

Children's Health Insurance Program Eligibility

Children's Health Insurance Program Eligibility: General Information

State/Territory name: **South Dakota**

Transmittal Number: **SD-24-0006**

General Information:

Submission Title:

short (under 100 characters) label used to identify this submission in the web application

SD CHP 24-0006

Children's Health Insurance Program Eligibility: File Management Summary

State/Territory name: **South Dakota**

Transmittal Number: **SD-24-0006**

Type of SPA	Form Code	Form Name	Uploaded?
MAGI Eligibility & Methods	CS7	Eligibility - Targeted Low-Income Children	no
MAGI Eligibility & Methods	CS8	Eligibility - Targeted Low-Income Pregnant Women	no
MAGI Eligibility & Methods	CS9	Eligibility - Coverage From Conception to Birth	no
MAGI Eligibility & Methods	CS10	Eligibility - Children Who Have Access to Public Employee Coverage	no
MAGI Eligibility & Methods	CS11	Eligibility - Pregnant Women Who Have Access to Public Employee Coverage	no
MAGI Eligibility & Methods	CS12	Eligibility - Dental Only Supplemental Coverage	no
MAGI Eligibility & Methods	CS13	Eligibility - Deemed Newborns	no
MAGI Eligibility & Methods	CS15	MAGI-Based Income Methodologies	no
MAGI Eligibility & Methods	CS16	Other Eligibility Criteria - Spenddowns	no
XXI Medicaid Expansion	CS3	Eligibility for Medicaid Expansion Program	no
Establish 2101(f) Group	CS14	Eligibility - Children Ineligible for Medicaid as a Result of the Elimination of Income Disregards	no
Eligibility Processing	CS24	General Eligibility - Eligibility Processing	no
Non-Financial Eligibility	CS17	Non-Financial Eligibility - Residency	no
Non-Financial Eligibility	CS18	Non-Financial Eligibility - Citizenship	no
Non-Financial Eligibility	CS19	Non-Financial Eligibility - Social Security Number	no
Non-Financial Eligibility	CS20	Non-Financial Eligibility - Substitution of Coverage	no

Type of SPA	Form Code	Form Name	Uploaded?
Non-Financial Eligibility	CS21	Non-Financial Eligibility - Non-Payment of Premiums	no
Non-Financial Eligibility	CS23	Non-Financial Requirements - Other Eligibility Standards	no
Non-Financial Eligibility	CS27	General Eligibility - Continuous Eligibility	yes
Non-Financial Eligibility	CS28	General Eligibility - Presumptive Eligibility for Children	no
Non-Financial Eligibility	CS29	General Eligibility - Presumptive Eligibility for Pregnant Women	no
Marriage Policy	CS15a	CHIP Eligibility Marriage Policy	no

Children's Health Insurance Program Eligibility: File Management Detail

Form CS7: Eligibility - Targeted Low-Income Children

Form Description:

Uploaded Form:

Date Uploaded:

Support Documents

Document

Form CS8: Eligibility - Targeted Low-Income Pregnant Women

Form Description:

Uploaded Form:

Date Uploaded:

Support Documents

Document

Form CS9: Eligibility - Coverage From Conception to Birth

Form Description:

Uploaded Form:

Date Uploaded:

Support Documents

Document

Form CS10: Eligibility - Children Who Have Access to Public Employee Coverage

Form Description:

Uploaded Form:

Date Uploaded:

Support Documents

Document

Form CS11: Eligibility - Pregnant Women Who Have Access to Public Employee Coverage

Form Description:

Uploaded Form:

Date Uploaded:

Support Documents

Document

Form CS12: Eligibility - Dental Only Supplemental Coverage

Form Description:

Uploaded Form:

Date Uploaded:

Support Documents

Document

Form CS13: Eligibility - Deemed Newborns

Form Description:

Uploaded Form:

Date Uploaded:

Support Documents

Document

Form CS15: MAGI-Based Income Methodologies

Form Description:

Uploaded Form:

Date Uploaded:

Support Documents

Document

Form CS16: Other Eligibility Criteria - Spenddowns

Form Description:

Uploaded Form:

Date Uploaded:

Support Documents

Document

Form CS3: Eligibility for Medicaid Expansion Program

Form Description:

Uploaded Form:

Date Uploaded:

Support Documents

Document

Form CS14: Eligibility - Children Ineligible for Medicaid as a Result of the Elimination of Income Disregards

