

## **Template CS14 – Children Ineligible for Medicaid as a Result of the Elimination of Income Disregards**

**Statute:** Section 2110(b) of the SSA

**Regulation:** 42 CFR 457.310(d)

**Additional references:** Section 2101(f) of the ACA

### **INTRODUCTION**

This template applies to all states with CHIP programs, whether they offer a separate child health assistance program, Medicaid Expansion only or a combination of both.

In this template the CHIP Agency provides an assurance that separate CHIP coverage will be provided for children ineligible for Medicaid as a result of the elimination of income disregards.

### **BACKGROUND**

The ACA requires states to treat any child, who is determined to be ineligible under the State's Medicaid plan or under a Medicaid waiver as a result of the elimination of the application of income disregards, under section 1902(e)(14) of the Social Security Act (income determination using modified adjusted gross income), as a targeted low-income child. States are required to provide child health assistance to the child under a separate CHIP plan regardless of whether their child health assistance plan was implemented as a separate program, a Medicaid expansion or both. This requirement does not apply to a child who is an inmate of a public institution, a patient in an institution for mental diseases; or is eligible for coverage under a State health benefits plan on the basis of a family member's employment with a public agency in the State (unless the state has elected the option to provide CHIP coverage to such children). States with Medicaid Expansion CHIPs may choose to develop a separate CHIP for this population only that is a mirror of their Medicaid program.

42 CFR 457.310 was amended, with the addition of paragraph d, to include these children in the definition of targeted low-income children and clarifies that eligibility under this requirement continues until the date of the child's next renewal of eligibility under the separate CHIP plan. At the time of their CHIP renewal, such children must meet all CHIP eligibility criteria in order to stay enrolled.

### **TECHNICAL GUIDANCE**

In this template, States must provide assurance that separate CHIP coverage will be provided for children ineligible for Medicaid due to the elimination of income disregards in accordance with 42 CFR 457.310(d).

The CHIP Agency provides this affirmative assurance by checking the box next to the assurance statement. If the State does not check this box, the system will not accept this template for review and approval.