STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT

State/Territory: SOUTH DAKOTA

ELIGIBILITY CONDITIONS AND REQUIREMENTS

Citation(s)	Condition or Requirement
	(A) General Conditions of Eligibility
	Each individual covered under the plan:
42 CFR Part 435, Subpart G	1. Is financially eligible (using the methods and standards described in Parts B and C of this Attachment) to receive services.
42 CFR Part 435, Subpart F	2. Meets the applicable non-financial eligibility conditions.
	a. For the categorically needy:
	i. This section is superseded by SD 13-15.
	ii. For SSI-related individuals, meets the nonfinancial criteria of the SSI program or more restrictive SSI-related categorically needy criteria.
Section 1902(l) of the Act	iii. This section is superseded by SD 13-15.
Section 1902(m) of the Act	iv. For financially eligible aged and disabled individuals covered under section 1902(a)(10)(A)(ii)(X) of the Act, meets the nonfinancial criteria of section 1902(m) of the Act.

STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT

State/Territory: SOUTH DAKOTA

ELIGIBILITY CONDITIONS AND REQUIREMENTS

Citation(s)	Condition or Requirement
	(A) General Conditions of Eligibility (continued)
	2. (Continued)
	b. For the medically needy, meets the non-financial eligibility conditions of 42 CFR Part 435.
Section 1905(p) of the Act	c. For financially eligible qualified Medicare beneficiaries covered under section 1902(a)(10)(E)(i) of the Act, meets the non-financial criteria of section 1905(p) of the Act.
Section 1905(s) of the Act	d. For financially eligible qualified disabled and working individuals covered under section 1902(a)(10)(E)(ii) of the Act, meets the non-financial criteria of section 1905(s).
	3. This section is superseded by SD-13-12.

STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT

State/Territory: SOUTH DAKOTA

ELIGIBILITY CONDITIONS AND REQUIREMENTS

Page 3 is superseded by SD-13-11.

STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT

State/Territory: SOUTH DAKOTA

ELIGIBILITY CONDITIONS AND REQUIREMENTS

Citation(s)	Condition or Requirement
	(A) General Conditions of Eligibility (continued)
42 CFR 433.145 Section 1912 of the Act	5. Is required, as a condition of eligibility, to assign his or her own rights, or the rights of any other person who is eligible for Medicaid and on whose behalf the individual has legal authority to execute an assignment, to medical support and payments for medical care from any third part. (Medical support is defined as support specified as being for medical care by a court or administrative order.)

STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT

State/Territory: SOUTH DAKOTA

ELIGIBILITY CONDITIONS AND REQUIREMENTS

Citation(s)	Condition or Requirement
	(A) General Conditions of Eligibility (continued)
	6. (Continued) An applicant or recipient must also cooperate in establishing the paternity of any eligible child and in obtaining medical support and payments for himself or herself and any other person who is eligible for Medicaid and on whose behalf the individual can make an assignment; except that individuals described in section 1902(l)(1)(A) of the Social Security Act (pregnant women and women in the post-partum period) are exempt from these requirements involving paternity and obtaining support. Any individual may be exempt from the cooperation requirements by demonstrating good cause for refusing to cooperate. An applicant or recipient must also cooperate in identifying any third party who may be liable to pay for care that is covered under the State plan and providing information to assist in pursuing these third parties. Any individual may be exempt from the cooperation requirements by demonstrating good cause for refusing to cooperate. _**X**_ Assignment of rights is automatic because of State law.
42 CFR Part 435.910	7. Is required, as a condition of eligibility, to furnish his/her Social Security account number (or numbers, if he/she has more than one number) except for aliens seeking medical assistance for the treatment of an emergency condition under Section 1903(v)(2) of the Social Security Act (section 1137(f)).

STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT

State/Territory: SOUTH DAKOTA

ELIGIBILITY CONDITIONS AND REQUIREMENTS

Page 3b is superseded by SD 13-15.

STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT

State/Territory: SOUTH DAKOTA

ELIGIBILITY CONDITIONS AND REQUIREMENTS

Citation(s)	Condition or Requirement
	(A) General Conditions of Eligibility (continued)
Section 1906 of the Act	10. Is required to apply for enrollment in an employer-based cost-effective group health plan, if such plan is available to the individual. Enrollment is a condition of eligibility except for the individual who is unable to enroll on his/her own behalf (failure of a parent to enroll a child does not affect a child's eligibility).

STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT

State/Territory: SOUTH DAKOTA

ELIGIBILITY CONDITIONS AND REQUIREMENTS

Citation(s)	Condition or Requirement
	(B) Post-eligibility Treatment of Institutionalized Individuals' Incomes
	1. The following items are not considered in the post-eligibility process:
Section 1902(o) of the Act	a. SSI and SSP benefits paid under Section 1511(e)(1)(E) and (G) of the Act to individuals who receive care in a hospital, nursing home, SNF, or ICF.
Bondi v. Sullivan (SSI)	b. Austrian Reparation Payments (pension(reparation) payments made under sections 500-506 of the Austrian General Social Insurance Act). Applies only if State follows SSI program rules with respect to the payments.
Section 1902(r)(l) of the Act	c. German Reparations Payments (reparation payments made by the Federal Republic of Germany).
105/206 of P.L. 100-383	d. Japanese and Aleutian Restitution Payments.
1.(a) of P.L. 103-286	e. Netherlands Reparation Payments based on Nazi, but not Japanese, persecution (during World War II).
10405 of P.L. 101-239	f. Payments from the Agent Orange Settlement Fund or any other fund established pursuant to the settlement in the In re Agent Orange product liability litigation, M.D.L. No. 381 (E.D.N.Y.).
6(h)(2) of P.L. 101-426	g. Radiation Exposure Compensation.
12005 of P.L. 103-66	h. VA pensions limited to $90 per month under 38 U.S.C. 5503.

STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT

State/Territory: SOUTH DAKOTA

ELIGIBILITY CONDITIONS AND REQUIREMENTS

Citation(s) | Condition or Requirement

(B) Post-eligibility Treatment of Institutionalized Individuals' Incomes (continued)

Section 1924 of the Act 42 CFR 435.725
42 CFR 435.733
42 CFR 435.832

2. The following monthly amounts for personal needs are deducted from total monthly income in the application of an institutionalized individual's or couple's income to the cost of institutionalized care:

   Personal Needs Allowance (PNA) of not less than $30 for individuals and $60 for couples for all institutionalized persons.

   a. Aged, blind, disabled:

      Individuals $ 100.00
      Couples $200.00

      For the following persons with greater need:

      SUPPLEMENT 12 TO ATTACHMENT 2.6-A describes the basis or formula for determining the deductible amount when a specific amount is not listed above; lists the criteria to be met and, where appropriate, identifies the organization unit which determines that a criterion is met.

   b. AFDC related:

      Children $ 60.00
      Adults $ 60.00

      For the following persons with greater need:

      SUPPLEMENT 12 TO ATTACHMENT 2.6-A describes the basis or formula for determining the deductible amount when a specific amount is not listed above; lists the criteria to be met and, where appropriate, identifies the organization unit which determines that a criterion is met.

   c. Individual under age 21 covered in the plan as specified in Item B.7 of ATTACHMENT 2.2-A:

      $60.00

STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT

State/Territory: SOUTH DAKOTA

ELIGIBILITY CONDITIONS AND REQUIREMENTS

Citation(s) | Condition or Requirement

(B) Post-eligibility Treatment of Institutionalized Individuals' Incomes (continued)

2. (Continued)

For the following persons with greater need:

SUPPLEMENT 12 TO ATTACHMENT 2.6-A describes the basis or formula for determining the deductible amount when a specific amount is not listed above; lists the criteria to be met and, where appropriate, identifies the organization unit which determines that a criterion is met.

Section 1924 of the Act

3. In addition to the amounts under item 2, the following monthly amounts are deducted from the remaining income of an institutionalized individual with a community spouse:

a. The monthly income allowance for the community spouse, calculated using the formula in section 1924(d)(2) of the Act, is the amount by which the maintenance needs standard exceeds the community spouse's income. The maintenance needs standard cannot exceed the maximum prescribed in section 1924(d)(3)(C). The maintenance need standard consists of a poverty level component plus an excess shelter allowance.

_**X**_ The poverty level component is calculated using the applicable percentage (set out in section 1924(d)(3)(B) of the Act) of the official poverty level.

___ The poverty level component is calculated using a percentage greater than the applicable percentage, equal to ___%, of the official poverty level (still subject to maximum maintenance needs standard).

___ The maintenance needs standard for all community spouses is set at the maximum permitted by section 1924(d)(3)(C).

Except that, when applicable, the State will set the community spouse's monthly income allowance at the amount by which exceptional maintenance needs, established at a fair hearing, exceed the community spouse's income, or at the amount of any court-ordered support.

STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT

State/Territory: SOUTH DAKOTA

ELIGIBILITY CONDITIONS AND REQUIREMENTS

Citation(s) Condition or Requirement

(B) Post-eligibility Treatment of Institutionalized Individuals' Incomes (continued)

3.

a. (Continued)

In determining any excess shelter allowance, utility expanses are calculated using:

_**X**_ The standard utility allowance under section 5(e) of the Food Stamp Act of 1997 or

___ The actual unreimbursable amount of the community spouse's utility expenses less any portion of such amount included in condominium or cooperative charges.

b. The monthly income allowance for other dependent family members living with the community spouse is:

_**X**_ One-third of the amount by which the poverty level component (calculated under section 1924(d)(3)(A)(i) of the Act using the applicable percentage specified in section 1924(d)(3)(B)) exceeds the dependent family member's monthly income.

___ A greater amount calculated as follows:

The following definition is used in lieu of the definition provided by the Secretary to determine the dependency of family members under section 1924(d)(1) of the Act:

c. Amounts for health care expenses described below that are incurred by and for the institutionalized individual and are not subject to payments by a third party:

i. Medicaid, Medicare, and other health insurance premiums, deductibles, or coinsurance charges, or co-payments.

ii. Necessary medical or remedial care recognized under State law but not covered under the State plan. (Reasonable limits on amounts are described in SUPPLEMENT 3 TO ATTACHMENT 2.6-A.)

STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT

State/Territory: SOUTH DAKOTA

ELIGIBILITY CONDITIONS AND REQUIREMENTS

Citation(s) | Condition or Requirement

(B) Post-eligibility Treatment of Institutionalized Individuals' Incomes (continued)

42 CFR 435.725
42 CFR 435.733
42 CFR 435.832

4. In addition to any amounts deductible under the items above, the following monthly amounts are deducted from the remaining monthly income of an institutionalized individual or an institutionalized couple:

   a. An amount for the maintenance needs of each member of a family living in the institutionalized individual's home with no community spouse living in the home. The amount must be based on a reasonable assessment of need but must not exceed the higher of the:

      i. AFDC level or

      ii. Medically needy level:

      _X_ AFDC levels in SUPPLEMENT 1
      _____ Medically needy level in SUPPLEMENT 1
      _____ Other: $_____

   b. Amounts for health care expenses described below that have not been deducted under 3.c above (i.e., for an institutionalized individual with a community spouse), are incurred by and for the institutionalized individual or institutionalized couple, and are not subject to the payment by a third party:

      i. Medicaid, Medicare, and other health insurance premiums, deductibles, or coinsurance charges, or co-payments.

      ii. Necessary medical or remedial care recognized under State law but not covered under the State plan. (Reasonable limits on amounts are described in SUPPLEMENT 3 TO ATTACHMENT 2.6-A.)

42 CFR 435.725
42 CFR 435.733
42 CFR 435.832

5. At the option of the State, as specified below, the following is deducted from any remaining monthly income of an institutionalized individual or institutionalized couple:

   A monthly amount for the maintenance of the home of the individual or couple for not longer than 6 months if a physician has certified that the individual, or one member of the institutionalized couple, is likely to return to the home within that period:

   ____ No.

   _X_ Yes (the applicable amount is shown on page 5a).

STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT

State/Territory: SOUTH DAKOTA

ELIGIBILITY CONDITIONS AND REQUIREMENTS

Citation(s) | Condition or Requirement

(B) Post-eligibility Treatment of Institutionalized Individuals' Incomes (continued)

5. (Continued)

___X___ Amount for maintenance of home is: SSI Benefit Standard minus $60.

_____ Amount for maintenance of home is the actual maintenance cost not to exceed $___.

_____ Amount for maintenance of home is deductible when countable income is determined under section 1924(d)(1) of the Act only if the individual's home and the community spouse's home are different.

_____ Amount for maintenance of home is not deductible when countable income is determined under section 1924(d)(1) of the Act.

STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT

State/Territory: SOUTH DAKOTA

ELIGIBILITY CONDITIONS AND REQUIREMENTS

Citation(s)	Condition or Requirement
42 CFR 435.711 42 CFR 435.721 42 CFR 435.831	(C) Financial Eligibility For individuals who are AFDC or SSI recipients, the income and resource levels and methods for determining countable income and resources of the AFDC and SSI programs apply, unless the plan provides for more restrictive levels and methods than SSI for SSI recipients under section 1902(f) of the Act, or more liberal methods under section 1902(r)(2) of the Act, as specified below. For individuals who are not AFDC or SSI recipients in a non-section 1902(f) state and those who are deemed to be cash assistance recipient, the financial eligibility requirements specified in this section C apply. SUPPLEMENT 1 TO ATTACHMENT 2.6-A specifies the income levels for mandatory and optional categorically needy groups of individuals, including individuals with incomes related to the Federal income poverty level and for mandatory groups of qualified Medicare beneficiaries covered under section 1902(a)(10)(E)(i) of the Act.

STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT

State/Territory: SOUTH DAKOTA

ELIGIBILITY CONDITIONS AND REQUIREMENTS

Citation(s) Condition or Requirement

(C) Financial Eligibility (continued)

_X_ SUPPLEMENT 2 TO ATTACHMENT 2.6-A specifies the resource levels for mandatory and optional categorically needy poverty level related groups, and for medically needy groups.

___ SUPPLEMENT 7 TO ATTACHMENT 2.6-A specifies the income levels for categorically needy aged, blind and disabled persons who are covered under requirements more restrictive than SSI.

___ SUPPLEMENT 4 TO ATTACHMENT 2.6-A specifies the methods for determining income eligibility used by states that have more restrictive methods than SSI, permitted under section 1902(f) of the Act.

___ SUPPLEMENT 5 TO ATTACHMENT 2.6-A specifies the methods for determining resource eligibility used by states that have more restrictive methods than SSI, permitted under section 1902(f) of the Act.

_X_ SUPPLEMENT 8a TO ATTACHMENT 2.6-A specifies the methods for determining income eligibility used by states that are more liberal than the methods of the cash assistance programs, permitted under section 1902(r)(2) of the Act.

_X_ SUPPLEMENT 8b TO ATTACHMENT 2.6-A specifies the methods for determining resource eligibility used by states that are more liberal than the methods of the cash assistance programs, permitted under section 1902(r)(2) of the Act.

_X_ SUPPLEMENT 9b TO ATTACHMENT 2.6-A specifies the method for determining the penalty period for a transfer of an asset at less than fair market value. Also provides procedures for undue hardship waivers.

___ SUPPLEMENT 14 TO ATTACHMENT 2.6-A specifies income levels used by states for determining eligibility of tuberculosis-infected individuals whose eligibility is determined under section 1902(x)(1) of the Act.

_X_ SUPPLEMENT 17 TO ATTACHMENT 2.6-A specifies the method for determining when there is a disqualification for long-term care assistance for individuals with substantial home equity.

STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT

State/Territory: SOUTH DAKOTA

ELIGIBILITY CONDITIONS AND REQUIREMENTS

Citation(s)	Condition or Requirement
	(C) Financial Eligibility (continued)
	1. Methods of Determining Income
Section 1902(r)(2) of the Act	a. AFDC-related individuals (except for poverty level related pregnant women, infants, and children.
	i. This section is superseded by SD 13-15.
	ii. This section is superseded by SD 13-15.
Section 1902(e)(6) of the Act	iii. Agency continues to treat women eligible under the provisions of sections 1902(a)(10) of the Act as eligible, without regard to any changes in income of the family of which she is a member, for the 60-day period after her pregnancy ends and any remaining days in the month in which the 60th day falls.

STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT

State/Territory: SOUTH DAKOTA

ELIGIBILITY CONDITIONS AND REQUIREMENTS

Citation(s)	Condition or Requirement

(C) Financial Eligibility (continued)

1. Methods of Determining Income (continued)

42 CFR 435.721, 42 CFR 435.831, and Sections 1902(m)(1)(B) (m)(4) and 1902(r)(2) of the Act

b. Aged individuals. In determining countable income for aged individuals, including aged individuals with incomes up to the Federal poverty level described in section 1902(m)(1) of the Act, the following methods are used:

_**X**_ The methods of the SSI program only.

___ The methods of the SSI program and/or any more liberal methods described in SUPPLEMENT 8a TO ATTACHMENT 2.6-A.

STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT

State/Territory: SOUTH DAKOTA

ELIGIBILITY CONDITIONS AND REQUIREMENTS

Citation(s) Condition or Requirement

(C) Financial Eligibility (continued)

1. Methods of Determining Income (continued)

b. (continued)

___ For individuals other than optional State supplement recipients, more restrictive methods than SSI, applied under the provisions of section 1902(f) of the Act, as specified in SUPPLEMENT 4 TO ATTACHMENT 2.6-A; and any more liberal methods described in SUPPLEMENT 8a TO ATTACHMENT 2.6-A.

___ For institutionalized couples, the methods specified under section 1611(e)(5) of the Act.

___ For optional State supplement recipients under 42 CFR 435.230, income methods more liberal than SSI, as specified in SUPPLEMENT 4 TO ATTACHMENT 2.6-A.

___ For optional State supplement recipients in section 1902(f) states and SSI criteria states without section 1616 or 1634 agreements—

___ SSI methods only;

___ SSI methods and/or any more liberal methods than SSI described in SUPPLEMENT 8a TO ATTACHMENT 2.6-A; or

___ Methods more restrictive and/or more liberal than SSI. More restrictive methods are described in SUPPLEMENT 4 TO ATTACHMENT 2.6-A and more liberal methods are described in SUPPLEMENT 8a TO ATTACHMENT 2.6-A.

In determining relative financial responsibility, the agency considers only the income of spouses living in the same household as available to spouses.

STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT

State/Territory: SOUTH DAKOTA

ELIGIBILITY CONDITIONS AND REQUIREMENTS

Citation(s) | Condition or Requirement

(C) Financial Eligibility (continued)

1. Methods of Determining Income (continued)

42 CFR 435.721 and 435.831, and Sections 1902(m)(1)(B), (m)(4), and 1902(r)(2) of the Act

c. Blind individuals. In determining countable income for blind individuals, the following methods are used:

_**X**_ The methods of the SSI program only.

___ SSI methods and/or any more liberal methods described in SUPPLEMENT 8a TO ATTACHMENT 2.6-A.

___ For individuals other than optional State supplement recipients, more restrictive methods than SSI, applied under the provisions of section 1902(f) of the Act, as specified in SUPPLEMENT 4 TO ATTACHMENT 2.6-A; and any more liberal methods described in SUPPLEMENT 8a TO ATTACHMENT 2.6-A.

___ For optional State supplement recipients under 42 CFR 435.230, income methods more liberal than SSI, as specified in SUPPLEMENT 4 TO ATTACHMENT 2.6-A.

___ For institutionalized couples, the methods specified under section 1611(e)(5) of the Act.

___ For optional State supplement recipients under 42 CFR 435.230, income methods more liberal than SSI, as specified in SUPPLEMENT 4 TO ATTACHMENT 2.6-A.

