalent level of vocational or technical training.

 In determining eligibility for Medicaid, the agency uses the AFDC standards and methodologies in effect as of July 16, 1996, without modification.

 X In determining eligibility for Medicaid, the agency uses the AFDC standards and methodologies in effect as of July 16, 1996, with the following modifications:

 The agency applies lower income standards which are no lower than the AFDC standards in effect on May 1, 1988, as follows:

 X The agency applies higher income standards than those in effect as of July 16, 1996, increased by no more than the percentage increase in the CPI-U since July 16, 1996, as follows:

 X Use TANF need standards revised annually in accordance with the Federal Poverty Level in the Federal Register, as reflected in Attachment A of the TANF State Plan, not to exceed the percentage increase in the CPI-U since July 16, 1996

 The agency applies higher resource standards than those in effect as of July 16, 1996, increased by no more than the percentage increase in the CPI-U since July 16, 1996, as follows:

TN No. MA 03-006

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TN No. MA 02-004

STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT

State: South Carolina

The agency uses less restrictive income and/or resource methodologies than those in effect as of July 16, 1996, as follows:

1. Primary residence and the land on which it is located, as well as other buildings on this property is excluded;
2. Qualified retirement plans are excluded;
3. Cash value of Life Insurance policies with face value of \$10,000 or less and for which the cash value does not exceed the face value is excluded;
4. The exclusion of \$1500 of equity value for bona fide funeral arrangements for AFDC-related groups also includes revocable burial contracts, revocable trusts, installment sales contracts for burial spaces, cash, financial accounts such as checking, savings, or CD's, stocks or bonds, life insurance cash value;
5. The equity value of \$20,000 or less for one vehicle, not used for producing income, for each licensed driver is excluded;
6. Disregards income from interest or dividends up to \$400 annually.
7. Disregards earned income of dependent children.
8. Disregards lump sum payments from income. If lump sum payments are retained for more than a month, the amount retained is counted as a resource.
9. Disregards 50% of earned income for the first 4 months after employment begins and a standard disregard of \$100 for each month thereafter that earned income is received.
10. Disregards all earned income up to 185% of the Federal poverty level of recipients for 12 months after employment causes ineligibility.
11. Disregards difference between the 1931 income standard and 50% of the Federal poverty level by family size as revised annually in the Federal Register plus \$1.
12. Disregards of earned income paid by the Census Bureau for temporary employment related to census activities.

The income and/or resource methodologies that the less restrictive methods replace are as follows:

TN No. SC 09-003
Supersedes
TN No. SC 08-027

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STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT

State: South Carolina

1. Disregarded \$1500 equity value of one vehicle.
2. Counted all income for purposes of the 185% gross income test
3. Applied \$30 plus 1/3 disregard

X The agency terminates medical assistance (except for certain pregnant women and children) for individuals who fail to meet TANF work requirements.

X The agency continues to apply the following waivers of provisions of Part A of Title IV in effect as of July 16, 1996, or submitted prior to August 22, 1996, and approved by the Secretary on or before July 1, 1997.

Waiver of sections 402(a)(41), 45 CFR 233.100 and 45 CFR 233.100(c) through which the State eliminated the 100-hour rule when determining eligibility of two parent families. This allows the deprivation requirement to be met even if the principal earner is employed more than the 100 hours.

TN No. SC 06-007

Supersedes Approval Date: 09/07/06

Effective Date 07/01/06

TN No. MA 98-004

HCFA ID: 7985E

STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT

State: South Carolina

ELIGIBILITY UNDER SECTION 1925 OF THE ACT
TRANSITIONAL MEDICAL ASSISTANCE

The State covers low-income families and children for Transitional Medical Assistance (TMA) under section 1925 of the Social Security Act (the Act). This coverage is provided for families who no longer qualify under section 1931 of the Act due to increased earned income, or working hours, from the caretaker relative's employment, or due to the loss of a time-limited earned income disregard. **(42 CFR 435.112, 1902 (a) (52), 1902 (e) (1), and 1925 of the Act)**

The amount, duration, and scope of services for this coverage are specified in Section 3.1.G of this State plan.

- During at least 3 of the 6 months immediately preceding the month in which the family became ineligible under section 1931.
- For fewer than 3 of the 6 previous months immediately preceding the month in which the family became ineligible under section 1931. Specify:

The family must qualify under section 1931 for at least one month.

The State extends Medicaid eligibility under TMA for an initial period of:

- 6 months. For TMA eligibility to continue into a second 6-month extension period, the family must meet the reporting, technical, and income eligibility requirements specified at section 1925 (b) of the Act.
- 12 months. Section 1925 (b) does not apply for a second 6-month extension period.

