

**STATE OF HAWAII  
DEPARTMENT OF HUMAN SERVICES  
MED-QUEST DIVISION**

**PUBLIC NOTICE**

Pursuant to 42 C.F.R. §447.205, the Department of Human Services (DHS), Med-QUEST Division (MQD) hereby notifies the public that the MQD intends to submit a State Plan Amendment to the Centers for Medicare and Medicaid Services (CMS).

Under provisions of federal law, the state is required to issue public notice of proposed changes in statewide methods and standards for setting Medicaid payment rates.

The State Plan Amendment (SPA) proposes to create a new eligibility group. This group, also identified under the "Ticket to Work and Work Incentives Improvement Act" authority, allows individuals with a disability at least 19 years of age but less than 65 years of age whose countable income is below 138% of the Federal Poverty Level and resource standard equal to three (3) times the SSI resource limit adjusted annually the increase in the consumer price index for the applicable Household size.

The SPA is posted at <https://medquest.hawaii.gov/en/about/state-plan-1115.html>.

SPA 21-0004 is expected to have minimal effect on the annual aggregate expenditures.

The proposed change will be submitted for review to the federal government as a Medicaid State Plan Amendment (SPA) to be effective December 31, 2020.

Comments should be received **within 30 days** from the time this notice is posted. Individuals may submit written comments using the following methods:

By email: [emaucio@dhs.hawaii.gov](mailto:emaucio@dhs.hawaii.gov) (Please identify in the subject line: State Plan Amendment 21-0004)

By mail:

Department of Human Services  
Med-QUEST Division  
Attention: Policy and Program Development Office

P.O Box 700190  
Kapolei, Hawaii 96709

A copy of the proposed changes is available for public viewing from the first working day the public notice appears in the Honolulu Star-Advertiser, Hawaii Tribune Herald, West Hawaii Today, The Maui News, and The Garden Island. A printed copy of the proposed changes and special accommodations (i.e., interpreter, large print or taped materials) can be arranged if requested by contacting the Policy and Program Development Office at (808) 692-8058 no later than seven (7) working days before the comment period ends.

DEPARTMENT OF HUMAN SERVICES, MED-QUEST DIVISION  
JUDY MOHR PETERSON, PhD  
MED-QUEST DIVISION ADMINISTRATOR  
(WHT1308337 12/30/20)

State: HAWAII

Citation(s)	Groups Covered
1902(a)(10)(A)(ii)(XIII) of the Act	B. <u>Optional Groups Other Than the Medically Needy</u> (continued)
1902(a)(10)(A)(ii)(XV) of the Act	<input type="checkbox"/> 25. BBA Work Incentives Eligibility Group:  Individuals with a disability whose net family income is below 250 percent of the Federal Poverty Level for a family of the size involved and who, except for earned income, meet all criteria for receiving benefits under SSI program. See page 12c of Attachment 2.6-A.
1902(a)(10)(A)(ii)(XVI) of the Act	<input checked="" type="checkbox"/> 26. TWWIIA Basic Coverage Group:  Individuals with a disability at least 19 but less than 65 years of age, whose income and resources do not exceed a standard established by the State. See page 12d of Attachment 2.6-A.
	<input type="checkbox"/> 27. TWWIIA Medical Improvement Group:  Employed individuals at least 16 but less than 65 years of age with medically improved disability, whose income and resources do not exceed a standard established by the State. See page 12h of Attachment 2.6-A.  NOTE: If the State elects to cover this group, it MUST also cover the eligibility group described in item 26 above.

STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT

State: HAWAII

ELIGIBILITY CONDITIONS AND REQUIREMENTS

Citation(s)	Condition or Requirement
1902(a)(10)(A)(ii)(XV) of the Act	h. <u>Working Individuals with Disabilities - TWWIIA</u>  (i) <u>Basic Coverage Group:</u>  In determining financial eligibility for working individuals with disabilities under this provision, the following standards and methodologies are applied:  <input type="checkbox"/> The agency does not apply any income or resource standard.  NOTE: If the above option is chosen, no further eligibility-related options should be elected.  <input checked="" type="checkbox"/> The agency applies the following income and/or resource standards(s):  The countable net income limit is at or below 138% of the FPL for a household of applicable size.  The resource standard shall equal three (3) times the SSI resource limit, adjusted annually by the increase in the consumer price index.

