

# DEPARTMENT OF HEALTH AND SOCIAL SERVICES



## CHANGES TO REGULATIONS

7 AAC 100. MEDICAID ASSISTANCE ELIGIBILITY.  
CONTINUOUS ELIGIBILITY



## FILED REGULATIONS

Incorporating Changes Made by the Department of Law

Effective: April 1, 2009

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Title 7. Health and Social Services.

7 AAC 100.020(a) is repealed and readopted to read:

(a) Except as provided in (h) of this section, at least once every 12 months, the department will require a recipient who is eligible for Medicaid under the following sections to submit a review application on a form provided by the department and furnish the documentation requested by the department to support continued eligibility:

(1) poverty-level children eligible under 7 AAC 100.312;

(2) individuals under 21 years of age eligible under 7 AAC 100.254 –  
7 AAC 100.270;

(3) individuals with a disability or 65 years of age or older eligible under  
7 AAC 100.002(b) or (d).

7 AAC 100.020(b) is repealed and readopted to read:

(b) Except as provided in (h) of this section, at least once every six months, the department will require a recipient who is eligible for Medicaid under the following sections to submit a review application on a form provided by the department and furnish the documentation requested by the department to support continued eligibility:

(1) individuals eligible for Family Medicaid under 7 AAC 100.100 –  
7 AAC 100.199, and related eligibility under 7 AAC 100.002(a)(9) or (c)(1);

(2) individuals eligible for Transitional Medicaid under 7 AAC 100.200 –  
7 AAC 100.209;

- (3) individuals eligible for extended Medicaid under 7 AAC 100.210;
- (4) individuals under 21 years of age eligible under 7 AAC 100.252.

7 AAC 100.020(c) is repealed:

- (c) Repealed 4/1/2009.

7 AAC 100.020(e) is amended to read:

(e) Except as provided in 7 AAC 100.070 and (f) of this section, if a recipient fails to submit a review application on or before the date indicated in the notice under (d) of this section, the recipient will lose Medicaid eligibility.

7 AAC 100.020(g) is amended to read:

(g) The department may set a recipient's review period of less than the duration set in (a) – (b) [(a) - (c)] of this section to establish a review date that coincides with a level of care review date, home and community-based waiver services review date, or other significant date related to that recipient's continued eligibility for Medicaid or other programs administered by the department.

7 AAC 100.020(h) is amended to read:

(h) Notwithstanding the review periods established in (a) - (g) of this section, upon receipt of information from any source that indicates that a change in circumstances affecting a

recipient's continued eligibility may have occurred, the department will investigate and may either establish a new review period under (a) or (b) of this section without requiring a review application or require that a review application be completed.

(Eff. 7/20/2007, Register 183; am 4/1/2009, Register 189)

Authority: AS 47.05.010 AS 47.07.040

7 AAC 100.070(a) is amended to read:

(a) Except as provided in (b) and (c) of this section, a child under 19 years of age who is eligible for Medicaid remains eligible for Medicaid for a continuous 12-calendar-month [SIX-CALENDAR-MONTH] period beginning with the month a prospective eligibility determination is made. Each time a new prospective eligibility determination is made a new 12-calendar-month [SIX-CALENDAR-MONTH] period begins. During a continuous eligibility period a child continues to be eligible regardless of changes in income, resources, family status, or household composition.

The lead-in language of 7 AAC 100.070(b) is amended to read:

(b) The 12-calendar-month [SIX-CALENDAR-MONTH] continuous eligibility period provided in this section is not available to a child who is eligible for Medicaid under

...

7 AAC 100.070(b)(1)(C) is amended to read:

(C) children in the eligibility category described in 7 AAC 100.002(a)(2)  
[7 AAC 100.100(a)(2)] (Transitional Medicaid); or

7 AAC 100.070(c)(1) is amended to read:

(1) the end of the 12th [SIXTH] month of continuous eligibility;

7 AAC 100.070(c)(7) is amended to read:

(7) the date the previous eligibility period is replaced by a new 12-calendar-month [SIX-CALENDAR-MONTH] continuous eligibility period that is the result of a new prospective eligibility determination.

7 AAC 100.070(d) is amended to read:

(d) The continuous eligibility period provided in this section protects a child's eligibility for a maximum of 12 [SIX] months from the month of the last prospective eligibility determination [, EVEN IF THE CHILD IS ELIGIBLE FOR MEDICAID THROUGH AN APA-RELATED ELIGIBILITY CATEGORY UNDER 7 AAC 100.002(b) OR (d) THAT ONLY REQUIRES AN ANNUAL REVIEW UNDER 7 AAC 100.020(a)].

(Eff. 7/20/2007, Register 183; am 4/1/2009, Register 189)

Authority: AS 47.05.010 AS 47.07.020 AS 47.07.040

7 AAC 100.270(d) is amended to read:

(d) The department will review eligibility at least once every 12 months for a child covered under (a) [(a)(1) OF THIS SECTION AND AT LEAST ONCE EVERY SIX MONTHS FOR A CHILD COVERED UNDER (a)(2)] of this section. Eligibility for Medicaid continues as long the as child meets the requirements of (b) of this section. (Eff. 7/20/2007, Register 183; am 4/1/2009, Register 189)

Authority: AS 47.05.010 AS 47.07.020 AS 47.07.040

7 AAC 100.306(b) is amended to read:

(b) A child born to an alien receiving coverage for an emergency medical condition under 7 AAC 100.700 is [NOT] eligible for Medicaid under this section. (Eff. 7/20/2007, Register 183; am 4/1/2009, Register 189)

Authority: AS 47.05.010 AS 47.07.020 AS 47.07.040

7 AAC 100.700(d) is amended to read:

(d) A child born to a mother covered under this section is [NOT] automatically eligible for newborn Medicaid coverage under 7 AAC 100.306. (Eff. 7/20/2007, Register 183; am 4/1/2009, Register 189)

Authority: AS 47.05.010 AS 47.07.020 AS 47.07.040