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## **Table of Contents**

**State/Territory Name: Puerto Rico**

**State Plan Amendment (SPA) #: 13-005-A**

This file contains the following documents in the order listed:

- 1) Approval Letter
- 2) CMS 179 Form
- 3) Approved SPA Pages

DEPARTMENT OF HEALTH & HUMAN SERVICES  
Centers for Medicare & Medicaid Services  
Jacob K. Javits Federal Building  
26 Federal Plaza  
Room 37-100  
New York, New York 10278-0063



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December 24, 2014

Ricardo A. Colon Padilla, CPA  
Medicaid Director  
Puerto Rico Medicaid Program  
Puerto Rico Department of Health  
P.O. Box 70184  
San Juan, Puerto Rico 70184

Dear Mr. Colon Padilla:

Enclosed is an approved copy of Puerto Rico's State Plan Amendment 13-005-A, which was submitted to CMS on December 26, 2013. This SPA incorporates the establishment of the Puerto Rico Poverty Level (PRPL) for all non-ABD (Aged, Blind, and Disabled) coverage groups, and expansion of the income threshold to 133% of PRPL for various 1902(r) groups into Puerto Rico's state plan in accordance with the Affordable Care Act.

Please be informed this SPA was approved on December 24, 2014 with an effective date of December 31, 2013.

We are enclosing the CMS 179 and the amended plan pages (Attachment 2.2-A, page 23c; Attachment 2.2-A, page 23e; Attachment 2.2-A, page 6a; Attachment 2.6-A, Supplement 8a, page 2; and Attachment 2.6-A, Supplement 12, page 1).

Congratulations to you and your staff for your hard work and strong collaboration. If you have any questions, please contact Patricia Ryan at 212-616-2436 or [Patricia.Ryan@cms.hhs.gov](mailto:Patricia.Ryan@cms.hhs.gov).

Sincerely,

/s/

Michael Melendez  
Associate Regional Administrator  
Division of Medicaid and Children's Health

Enclosures

<b>TRANSMITTAL AND NOTICE OF APPROVAL OF STATE PLAN MATERIAL</b> <b>FOR: CENTER FOR MEDICARE &amp; MEDICAID SERVICES</b>	1. TRANSMITTAL NUMBER <b>PR-13-005-A</b>	2. STATE PUERTO RICO
	3. PROGRAM IDENTIFICATION: TITLE XIX OF THE SOCIAL SECURITY ACT (MEDICAID)	
TO: REGIONAL ADMINISTRATOR CENTERS FOR MEDICARE & MEDICAID SERVICES DEPARTMENT OF HEALTH AND HUMAN SERVICES	4. PROPOSED EFFECTIVE DATE DECEMBER 31, 2013	
5. TYPE OF PLAN MATERIAL (Check One)		
<input type="checkbox"/> NEW STATE PLAN <input type="checkbox"/> AMENDMENT TO CONSIDERED AS NEW PLAN <input checked="" type="checkbox"/> AMENDMENT		
COMPLETE BLOCKS 6 THRU 10 IF THIS IS AN AMENDMENT (Separate transmittal for each amendment)		
6. FEDERAL STATUTE/REGULATION CITATION SECTION 1902 OF THE SOCIAL SECURITY ACT	7. FEDERAL BUDGET IMPACT	
	a. FFY      2014 (3 quarters)      \$ 77,653,600.00 b. FFY      2015      \$ 108,715,040.00	
8. PAGE NUMBER OF THE PLAN SECTION OR ATTACHMENT Attachment 2.2-A, page 23c Attachment 2.2-A, page 23e Attachment 2.2-A, page 6a Attachment 2.6-A, Supplement 8a, page 2, effective 12/31/13 Attachment 2.6-A, Supplement 12, page 1, effective 12/31/13	9. PAGE NUMBER OF THE SUPERSEDED PLAN SECTION OR ATTACHMENT (If Applicable) Replace Attachment 2.2-A, page 23c Replace Attachment 2.2-A, page 23e Replace Attachment 2.2-A, page 6a New Page, effective 12/31/13  New Page, effective 12/31/13	
10. SUBJECT OF AMENDMENT <b>ESTABLISHMENT OF PUERTO RICO POVERTY LEVEL (PRPL) FOR ALL NON-ABD (AGED, BLIND, AND DISABLED) COVERAGE GROUPS, EXPANSION OF INCOME THRESHOLD TO 133% OF PRPL FOR R(2) GROUPS</b>		
11. GOVERNOR'S REVIEW (Check One)		
<input type="checkbox"/> GOVERNOR'S OFFICE REPORTED NO COMMENT <input checked="" type="checkbox"/> OTHER, AS SPECIFIED <input type="checkbox"/> COMMENTS OF GOVERNOR'S OFFICE ENCLOSED <input type="checkbox"/> NO REPLY RECEIVED WITHIN 45 DAYS OF SUBMITTAL		
12. SIGNATURE OF STATE AGENCY OFFICIAL  13. TYPE NAME RICARDO A. COLÓN-PADILLA, CPA 14. TITLE EXECUTIVE DIRECTOR 15. DATE SUBMITTED DECEMBER 26, 2013	16. RETURN TO PUERTO RICO MEDICAID PROGRAM PUERTO RICO DEPARTMENT OF HEALTH PO BOX 70184 SAN JUAN PR 00936-8184	
<b>FOR REGIONAL OFFICE USE ONLY</b>		
17. DATE RECEIVED	18. DATE APPROVED <b>DECEMBER 24, 2014</b>	
<b>PLAN APPROVED - ONE COPY ATTACHED</b>		
19. EFFECTIVE DATE OF APPROVED MATERIAL <b>DECEMBER 31, 2013</b>	20. SIGNATURE OF REGIONAL OFFICIAL /s/	
21. TYPED NAME <b>MICHAEL MELENDEZ</b>	22. TITLE ASSOCIATE REGIONAL ADMINISTRATOR DIVISION OF MEDICAID AND CHILDREN'S HEALTH	
23. REMARKS		

STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT  
STATE / TERRITORY: COMMONWEALTH OF PUERTO RICO

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COVERAGE AND CONDITIONS OF ELIGIBILITY

Citation (s)

Groups Covered

- f. have family income at or below:  
200 percent of the Federal poverty level for the size family  
involved, as revised annually in the Federal Register or

A percentage of the Federal poverty level, which is in excess of  
the "Medicaid applicable income level" (as defined in §2110 (b)  
(4) of the Act) but no more than 50 percentage points.

1902(a)(10)(A)(ii)(XIV)  
42 CFR 436.229

The State covers:

- All children described above who are under age 19 (18, 19)  
with family income at or below 200% of the PRPL (see  
Attachment 2.2-A, page 23e).
- The following reasonable classification of children described  
above who are under age     (18,19) with family income at  
or below the percent of the Federal poverty level specified  
for the classification:

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Transmittal No.: 13-005

Effective Date: December 31, 2013

Supersedes TN No.: 98-001

Approval Date: DECEMBER 24, 2014

STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT  
STATE / TERRITORY: COMMONWEALTH OF PUERTO RICO

COVERAGE AND CONDITIONS OF ELIGIBILITY

Family Size	Puerto Rico Poverty Level (PRPL) in dollars *	133% of PRPL *	266% of PRPL *
1	\$413.53	\$550.00	\$1,100
2	\$488.72	\$650.00	\$1,300
3	\$563.91	\$750.00	\$1,500
4	\$639.10	\$850.00	\$1,700
5	\$714.29	\$950.00	\$1,900
6	\$789.47	\$1,050.00	\$2,100
7	\$864.66	\$1,150.00	\$2,300
8	\$939.85	\$1,250.00	\$2,500
9	\$1,015.04	\$1,350.00	\$2,700
10	\$1,090.23	\$1,450.00	\$2,900
11	\$1,165.41	\$1,550.00	\$3,100
12	\$1,240.60	\$1,650.00	\$3,300
13	\$1,315.79	\$1,750.00	\$3,500
14	\$1,390.98	\$1,850.00	\$3,700
15	\$1,466.17	\$1,950.00	\$3,900
16	\$1,541.35	\$2,050.00	\$4,100
17	\$1,616.54	\$2,150.00	\$4,300
18	\$1,691.73	\$2,250.00	\$4,500