The State collects and reports participation information to the Department of Health and Human Services as required by section 1925 (g) of the Act, in accordance with the format, timing, and frequency specified by the Secretary and makes such information publicly available.

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Supersedes TN No: New Page

STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT

State: South Carolina

ELIGIBILITY UNDER SECTION 1931 OF THE ACT

The State covers low-income families and children under section 1931 of the Act.

X The agency uses less restrictive income and/or resource methodologies than those in effect as of July 16, 1996, as follows:

All wages paid by the Census Bureau for temporary employment related to Census 2000 activities are excluded.

All assets are disregarded.

 The income and/or resource methodologies that the less restrictive methodologies replace are as follows:

TN No. MA 00-013

Supersedes Approval Date: 01/10/01

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TN No. MA 00-005

STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT

State South Carolina

SECTION 1924 PROVISIONS

- A. Income and resource eligibility policies used to determine eligibility for institutionalized individuals who have spouses living in the community are consistent with section 1924.
- B. In the determination of resource eligibility the State resource standard \$66,480.
- C. An institutionalized spouse who (or whose spouse) has excess resources shall not be found ineligible under Title XIX of the Social Security Act, per Section 1924 (c) (3) (c), where the State determines that denial of eligibility on the basis of having excess resources would work an undue hardship.

TN No. MA 91-002

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TN No. MA 90-03

STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT

State: South Carolina

ASSET VERIFICATION SYSTEM

1940(a)
of the Act

1. The agency will provide for the verification of assets for purposes of determining or redetermining Medicaid eligibility for aged, blind and disabled Medicaid applicants and recipients using an Asset Verification System (AVS) that meets the following minimum requirements.
 - A. The request and response system must be electronic:
 - (1) Verification inquiries must be sent electronically via the internet or similar means from the agency to the financial institution (FI).
 - (2) The system cannot be based on mailing paper-based requests.
 - (3) The system must have the capability to accept responses electronically.
 - B. The system must be secure, based on a recognized industry standard of security (e.g., as defined by the U.S. Commerce Department's National Institute of Standards and Technology, or NIST).
 - C. The system must establish and maintain a database of FIs that participate in the agency's AVS.
 - D. Verification requests also must be sent to FIs other than those identified by applicants and recipients, based on some logic such as geographic proximity to the applicant's home address, or other reasonable factors whenever the agency determines that such requests are needed to determine or redetermine the individual's eligibility.
 - E. The verification requests must include a request for information on both open and closed accounts, going back up to 5 years as determined by the State.

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STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT

State: South Carolina

ASSET VERIFICATION SYSTEM

2. System Development

A. The agency itself will develop an AVS.

In 3 below, provide any additional information the agency wants to include.

B. The agency will hire a contractor to develop an AVS.

In 3 below provide any additional information the agency wants to include.

C. The agency will be joining a consortium to develop an AVS.

In 3 below, identify the States participating in the consortium. Also, provide any other information the agency wants to include pertaining to how the consortium will implement the AVS requirements.

D. The agency already has a system in place that meets the requirements for an acceptable AVS.

In 3 below, describe how the existing system meets the requirements in Section 1.

E. Other alternative not included in A. - D. above.

In 3 below, describe this alternative approach and how it will meet the requirements in Section 1.

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STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT

State: South Carolina

ASSET VERIFICATION SYSTEM

3. Provide the AVS implementation information requested for the implementation approach checked in Section 2, and any other information the agency may want to include.

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STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT

State: South Carolina

DISQUALIFICATION FOR LONG-TERM CARE ASSISTANCE FOR INDIVIDUALS WITH
SUBSTANTIAL HOME EQUITY

1917(f) The State agency denies reimbursement for nursing facility services and other long-term care services covered under the State plan for an individual who does not have a spouse, child under 21 or adult disabled child residing in the individual's home, when the individual's equity interest in the home exceeds the following amount:

\$500,000 (increased by the annual percentage increase in the urban component of the consumer price index beginning with 2011, rounded to the nearest \$1,000).

An amount that exceeds \$500,000 but does not exceed \$750,000 (increased by the annual percentage increase in the urban component of the consumer price index beginning with 2011, rounded to the nearest \$1,000).

The amount chosen by the State is _____.

This higher standard applies statewide.

This higher standard does not apply statewide. It only applies in the following areas of the State:

This higher standard applies to all eligibility groups.

This higher standard only applies to the following eligibility groups:

The State has a process under which this limitation will be waived in cases of undue hardship.

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