Form Description:

Uploaded Form:

Date Uploaded:

Support Documents

Document

Form CS24: General Eligibility - Eligibility Processing

Form Description:

Uploaded Form:

Date Uploaded:

Support Documents

Document

Form CS17: Non-Financial Eligibility - Residency

Form Description:

Uploaded Form:

Date Uploaded:

Support Documents

Document

Form CS18: Non-Financial Eligibility - Citizenship

Form Description:

Uploaded Form:

Date Uploaded:

Support Documents

Document

Form CS19: Non-Financial Eligibility - Social Security Number

Form Description:

Uploaded Form:

Date Uploaded:

Support Documents

Document

Form CS20: Non-Financial Eligibility - Substitution of Coverage

Form Description:

Uploaded Form:

Date Uploaded:

Support Documents

Document

Form CS21: Non-Financial Eligibility - Non-Payment of Premiums

Form Description:

Uploaded Form:

Date Uploaded:

Support Documents

Document

Form CS23: Non-Financial Requirements - Other Eligibility Standards

Form Description:

Uploaded Form:

Date Uploaded:

Support Documents

Document

Form CS27: General Eligibility - Continuous Eligibility

Form Description:

Uploaded Form:

Date Uploaded:

Support Documents

Document

Form CS28: General Eligibility - Presumptive Eligibility for Children

Form Description:

Uploaded Form:

Date Uploaded:

Support Documents

Document

Form CS29: General Eligibility - Presumptive Eligibility for Pregnant Women

Form Description:

Uploaded Form:

Date Uploaded:

Support Documents

Document

Form CS15a: CHIP Eligibility Marriage Policy

Form Description:

Uploaded Form:

Date Uploaded:

Support Documents

Document

Children's Health Insurance Program Eligibility: Tribal Input

State/Territory name: South Dakota

Transmittal Number: SD-24-0006

- One or more Indian Health Programs or Urban Indian Organizations furnish health care services in this State.
 - This State Plan Amendment is likely to have a direct effect on Indians, Indian health programs or Urban Indian Organizations.
 - The State has solicited advice from Indian Health Programs, Urban Indian Organizations, and/or Tribal governments prior to submission of this State Plan Amendment.

Complete the following information regarding any tribal consultation conducted with respect to this submission: Tribal consultation was conducted in the following manner. States are not required to consult with Indian tribal governments, but if such consultation was conducted voluntarily, provide information about such consultation below:

- Indian Tribes

Indian Tribes

- Indian Health Programs

Indian Health Programs

- Urban Indian Organization

Urban Indian Organizations

The state must upload copies of documents that support the solicitation of advice in accordance with statutory requirements, including any notices sent to Indian Health Programs and/or Urban Indian Organizations, as well as attendee lists if face-to-face meetings were held. Also upload documents with comments received from Indian Health Programs or Urban Indian Organizations and the state's responses to any issues raised. Alternatively indicate the key issues and summarize any comments received below and describe how the state incorporated them into the design of its program.

Document
Please provide a short description of this support document: <input type="text" value="Tribal Consultation Email and attachments"/>
Uploaded Document Name: Date Uploaded:
<input type="text" value="Tribal Consultation Email 24-0006.pdf"/>

Indicate the key issues raised in Indian consultative activities:

- Access
- Summarize Comments

Summarize Response

Quality

Summarize Comments

Summarize Response

Cost

Summarize Comments

Summarize Response

Payment methodology

Summarize Comments

Summarize Response

Eligibility

Summarize Comments

Summarize Response

Benefits

Summarize Comments

Summarize Response

Service delivery

Summarize Comments

Summarize Response

Other Issue

Children's Health Insurance Program Eligibility: Summary Page

State/Territory name: **South Dakota**

Transmittal Number:

Enter the Transmittal Number (TN), including dashes, in the format SS-YY-NNNN or SS-YY-NNNN-xxxx (with xxxx being optional to specific SPA types), where SS = 2-character state abbreviation, YY = last 2 digits of submission year, NNNN = 4-digit number with

leading zeros, and xxxx = OPTIONAL, 1- to 4-character alpha/numeric suffix.

SD-24-0006

Type of SPA:

- MAGI Eligibility & Methods
- XXI Medicaid Expansion
- Establish 2101(f) Group
- Eligibility Processing
- Non-Financial Eligibility

Proposed Effective Date

01/01/2024

(mm/dd/yyyy)

Federal Statute/Regulation Citation

1902(e)(12) and 2107(e)(1)(K) of the Act

Federal Budget Impact

- This SPA has a budget impact.