\* Net Income Limits

Transmittal No.: 13-005

Effective Date: December 31, 2013

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STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT  
 STATE / TERRITORY: COMMONWEALTH OF PUERTO RICO

Agency	Citation(s)	Groups Covered
		A. <u>Mandatory Coverage – Categorically Needy and Other Required</u>
		<u>Special Groups (Continued)</u>
	1902(a)(10)(A)(i)(VIII) 1902(k)(2)	13. Option to Provide Coverage to the Lowest Income Population that Becomes Mandatory in 2014.
		Individuals who are under 65 years of age, not pregnant, not entitled to, or enrolled for, benefits under Part A of title XVIII, or enrolled for benefits under Part B of title XVIII, and not described in 1902(a)(10)(A)(i)(I) through 1902(a)(10)(A)(i)(VII) of the Act.
		<input checked="" type="checkbox"/> The agency elects to make individuals described above eligible under the early option set forth in section 1902(k)(2) of the Act. The effective date for coverage of this group under the early option is <u>July 1, 2011</u> (cannot be earlier than April 1, 2010).
		The income standard applicable to individuals eligible under this early option is <u>133% of PRPL</u> (cannot exceed 133 percent of FPL).
		NOTE: No resource test is applicable to this group.

Transmittal No.: 13-005Effective Date: December 31, 2013Supersedes TN No.: 11-002Approval Date: DECEMBER 24, 2014

STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT  
STATE / TERRITORY: COMMONWEALTH OF PUERTO RICO

LESS RESTRICTIVE METHODS OF TREATING INCOME UNDER SECTION 1902 (r)(2) OF THE ACT \*

Citation(s)	Provision(s)
42 CFR 436.222	For reasonable classifications of children described in 1902(a)(10)(A)(ii)(I-IV), Puerto Rico will disregard countable earned and unearned income equal to the difference between the AFDC standard (see Supplement 1 to Attachment 2.6-A, page 1) and 133% of the PRPL (see Attachment 2.2-A, page 23e).
Section 1902(a)(10)(A)(i)(III)	For mandatory Qualified Pregnant Women, Puerto Rico will disregard countable earned and unearned income equal to the difference between the AFDC payment standard (see Supplement 1 to Attachment 2.6-A, page 1) and 133% of the PRPL (see Attachment 2.2-A, page 23e).
Section 1902(a)(10)(A)(ii)(XIV) of the Act	For M-CHIP optional targeted low-income children under age 19, Puerto Rico will disregard countable earned and unearned income equal to the difference between 200% of the PRPL and 266% of the PRPL (see Attachment 2.2-A, page 23e).

Transmittal No.: 13-005

Effective Date: December 31, 2013

Supersedes TN No.: NEW

Approval Date: DECEMBER 24, 2014

STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT  
STATE / TERRITORY: COMMONWEALTH OF PUERTO RICO

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ELIGIBILITY UNDER SECTION 1931 OF THE ACT

The territory covers low income families and children under section 1931 of the Act.  
The following groups were included in the AFDC State plan effective July 16, 1996:

- Pregnant women with no other eligible children.
- AFDC children age 18 who are full-time students in a secondary school or in the equivalent level of vocational or technical training.
- In determining eligibility for Medicaid, the territory uses the AFDC standards and methodologies in effect as of July 16, 1996, without modification.
- In determining eligibility for Medicaid, the territory uses the AFDC standards and methodologies in effect as of July 16, 1996, with the following modifications:

The territory applies lower income standards which are no lower than the AFDC standards in effect on May 1, 1998, as follows:

The territory applies higher income standards than those in effect as of July 16, 1996, increased by no more than the percentage increases in the CPI-U since July 16, 1996, as follows:

The territory applies higher resource standards than those in effect as of July 16, 1996, increased by no more than the percentage increases in the CPI-U since July 16, 1996, as follows:

- The territory uses less restrictive income and/or resource methodologies than those in effect as of July 16, 1996, as follows:
  1. The territory disregards all countable earned and unearned income equal to the difference between the AFDC standard (see Supplement 1 to Attachment 2.6-A, page 1) and 133% of the PRPL (see Attachment 2.2-A, page 23e).

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Transmittal No.: 13-005

Effective Date: December 31, 2013

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