



## **ACA/FAMILY MEDICAID 201-10 Family Medically Needy**

**Supersedes:** FMA 201-1 (01/01/09)

**Reference:** 42 CFR 435.113, .602; ARM 37.82.101, .701, .702 & .703; PL 104-193; 42 U.S.C. 1396b

**Overview:** Children who live with their parent or a caretaker relative may be eligible for medically needy coverage if the household's countable income exceeds the limits for categorically needy Medicaid. Adults cannot receive coverage under the Family Medically Needy program. If the child(ren) is living with their natural or adoptive parent, the parent must be included in the filing unit, and the parent's income and resources are counted in full. Stepparent income is deemed (see CMA 603-1 Deeming). The parent's medical expenses can be used to reduce/meet the spend down.

A child who is emancipated is no longer considered a dependent child, and does not meet eligibility criteria for this program.

### **NON-FINANCIAL CRITERIA:**

Medicaid standard nonfinancial requirements are listed in section CMA 300 Non-Financial Overview. In addition to the standard criteria that applies to all Medicaid programs, the following nonfinancial criteria are specific to Family Medically Needy:

- Child must live with a parent or specified caretaker relative (must be w/n 5<sup>th</sup> degree of kinship); and
- Child must be under age 19

### **FINANCIAL CRITERIA:**

Countable income must be within allowable limits, and countable resources cannot exceed \$3,000, regardless of household size.

### **FILING UNIT:**

The standard ***medically needy*** filing unit **must include:**

1. The dependent child for whom application is being made;
2. The natural/adoptive parent(s) living in the same home; and

3. Stepparents (stepparent's income is deemed; see CMA 603-1 Deeming).

The following individuals may be included in the medically needy filing unit, but are not required.

1. The applicant child's minor siblings (whole, half, step); and
2. Minor stepchildren.

**Effective Date:** July 01, 2016