Total budget impact:

State Funds:

\$ 449391.00

Federal Funds:

\$ 599188.00

Please attach a revised CHIP budget.

Document

Subject of Amendment

Please provide a brief summary of SPA changes.

Provides 12 months of continuous eligibility (CE) for children under the age of 19 in the Children's Health Insurance Program (CHIP).

Signature of State Agency Official

Submitted By:

Matthew Ballard

Last Revision Date:

Mar 4, 2024

Submit Date:

Mar 4, 2024



CHIP Eligibility

State Name:

OMB Control Number: 0938-1148

Transmittal Number: SD - 24 - 0006

Separate Child Health Insurance Program General Eligibility - Continuous Eligibility

CS27

2107(e)(1)(K) of the SSA and 42 CFR 457.342 and 435.926; 2107(e)(1)(J) and 1902(e)(16) of the SSA

Mandatory 12-Month Postpartum Continuous Eligibility in CHIP for States Electing This Option in Medicaid

At state option in Medicaid, states may elect to provide continuous eligibility for an individual's 12-month postpartum period consistent with section 1902(e)(16) of the SSA. If elected under Medicaid, states are required to provide the same continuous eligibility and extended postpartum period for pregnant individuals in its separate CHIP. A separate CHIP cannot implement this option if not also elected under the Medicaid state plan.

State elected the Medicaid option to provide continuous eligibility through the 12- month postpartum period

The state assures the extended postpartum period available to pregnant targeted low-income children or targeted low-income pregnant women under section 2107(e)(1)(J) of the SSA is provided consistent with the following provisions:

Individuals who, while pregnant, were eligible and received services under the state child health plan or waiver shall

remain eligible throughout the duration of the pregnancy (including any period of retroactive eligibility) and the 12-month postpartum period, beginning on the day the pregnancy ends and ending on the last day of the 12th month consistent with paragraphs (5) and (16) of section 1902(e) of the SSA

Continuous eligibility is provided to targeted low-income children who are pregnant or targeted low-income pregnant women (if applicable) who are eligible for and enrolled under the state child health plan through the end of the 12-month postpartum period who would otherwise lose eligibility because of a change in circumstances, unless:

- The individual or representative requests voluntary disenrollment.
- The individual is no longer a resident of the state.
- The Agency determines that eligibility was erroneously granted at the most recent determination or renewal of eligibility because of Agency error or fraud, abuse, or perjury attributed to the individual.
- The individual dies.

Unlike continuous eligibility for children, states providing the 12-month postpartum period may not end an individual's continuous eligibility due to becoming eligible for Medicaid.

Consistent with section 2107(e)(1)(J) of the SSA, the state assures that continuous eligibility is provided through an individual's pregnancy and 12-month postpartum period regardless of an individual becoming eligible for Medicaid.

Benefits provided during the 12-month postpartum period must be the same scope of comprehensive services consistent with the benefit package elected by the state under section 2103(a) of the SSA that is available to targeted low-income children and/or targeted low-income pregnant women and may include additional benefits as described in Section 6 of the CHIP state plan.



CHIP Eligibility

Mandatory Continuous Eligibility for Children

The CHIP Agency must provide that children who have been determined eligible under the state plan shall remain eligible, regardless of any changes in the family's circumstances, for a 12-month continuous eligibility period.

Consistent with section 2107(e)(1)(K) of the SSA, the state assures that continuous eligibility is provided to its targeted low-income children for a duration of 12 months, regardless of any changes in circumstances, unless:

- The child attains age 19.
- The child or child's representative requests voluntary disenrollment.
- The child is no longer a resident of the state.
- The Agency determines that eligibility was erroneously granted at the most recent determination or renewal of eligibility because of Agency error or fraud, abuse, or perjury attributed to child or child's representative.
- The child dies.
- The child becomes eligible for Medicaid.

The state elects to provide coverage to the from-conception-to-end-of-pregnancy (FCEP) population (otherwise known as the "unborn").

The state assures continuous eligibility for the FCEP population is provided in the same manner as continuous eligibility for other targeted low-income children, except for the duration of the continuous eligibility period.