___ For optional State supplement recipients in section 1902(f) states and SSI criteria states without section 1616 or 1634 agreements—

___ SSI methods only;
___ SSI methods and/or any more liberal methods than SSI described in SUPPLEMENT 8a TO ATTACHMENT 2.6-A; or
___ Methods more restrictive and/or more liberal than SSI. More restrictive methods are described in SUPPLEMENT 4 TO ATTACHMENT 2.6-A and more liberal methods are described in SUPPLEMENT 8a TO ATTACHMENT 2.6-A.

STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT

State/Territory: SOUTH DAKOTA

ELIGIBILITY CONDITIONS AND REQUIREMENTS

Citation(s) | Condition or Requirement

(C) Financial Eligibility (continued)

1. Methods of Determining Income (continued)

c. (continued)

In determining relative responsibility, the agency considers only the income of spouses living in the same household as available to spouses and the income of parents as available to children living with parents until the children become 21.

42 CFR 435.721 and 435.831, and Sections 1902(m)(1)(B), (m)(4), and 1902(r)(2) of the Act

d. Disabled individuals. In determining countable income of disabled individuals, including individuals with incomes up to the Federal poverty level described in Section 1902(m) of the Act the following methods are used:

_X_ The methods of the SSI program.

___ SSI methods and/or any more liberal methods described in SUPPLEMENT 8a TO ATTACHMENT 2.6-A.

___ For institutionalized couples, the methods specified under Section 1611(e)(5) of the Act.

___ For optional State supplement recipients under 42 CFR 435.230, income methods more liberal than SSI, as specified in SUPPLEMENT 4 TO ATTACHMENT 2.6-A.

___ For individuals other than optional State supplement recipients, more restrictive methods than SSI, applied under the provisions of section 1902(f) of the Act, as specified in SUPPLEMENT 4 TO ATTACHMENT 2.6-A; and any more liberal methods described in SUPPLEMENT 8a TO ATTACHMENT 2.6-A.

STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT

State/Territory: SOUTH DAKOTA

ELIGIBILITY CONDITIONS AND REQUIREMENTS

Citation(s) Condition or Requirement

(C) Financial Eligibility (continued)

1. Methods of Determining Income (continued)

d. (continued)

___ For optional State supplement recipients in Section 1902(f) states and SSI criteria states without Section 1616 or 1634 agreements--

___ SSI methods only.

___ SSI methods and/or any more liberal methods described in SUPPLEMENT 8a TO ATTACHMENT 2.6-A.

___ Methods more restrictive and/or more liberal than SSI, except for aged and disabled individuals described in Section 1902(m)(1) of the Act. More restrictive methods are described in SUPPLEMENT 4 TO ATTACHMENT 2.6-A and more liberal methods are specified in SUPPLEMENT 8a TO ATTACHMENT 2.6-A.

In determining relative financial responsibility, the agency considers only the income of spouses living in the same household as available to spouses and the income of parents as available to children living with parents until the children become 21.

STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT

State/Territory: SOUTH DAKOTA

ELIGIBILITY CONDITIONS AND REQUIREMENTS

Page 11a is superseded by SD 13-15.

STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT

State/Territory: SOUTH DAKOTA

ELIGIBILITY CONDITIONS AND REQUIREMENTS

Citation(s)	Condition or Requirement
	(C) Financial Eligibility (continued)
	1. Methods of Determining Income
	e. This section is superseded by SD 13-15.
Sections 1905(p)(1), 1902(m)(4), and 1902(r)(2) of the Act	f. Qualified Medicare beneficiaries. In determining countable income for qualified Medicare beneficiaries covered under Section 1902(a)(10)(E)(i) of the Act, the following methods are used: ___ The methods of the SSI program only. **_X_** SSI methods and/or any more liberal methods than SSI described in SUPPLEMENT 8a TO ATTACHMENT 2.6-A. ___ For institutional couples, the methods specified under Section 1611(e)(5) of the Act.

STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT

State/Territory: SOUTH DAKOTA

ELIGIBILITY CONDITIONS AND REQUIREMENTS

Citation(s)	Condition or Requirement

(C) Financial Eligibility (continued)

1. Methods of Determining Income (continued)

f. (continued)

If an individual receives a Title II benefit, any amounts attributable to the most recent increase in the monthly insurance benefit as a result of a Title II COLA is not counted as income during a "transition period" beginning with January, when the Title II benefit for December is received, and ending with the last day of the month following the month of publication of the revised annual Federal poverty level.

For individuals with Title II income, the revised poverty levels are not effective until the first day of the month following the end of the transition period.

For individuals not receiving Title II income, the revised poverty levels are effective no later than the date of publication.

g.

Section 1905(s) of the Act

i. Qualified disabled and working individuals.

In determining countable income for qualified disabled and working individuals covered under Section 1902(a) (10)(E)(ii) of the Act, the methods of the SSI program are used.

Section 1905(p) of the Act

ii. Specified low-income Medicare beneficiaries.

In determining countable income for specified low-income Medicare beneficiaries covered under Section 1902(a)(10)(E)(iii) of the Act, the same method as in f is used.

STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT

State/Territory: SOUTH DAKOTA

ELIGIBILITY CONDITIONS AND REQUIREMENTS

Citation(s)	Condition or Requirement

(C) Financial Eligibility (continued)

1. Methods of Determining Income (continued)

Section 1902(u) of the Act

h. COBRA Continuation Beneficiaries.

In determining countable income for COBRA continuation beneficiaries, the following disregards are applied:

___ The disregards of the SSI program;

___ The agency uses methodologies for treatment of income more restrictive than the SSI program. These more restrictive methodologies are described in SUPPLEMENT 4 TO ATTACHMENT 2.6-A.

NOTE: For COBRA continuation beneficiaries specified at Section 1902(u)(4), costs incurred from medical care or for any other type of remedial care shall not be taken into account in determining income, except as provided in Section 1612(b)(4)(B)(ii).

STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT

State/Territory: SOUTH DAKOTA

ELIGIBILITY CONDITIONS AND REQUIREMENTS

Citation(s) | Condition or Requirement

(C) Financial Eligibility (continued)

1. Methods of Determining Income (continued)

Section 1902(a)(10)(A)(ii)(XIII) of the Act

i. Working Individuals with Disabilities—BBA.

In determining countable income and resources for working individuals with disabilities under the BBA, the following methodologies are applied:

___ The disregards of the SSI program;

___ The agency uses methodologies for treatment of income and resources more restrictive than the SSI program. These more restrictive methodologies are described in SUPPLEMENT 4 (income) and/or SUPPLEMENT 5 (resources) TO ATTACHMENT 2.6-A.

_X_ The agency uses more liberal income and/or resource methodologies than the SSI program. More liberal income methodologies are described in SUPPLEMENT 8a TO ATTACHMENT 2.6-A. More liberal resource methodologies are described in SUPPLEMENT 8b TO ATTACHMENT 2.6-A.

STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT

State/Territory: SOUTH DAKOTA

ELIGIBILITY CONDITIONS AND REQUIREMENTS

Citation(s) | Condition or Requirement

(C) Financial Eligibility (continued)

1. Methods of Determining Income (continued)

Section 1902(a)(10)(A)(ii)(XV) of the Act

j. Working Individuals with Disabilities—Basic Coverage Group—TWWIIA.

In determining financial eligibility for working individuals with disabilities under this provision, the following standards and methodologies are applied:

___ 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.

___ The agency applies the following income and/or resource standard(s):

STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT

State/Territory: SOUTH DAKOTA

ELIGIBILITY CONDITIONS AND REQUIREMENTS

Citation(s) | Condition or Requirement

(C) Financial Eligibility (continued)

1. Methods of Determining Income (continued)

Section 1902(a)(10)(A)(ii)(XV) of the Act

k. Income Methodologies.

In determining whether an individual meets the income standard described above, the agency uses the following methodologies:

___ The income methodologies of the SSI program;

___ 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.

___ 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.

STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT

State/Territory: SOUTH DAKOTA

ELIGIBILITY CONDITIONS AND REQUIREMENTS

Citation(s) | Condition or Requirement

(C) Financial Eligibility (continued)

1. Methods of Determining Income (continued)

Section 1902(a)(10)(A)(ii)(XV) of the Act

l. Resource Methodologies.

In determining whether an individual meets the resource standard described above, the agency uses the following methodologies:

Unless one of the following items is checked the agency, under the authority of Section 1902(r)(2) of the Act, disregards all funds held in retirement accounts such as IRAs and other individual accounts, and employer-sponsored retirement plans such as 401(k) plans, Keogh plans, and employer pension plans. Any disregard involving retirement accounts is separately described in SUPPLEMENT 8b TO ATTACHMENT 2.6-A.

___ The agency disregards funds held in employer-sponsored plans, but not private retirement plans.

___ The agency disregards funds in retirement accounts in a manner other than those described above. The agency's disregards are specified in SUPPLEMENT 8b TO ATTACHMENT 2.6-A.

STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT

State/Territory: SOUTH DAKOTA

ELIGIBILITY CONDITIONS AND REQUIREMENTS

Citation(s) Condition or Requirement

(C) Financial Eligibility (continued)

1. Methods of Determining Income (continued)

l. (continued)

___ The agency does not disregard funds in retirement accounts.

___ 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.

___ The agency uses the resource methodologies of the SSI program.

___ The agency uses methodologies for treatment of resources that are more restrictive than the 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/Territory: SOUTH DAKOTA

ELIGIBILITY CONDITIONS AND REQUIREMENTS

Citation(s)	Condition or Requirement

(C) Financial Eligibility (continued)

1. Methods of Determining Income (continued)

Section 1902(a)(10)(A)(ii)(XVI) of the Act

m. Working Individuals with Disabilities—Employed Medically Improved Individuals—TIWWIIAA.

In determining financial eligibility for employed medically improved individuals under this provision, the following standards and methodologies are applied:

___ 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.

STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT

State/Territory: SOUTH DAKOTA

ELIGIBILITY CONDITIONS AND REQUIREMENTS

Citation(s) | Condition or Requirement

(C) Financial Eligibility (continued)

1. Methods of Determining Income (continued)

Section 1902(a)(10)(A)(ii)(XVI) of the Act

n. Income Methodologies.

In determining whether an individual meets the income standard described above, the agency uses the following methodologies:

___ The income methodologies of the SSI program;

___ 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.

___ 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.

STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT

State/Territory: SOUTH DAKOTA

ELIGIBILITY CONDITIONS AND REQUIREMENTS

Citation(s) | Condition or Requirement

(C) Financial Eligibility (continued)

1. Methods of Determining Income (continued)

Section 1902(a)(10)(A)(ii)(XVI) of the Act

o. Resource Methodologies.

In determining whether an individual meets the resource standard described above, the agency uses the following methodologies:

Unless one of the following items is checked the agency, under the authority of Section 1902(r)(2) of the Act, disregards all funds held in retirement funds and accounts such as IRAs and other individual accounts, including private retirement accounts such as IRAs and other individual accounts, and employer-sponsored retirement plans such as 401(k) plans, Keogh plans, and employer pension plans. Any disregard involving retirement accounts is separately described in SUPPLEMENT 8b TO ATTACHMENT 2.6-A.

___ The agency disregards funds held in employer-sponsored retirement plans, but not private retirement plans.

___ The agency disregards funds in retirement accounts in a manner other than those described above. The agency's disregards are specified in SUPPLEMENT 8b TO ATTACHMENT 2.6-A.

STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT

State/Territory: SOUTH DAKOTA

ELIGIBILITY CONDITIONS AND REQUIREMENTS

Citation(s) | Condition or Requirement

(C) Financial Eligibility (continued)

1. Methods of Determining Income (continued)

o. (continued)

Section 1902(a)(10)(A)(ii)(XVI) of the Act

___ The agency does not disregard funds in retirement accounts.

___ 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.

___ The agency uses the resource methodologies of the SSI program.

___ The agency uses methodologies for treatment of resources that are more restrictive than the 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/Territory: SOUTH DAKOTA

ELIGIBILITY CONDITIONS AND REQUIREMENTS

Citation(s) | Condition or Requirement

(C) Financial Eligibility (continued)

1. Methods of Determining Income (continued)

Sections 1902(a)(10)(A)(ii)(XVI) and 1905 (v)(2) of the Act

p. Definition of Employed—Employed Medically Improved Individuals—TIWWIIAA.

___ The agency uses the statutory definition of "employed," i.e., earning at least the minimum wage, and working at least 40 hours per month.

___ The agency uses an alternative definition of "employed" that provides for a substantial and reasonable threshold criteria for hours of work, wages, or other measures. The agency's threshold criteria are described below:

STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT

State/Territory: SOUTH DAKOTA

ELIGIBILITY CONDITIONS AND REQUIREMENTS

Citation(s) | Condition or Requirement

(C) Financial Eligibility (continued)

1. Methods of Determining Income (continued)

Sections 1902(a)(10)(A)(ii)(XIII), (XV), (XVI), and 1916(g) of the Act

q. Payment of Premiums or Other Cost Sharing Charges.