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State: HAWAII

ELIGIBILITY CONDITIONS AND REQUIREMENTS

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1902(a)(10)(A)(ii)(XV) of the Act	<p data-bbox="784 438 1484 489">h. <u>Working Individuals with Disabilities - TWWIIA</u> (continue)</p> <p data-bbox="834 516 1419 539">Income Methodologies - <u>Basic Coverage Group</u></p> <p data-bbox="834 567 1484 640">In determining whether an individual meets the income standard described above, the agency uses the following methodologies:</p> <ul data-bbox="834 667 1484 999" style="list-style-type: none"><li data-bbox="834 667 1484 695"><input type="checkbox"/> The income methodologies of the SSI program.</li><li data-bbox="834 722 1484 842"><input type="checkbox"/> The agency uses methodologies for treatment of income that are more restrictive than the SSI program. These more restrictive methodologies are described in Supplement 4 to Attachment 2.6-A.</li><li data-bbox="834 898 1484 999"><input checked="" type="checkbox"/> The agency uses more liberal income methodologies than the SSI program. More liberal income methodologies are described in Supplement 8a to Attachment 2.6-A.</li></ul>

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ELIGIBILITY CONDITIONS AND REQUIREMENTS

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1902(a)(10)(A)(ii)(XV) of the Act	<p data-bbox="784 411 1487 457">h. <u>Working Individuals with Disabilities - TWWIIA</u> (continue)</p> <p data-bbox="927 489 1471 535"><u>Resource Methodologies - Basic Coverage Group</u></p> <p data-bbox="927 564 1433 663">In determining whether an individual meets the resource standard described above, the agency uses the following methodologies.</p> <p data-bbox="927 690 1474 968">Unless one of the following items is checked, the agency, under the authority of 1902(r)(2) of the Act, disregards all funds held in retirement funds and accounts, including private retirement accounts such as IRAs and other individual account, and employer-sponsored retirement pension plans. Any disregard involving retirement accounts is separately described in Supplement 8b to Attachment 2.6-A.</p> <p data-bbox="927 997 1463 1073"><input type="checkbox"/> The agency disregards funds held in employer-sponsored retirement plans, but not private retirement plans.</p> <p data-bbox="927 1100 1479 1226"><input type="checkbox"/> The agency disregards funds in retirement accounts in a manner other than those described above. The agency's disregard is specified in Supplement 8b to Attachment 2.6-A.</p>

TN No. 21-0004  
Supersedes \_\_\_\_\_ Approval Date: \_\_\_\_\_ Effective Date: 12/31/2020  
TN No. \_\_\_\_\_

STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT

State: HAWAII

ELIGIBILITY CONDITIONS AND REQUIREMENTS

Citation(s)	Condition or Requirement
h. <u>Working Individuals with Disabilities - TWWIIA</u> (continue)	<u>Resource Methodologies - Basic Coverage Group</u> (continue)
	<input type="checkbox"/> The agency does not disregard funds in retirement accounts.
	<input checked="" type="checkbox"/> The agency uses resource methodologies in addition to any indicated above that are more liberal than those used by the SSI program. More liberal resource methodologies are described in Supplement 8b to Attachment 2.6-A.
	<input type="checkbox"/> The agency uses the resource methodologies of the SSI Program.
	<input type="checkbox"/> The agency uses methodologies for the treatment of resources that are more restrictive than SSI program. These more restrictive methodologies are described in Supplement 5 to Attachment 2.6-A.

STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT

State: HAWAII

ELIGIBILITY CONDITIONS AND REQUIREMENTS

Citation(s)	Condition or Requirement
1902(a)(10)(A)(ii)(XIII), (XV), (XVI) and 1916(g) of the Act	<p data-bbox="786 436 1479 485">h. <u>Working Individuals with Disabilities - TWWIIA</u> (continue)</p> <p data-bbox="842 512 1409 560"><u>Payment of Premiums or Other Cost Sharing Charges</u></p> <p data-bbox="842 590 1479 716">For individuals eligible under the Basic Coverage Group described in item 24 on page 23e of Attachment 2.2-A and the Medical Improvement Group described in item 25 on page 23e of Attachment 2.2-A:</p> <p data-bbox="842 743 1479 869">NOTE: Regardless of the option selected below, the agency MUST require that individuals whose annual adjusted gross income exceed \$75,000 (as defined under IRS statute) pay 100 percent of premiums.</p> <p data-bbox="842 896 1479 1094">The agency requires individuals to pay premiums or other cost-sharing charges on a sliding scale based on income. For individuals with net countable annual income below 450 percent of the Federal Poverty Level for a family of the size involved, the amount of premiums cannot exceed 7.5 percent of the individual's income.</p> <p data-bbox="842 1121 1479 1199">The premiums or other cost-sharing charges and how they are applied, are described on page 12n of Attachment 2.6-A.</p>



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ELIGIBILITY CONDITIONS AND REQUIREMENTS

Citation(s)	Condition or Requirement
1902(a)(10)(A)(ii)(XIII), (XV), (XVI) and 1916(g) of the Act	h. <u>Working Individuals with Disabilities - TWWIA</u> (continued)  Payment of Premiums or Other Cost Sharing Charges  For the Basic Coverage Group, the agency's premium or other cost-sharing charges and how they are applied, are described below:  The Basic Coverage group will have no premium or other cost sharing charges.

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