

RULE

Department of Health and Human Resources Office of Family Security

The Department of Health and Human Resources, Office of Family Security, adopts the following rule in the Medical Assistance Program.

SUMMARY

The maximum income limit before deductions for Long Term Care and Home and Community Based Services recipients is limited by Federal Regulation 42 CFR 435.1005. This limit is 300% of the Supplemental Security Income (SSI) basic monthly payment. Beginning January 1, 1986, the basic monthly SSI payment is being increased by \$11.00 to \$336.00 as allowed by a rule published in the Federal Register, Volume 50, Number 211, Page 45558, dated October 31, 1985. Therefore, the maximum monthly income before deductions of an individual otherwise eligible for Long Term Care and Home and Community Based Services will be increased from \$975.00 to \$1,008.00.

Emergency Rulemaking has been invoked to implement this change effective January 1, 1986. The Emergency Rule was published in the *Louisiana Register*, Volume 11, Number 12, dated December 20, 1985. This rule is included in LAC 50: III: 1307.

RULE

TITLE 50

PART III

SUBPART A: Eligibility

§1307. General Requirements Applicable to the Aged, Blind, and Disabled

The agency shall use the SSI financial eligibility requirements to determine Medical Assistance eligibility of aged, blind, or disabled individuals under the provisions of §333 of this Part. For recipients in institutions whose Medical Assistant eligibility is based on a special income standard established under §339 of this Part, their income before deductions cannot exceed 300 percent of the SSI benefit amount payable under Section 1611(b)(1) of the Social Security Act to an individual in their own home who has no income or resources.

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REGULATORY EXCEPTION

Implementation of this rule is dependent on the approval of the Health Care Financing Administration (HCFA). Disapproval of the change by HCFA will automatically cancel the provisions of this rule and current policy will remain in effect.

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Secretary and State Health Officer