For individuals eligible under the BBA eligibility group described in No. 23 on page 23d of ATTACHMENT 2.2-A:

___ The agency requires payment of premiums or other cost-sharing charges on a sliding scale based on income. The premiums or other cost-sharing charges, and how they are applied, are described below:

STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT

State/Territory: SOUTH DAKOTA

ELIGIBILITY CONDITIONS AND REQUIREMENTS

Citation(s) | Condition or Requirement

(C) Financial Eligibility (continued)

1. Methods of Determining Income (continued)

Sections 1902(a)(10)(A)(ii)(XIII), (XV), (XVI), and 1916(g) of the Act

q. (continued)

For individuals eligible under the Basic Coverage Group described in No. 24 on page 23d of ATTACHMENT 2.2-A, and the Medical Improvement Group described in No. 25 on page 23 d of ATTACHMENT 2.2-A:

NOTE: Regardless of the option selected below, the agency MUST require that individuals whose annual adjusted gross income, as defined under IRS statute exceeds $75,000 pa 100 percent of premiums.

___ The agency requires individuals to pay premiums or other cost-sharing charges on a sliding scale based on income. For individuals with net annual income below 450% 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.

The premiums or other cost-sharing charges, and how they are applied, are described on page 12o.

STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT

State/Territory: SOUTH DAKOTA

ELIGIBILITY CONDITIONS AND REQUIREMENTS

Citation(s)	Condition or Requirement
	(C) Financial Eligibility (continued)
	1. Methods of Determining Income (continued)
Sections 1902(a)(10)(A)(ii)(XIII), (XV), (XVI), and 1916(g) of the Act	q. (continued) For the Basic Coverage Group and the Medical Improvement Group, the agency's premium or other cost-sharing charges, and how they are applied, are described below:

STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT

State/Territory: SOUTH DAKOTA

ELIGIBILITY CONDITIONS AND REQUIREMENTS

Citation(s)	Condition or Requirement

(C) Financial Eligibility (continued)

Section 1902(k) of the Act

2. Medicaid Qualifying Trusts.

In the case of a Medicaid qualifying trust described in Section 1902(k)(2) of the Act, the amount from the trust that is deemed available to the individual who established the trust (or whose spouse established the trust) is the maximum amount that the trustee(s) is permitted under the trust to distribute to the individual. This amount is deemed available to the individual, whether or not the distribution is actually made. This provision does not apply to any trust or initial trust decree established before April 7, 1986, solely for the benefit of a mentally retarded individual who resides in an intermediate care facility for the mentally retarded.

_X_ The agency does not count the funds in a trust as described above in any instance where the State determines that it would work an undue hardship. SUPPLEMENT 10 TO ATTACHMENT 2.6-A specifies what constitutes an undue hardship.

Section 1902(a)(10) of the Act

3. Medically Needy Income Levels (MNILs) Are Based on Family Size.

SUPPLEMENT 1 TO ATTACHMENT 2.6-A specifies the MNILs for all covered medically needy groups. If the agency chooses more restrictive levels under Section 1902(f) of the Act, SUPPLEMENT 1 so indicates.

STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT

State/Territory: SOUTH DAKOTA

ELIGIBILITY CONDITIONS AND REQUIREMENTS

Citation(s)	Condition or Requirement

(C) Financial Eligibility (continued)

42 CFR 435.732 and 435.831

4. Handling of Excess Income—Spend-down for the Medically Needy in All States and the Categorically Needy in 1902(f) States Only.

a. Medically Needy.

i. Income in excess of the MNIL is considered as available for payment of medical care and services. The Medicaid agency measures available income for periods of either ___ or ___ month(s) (not to exceed 6 months) to determine the amount of excess countable income applicable to the cost of medical care and services.

ii. If countable income exceeds the MNIL standard, the agency deducts the following incurred expenses in the following order:

a. Health insurance premiums, deductibles, and coinsurance charges.

b. Expenses for necessary medical and remedial care not included in the plan.

c. Expenses for necessary medical and remedial care included in the plan.

___ Reasonable limits on amounts of expenses deducted from income under a(ii)(a) and (b) above are listed below.

Section 1902(a)(17) of the Act

Incurred expenses that are subject to payment by a third party are not deducted unless the expenses are subject to payment by a third party that is a publicly funded program (other than Medicaid) of a state or local government.

STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT

State/Territory: SOUTH DAKOTA

ELIGIBILITY CONDITIONS AND REQUIREMENTS

Citation(s)	Condition or Requirement
	(C) Financial Eligibility (continued)
Section 1902(f)(2) of the Act	4. Handling of Excess Income—Spend-down for the Medically Needy in All States and the Categorically Needy in 1902(f) States Only. a. Medically Needy (continued). ___ iii. If countable income exceeds the MNIL standard, the agency deducts spend-down payments made to the State by the individual.

STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT

State/Territory: SOUTH DAKOTA

ELIGIBILITY CONDITIONS AND REQUIREMENTS

Citation(s)	Condition or Requirement

(C) Financial Eligibility (continued)

4. Handling of Excess Income—Spend-down for the Medically Needy in All States and the Categorically Needy in 1902(f) States Only.

b. Categorically Needy—Section 1902(f) States.

42 CFR 435.732

The agency applies the following policy under the provisions of Section 1902(f) of the Act. The following amounts are deducted from income to determine the individual's countable income:

i. Any SSI benefit received.

ii. Any State supplement received that is within the scope of an agreement described in Sections 1616 or 1634 of the Act, or a State supplement within the scope of Section 1902(a)(10)(A)(ii)(XI) of the Act.

iii. Increases in OASDI that are deducted under 42 CFR 435.134 and 435.135 for individuals specified in that section, in the manner elected by the State under that section.

iv. Other deductions from income described in this plan at ATTACHMENT 2.6-A, SUPPLEMENT 4.

Section 1902(a)(17) of the Act, P.L. 100-203

v. Incurred expenses for necessary medical and remedial services recognized under State law.

Incurred expenses that are subject to payment by a third party are not deducted unless the expenses are subject to payment by a third party that is a publicly funded program (other than Medicaid) of a state or local government.

STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT

State/Territory: SOUTH DAKOTA

ELIGIBILITY CONDITIONS AND REQUIREMENTS

Citation(s)	Condition or Requirement
	(C) Financial Eligibility (continued)
	4. Handling of Excess Income—Spend-down for the Medically Needy in All States and the Categorically Needy in 1902(f) States Only.
	b. Categorically Needy—Section 1902(f) States (continued).
Section 1903(f)(2) of the Act	vi. Spend-down payments made to the State by the individual. NOTE: FFP will be reduced to the extent a state is paid a spend-down payment by the individual.

STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT

State/Territory: SOUTH DAKOTA

ELIGIBILITY CONDITIONS AND REQUIREMENTS

Citation(s) Condition or Requirement

(C) Financial Eligibility (continued)

5. Methods for Determining Resources.

a. AFDC-related individuals (except for poverty level related pregnant women, infants, and children).

i. In determining countable resources for AFDC-related individuals, the following methods are used:

a. The methods under the State's approved AFDC plan; and

___ b. The methods under the State's approved AFDC plan and/or any more liberal methods described in SUPPLEMENT 8b TO ATTACHMENT 2.6-A.

ii. In determining relative financial responsibility, the agency considers only the resources of spouses living in the same household as available to spouses and the resources of parents as available to children living with parents until the children become 21.

STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT

State/Territory: SOUTH DAKOTA

ELIGIBILITY CONDITIONS AND REQUIREMENTS

Citation(s) | Condition or Requirement

(C) Financial Eligibility (continued)

5. Methods for Determining Resources (continued).

Sections 1902(a)(10)(A), 1902(a)(10)(C), 1902(m)(1)(B) and (C), and 1902(r) of the Act

b. Aged individuals. For aged individuals covered under Section 1902(a)(10)(A)(ii)(X) of the Act, the agency uses the following methods for treatment of resources:

_**X**_ The methods of the SSI program.

___ SSI methods and/or any more liberal methods described in SUPPLEMENT 8b TO ATTACHMENT 2.6-A.

___ Methods that are more restrictive (except for individuals described in Section 1902(m)(1) of the Act) and/or more liberal than those of the SSI program. SUPPLEMENT 5 TO ATTACHMENT 2.6-A describes the more restrictive methods and SUPPLEMENT 8b TO ATTACHMENT 2.6-A specifies the more liberal methods.

STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT

State/Territory: SOUTH DAKOTA

ELIGIBILITY CONDITIONS AND REQUIREMENTS

Citation(s)	Condition or Requirement

(C) Financial Eligibility (continued)

5. Methods for Determining Resources (continued).

In determining relative financial responsibility, the agency considers only the resources of spouses living in the same household as available to spouses.

Sections 1902(a)(10)(A), 1902(a)(10)(C), 1902(m)(1)(B), and 1902(r) of the Act

c. Blind individuals. For blind individuals the agency uses the following methods for treatment of resources:

_**X**_ The methods of the SSI program.

___ SSI methods and/or any more liberal methods described in SUPPLEMENT 8b TO ATTACHMENT 2.6-A.

___ Methods that are more restrictive and/or more liberal than those of the SSI program. SUPPLEMENT 5 TO ATTACHMENT 2.6-A describes the more restrictive methods and SUPPLEMENT 8b TO ATTACHMENT 2.6-A specifies the more liberal methods.

In determining relative financial responsibility, the agency considers only the resources of spouses living in the same household as available to spouses and the resources of parents as available to children living with parents until the children become 21.

STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT

State/Territory: SOUTH DAKOTA

ELIGIBILITY CONDITIONS AND REQUIREMENTS

Citation(s)	Condition or Requirement
	(C) Financial Eligibility (continued)
Sections 1902(a)(10)(A), 1902(a)(10)(C), 1902(m)(1)(B) and (C), and 1902(r)(2) of the Act	5. Methods of Determining Resources (continued). d. Disabled individuals, including individuals covered under Section 1902(a)(10)(A)(ii)(X) of the Act. The agency uses the following methods for the treatment of resources: **X** The methods of the SSI program. ___ SSI methods and/or any more liberal methods than SSI described in SUPPLEMENT 8a TO ATTACHMENT 2.6-A. ___ Methods that are more restrictive (except for individuals described in Section 1902(m)(1) of the Act) and/or more liberal than those under the SSI program. More restrictive methods are described in SUPPLEMENT 5 TO ATTACHMENT 2.6-A and more liberal methods are specified in SUPPLEMENT 8b TO ATTACHMENT 2.6- A. In determining relative financial responsibility, the agency considers only the resources of spouses living in the same household as available to spouses and the resources of parents as available to children living with parents until the children become 21.
Section 1902(l)(3) of the Act	e. This section is superseded by SD 13-15.

STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT

State/Territory: SOUTH DAKOTA

ELIGIBILITY CONDITIONS AND REQUIREMENTS

Page 19 is superseded by SD 13-15.

STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT

State/Territory: SOUTH DAKOTA

ELIGIBILITY CONDITIONS AND REQUIREMENTS

Page 19a is superseded by SD 13-15.

STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT

State/Territory: SOUTH DAKOTA

ELIGIBILITY CONDITIONS AND REQUIREMENTS

Page 19b is superseded by SD 13-15.

STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT

State/Territory: SOUTH DAKOTA

ELIGIBILITY CONDITIONS AND REQUIREMENTS

Citation(s)	Condition or Requirement

(C) Financial Eligibility (continued)

5. Methods for Determining Resources (continued).

Sections 1905(p)(1)(C) and (D) and 1902(r)(2) of the Act

h. For qualified Medicare beneficiaries covered under Section 1902(a)(10)(E)(i) of the Act the agency uses the following methods for treatment of resources:

_X_ The methods of the SSI program only.

___ The methods of the SSI program and/or more liberal methods as described in SUPPLEMENT 8b to ATTACHMENT 2.6-A.

Section 1905(s) of the Act

i. For qualified disabled and working individuals covered under Section 1902(a)(10)(E)(ii) of the Act the agency uses SSI program methods for the treatment of resources.

Section 1902(u) of the Act

j. For qualified Medicare beneficiaries covered under Section 1902(a)(10)(E)(i) of the Act the agency uses the following methods for treatment of resources:

___ The methods of the SSI program only.

___ More restrictive methods applied under Section 1902(f) of the Act as described in SUPPLEMENT 5 to ATTACHMENT 2.6-A.

STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT

State/Territory: SOUTH DAKOTA

ELIGIBILITY CONDITIONS AND REQUIREMENTS

Citation(s)	Condition or Requirement

(C) Financial Eligibility (continued)

5. Methods for Determining Resources (continued).

Section 1902(a)(10)(E)(iii) of the Act

k. Specified low-income Medicare beneficiaries covered under Section 1902(a)(10)(E)(iii) of the Act the agency uses the following methods for treatment of resources—

The agency uses the same method as in 5.h of ATTACHMENT 2.6-A.

6. Resource Standard—Categorically Needy.

a. 1902(f) states (except as specified under items 6.c and d below) for aged, blind, and disabled individuals:

___ Same as SSI resource standards.

___ More restrictive.

The resource standards for other individuals are the same as those in the related cash assistance program.

b. Non-1902(f) states (except as specified under items 6.c and d below)

The resource standards are the same as those in the related cash assistance program.

SUPPLEMENT 8 TO ATTACHMENT 2.6-A specifies for 1902(f) states the categorically needy resource levels for all covered categorically needy groups.

STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT

State/Territory: SOUTH DAKOTA

ELIGIBILITY CONDITIONS AND REQUIREMENTS

Page 21 is superseded by SD 13-15.

STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT

State/Territory: SOUTH DAKOTA

ELIGIBILITY CONDITIONS AND REQUIREMENTS

Citation(s)	Condition or Requirement

(C) Financial Eligibility (continued)

6. Resource Standard—Categorically Needy (continued).

Sections 1902(m)(1)(C) and (m)(2)(B) of the Act

e. For aged and disabled individuals described in Section 1902(m)(1) of the Act who are covered under Section 1902(a)(10)(A)(ii)(X) of the Act, the resource standard is:

___ Same as SSI resource standards.

___ Same as the medically needy resource standards, which are higher than the SSI resource standards (if the State covers the medically needy).

SUPPLEMENT 2 TO ATTACHMENT 2.6-A specifies the resource levels for these individuals.

STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT

State/Territory: SOUTH DAKOTA

ELIGIBILITY CONDITIONS AND REQUIREMENTS

Citation(s) | Condition or Requirement

(C) Financial Eligibility (continued)

7. Resource Standard—Medically Needy.

Section 1902(a)(10)(C)(i) of the Act

a. Resource standards are based on family size.

b. A single standard is employed in determining resource eligibility for all groups.

___ c. In 1902(f) states, the resource standards are more restrictive than 7.b above for--

___ Aged

___ Blind

___ Disabled.

SUPPLEMENT 2 TO ATTACHMENT 2.6-A specifies the resource standards for all covered medically needy groups. If the agency chooses more restrictive levels under 7.c, SUPPLEMENT 2 TO ATTACHMENT 2.6-A so indicates.

8. Resource Standard—Qualified Medicare Beneficiaries, Specified Low-Income Medicare Beneficiaries, and Qualifying Individuals.

Sections 1902(a)(10)(E), 1905(p)(1)(D), 1905(p)(2)(B) and 1850D-14(a)(3)(D) of the Act

For Qualified Medicare Beneficiaries covered under Section 1902(a)(10)(E)(i) of the Act, Specified Low-Income Medicare Beneficiaries covered under Section 1902(a)(10)(E)(iii) of the Act, and Qualifying Individuals covered under Section 1902(a)(10)(E)(iv) of the Act, the resource standard is three times the SSI resource limit, adjusted annually since 1996 by the increase in the Consumer Price Index.

9. Resource Standard—Qualified Disabled and Working Individuals.

Sections 1902(a)(10)(E)(ii), 1905(s), and 1860D-14(a)(3)(D) of the Act

For qualified disabled and working individuals covered under Section 1902(a)(10)(E)(ii) of the Act, the resource standard for an individual or a couple (in the case of an individual with a spouse) is two times the SSI resource limit.

STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT

State/Territory: SOUTH DAKOTA

ELIGIBILITY CONDITIONS AND REQUIREMENTS

Citation(s)	Condition or Requirement
	(C) Financial Eligibility (continued)
Section 1902(u) of the Act	9.1 For COBRA continuation beneficiaries, the resource standard is: ___ Twice the SSI resource standard for an individual. ___ More restrictive standard as applied under Section 1902(f) of the Act as described in SUPPLEMENT 8 TO ATTACHMENT 2.6-A.

STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT

State/Territory: SOUTH DAKOTA

ELIGIBILITY CONDITIONS AND REQUIREMENTS

Citation(s)	Condition or Requirement

(C) Financial Eligibility (continued)

10. Excess Resources.

Section 1902(u) of the Act

a. Categorically Needy, Qualified Medicare Beneficiaries, Qualified Disabled and Working Individuals, and Specified Low-Income Medicare Beneficiaries—

Any excess resources make the individual ineligible.

b. Categorically Needy Only—

_**X**_ This state has a Section 1634 agreement with SSI. Receipt of SSI is provided for individuals while disposing of excess resources.

c. Medically Needy—

Any excess resources make the individual ineligible.

STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT

State/Territory: SOUTH DAKOTA

ELIGIBILITY CONDITIONS AND REQUIREMENTS

Citation(s)	Condition or Requirement

(C) Financial Eligibility (continued)

42 CFR 435.914

11. Effective Date of Eligibility.

a. Groups Other Than Qualified Medicare Beneficiaries—

i. For the prospective period—

Coverage is available for the full month if the following individuals are eligible at any time during the month:

X Aged, blind, disabled

X AFDC-related.

Coverage is available only for the period during the month for which the following individuals meet the eligibility requirements:

___ Aged, blind, disabled

___ AFDC-related.

ii. For the retroactive period—

Coverage is available for three months before the date of application if the following individuals would have been eligible had they applied:

___ Aged, blind, disabled

___ AFDC-related.

Coverage is available beginning the first day of the third month before the date of application if the following individuals would have been eligible at any time during that month, had they applied:

X Aged, blind, disabled

X AFDC-related.

STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT

State/Territory: SOUTH DAKOTA

ELIGIBILITY CONDITIONS AND REQUIREMENTS

Citation(s)	Condition or Requirement
	(C) Financial Eligibility (continued)
42 CFR 435.914	11. Effective Date of Eligibility
	a. Groups Other Than Qualified Medicare Beneficiaries— (continued)
	iii. This section is superseded by SD 13-15.
Sections 1902(e)(8) and 1905(a) of the Act	_**X**_ b. For qualified Medicare beneficiaries defined in Section 1905(p)(1) of the Act coverage is available beginning with the first day of the month after the month in which the individual is first determined to be a qualified Medicare beneficiary under Section 1905(p)(1). The eligibility determination is valid for—
	_**X**_ 12 months
	___ 6 months
	___ ___ months (no less than 6 months and nor more than 12 months).

STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT

State/Territory: SOUTH DAKOTA

ELIGIBILITY CONDITIONS AND REQUIREMENTS

Citation(s)	Condition or Requirement
	(C) Financial Eligibility (continued)
Sections 1902(a)(18) and 1902(f) of the Act	11. Transfer of Resources—Categorically and Medically Needy, Qualified Medicare Beneficiaries, and Qualified Disabled and Working Individuals. The agency complies with the provisions of Section 1917 of the Act with respect to the transfer of resources. Disposal of resources at less than fair market value affects eligibility for certain services as detailed in SUPPLEMENT 9 TO ATTACHMENT 2.6-A.

STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT

State/Territory: SOUTH DAKOTA

ELIGIBILITY CONDITIONS AND REQUIREMENTS

Citation(s)	Condition or Requirement
	(C) Financial Eligibility (continued)
Section 1924 of the Act	15. The agency complies with the provisions of § 1924 with respect to income and resource eligibility and post-eligibility determinations for individuals who are expected to be institutionalized for at least 30 consecutive days and who have a spouse living in the community. When applying the formula used to determine the amount of resources in initial eligibility determinations, the State standard for community spouses is: _**X**_ the maximum standard permitted by law; _**X**_ the minimum standard permitted by law; or ___ a standard that is an amount between the minimum and the maximum.