The duration of continuous eligibility for the FCEP population depends on whether a state enrolls the birthing parent into Medicaid for coverage of labor and delivery or pays for the delivery under CHIP. The state conducts at least one of the following actions upon birth of the child:

CHIP pays for labor and delivery and the state screens the child for potential eligibility for Medicaid.

Emergency Medicaid pays for labor and delivery and the state deems the newborn eligible for Medicaid and ends the continuous eligibility period in CHIP.

PRA Disclosure Statement

According to the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number. The valid OMB control number for this information collection is 0938-1148. The time required to complete this information collection is estimated to average 50 hours per response, including the time to review instructions, search existing data resources, gather the data needed, and complete and review the information collection. If you have comments concerning the accuracy of the time estimate(s) or suggestions for improving this form, please write to: CMS, 7500 Security Boulevard, Attn: PRA Reports Clearance Officer, Mail Stop C4-26-05, Baltimore, Maryland 21244-1850.

V.20240112

Hericks, Renae

From: DSS Medical Services <DSSMedicalServices@STATE.SD.US>
Sent: Monday, January 22, 2024 1:15 PM
To: DSSMEDICAIDTRIBAL@LISTSERV.SD.GOV
Subject: State Plan Amendment 24-0006
Attachments: SPA Package 24-0006.pdf

Good Afternoon,

The South Dakota Department of Social Services intends to amend the South Dakota Medicaid State Plan regarding eligibility. The SPA provides 12 months of continuous eligibility (CE) for children under the age of 19 in the Children's Health Insurance Program (CHIP). The amendment is required by Section 5112 of the Consolidated Appropriations Act, 2023 and aligns with the corresponding Medicaid SPA under transmittal number 23-0023. The SPA amends the Separate CHIP General Eligibility – Continuous Eligibility CS27 MMDL pages. The Department intends to make these SPAs effective January 1, 2024.

The department estimates the fiscal impact associated with this SPA to be \$206,750 in State funds and \$449,391 in Federal funds, totaling \$656,141 in Federal Fiscal Year 2024 (January 1, 2024 to September 30, 2024) and \$275,667 in State funds and \$599,188 in Federal funds, totaling \$874,855 in Federal Fiscal Year 2025 (October 1, 2024 to September 30, 2025).

The SPAs are available to view on the department's website at <http://dss.sd.gov/medicaid/medicaidstateplan.aspx>. Copies of the proposed SPA pages are also available at the Department of Social Services, Division of Medical Services. Written requests for a copy of these changes, and corresponding comments, may be emailed to MedicaidSPA@state.sd.us or sent to:

DIVISION OF MEDICAL SERVICES
DEPARTMENT OF SOCIAL SERVICES
700 GOVERNORS DRIVE
PIERRE, SD 57501-2291

The public comment period will start January 22, and end February 21, 2024.

Sincerely,

South Dakota Medicaid

Department of Social Services
700 Governors Drive
Pierre, SD 57501
In-State: 1-800-452-7691
Out-of-State 605-945-5006



This message is being sent by or on behalf of the South Dakota Department of Social Services. It is intended exclusively for the individual or entity to which it is addressed. This communication may contain information that is proprietary, attorney-client privileged, confidential, or otherwise legally exempt from disclosure. If you are not the named addressee, you are not authorized to read, print, retain, copy, or

disseminate this message or any part of it. If you have received this message in error, please notify the sender immediately by telephone at (605) 773-3495 or by reply transmission by e-mail, and delete all copies of the message.

The Department of Social Services does not exclude, deny benefits to, or otherwise discriminate against any person on the basis of actual or perceived race, color, religion, national origin, sex, age, gender identity, sexual orientation or disability in admission or access to, or treatment or employment in its programs, activities, or services. For more information about this policy or to file a Discrimination Complaint you may contact: Discrimination Coordinator, Director of DSS Division of Legal Services, 700 Governor's Drive, Pierre SD 57501, 605-773-3305.

[Access the DSSMEDICAIDTRIBAL Home Page and Archives](#)

[Unsubscribe from the DSSMEDICAIDTRIBAL List](#)



South Dakota
Department of
Social Services

DEPARTMENT OF SOCIAL SERVICES

DIVISION OF MEDICAL SERVICES
700 GOVERNORS DRIVE
PIERRE, SD 57501-2291
PHONE: 605.773.3495
FAX: 605.773.5246
WEB: dss.sd.gov

January 22, 2024

RE: South Dakota CHIP State Plan Amendments # SD-24-0006

The South Dakota Department of Social Services intends to amend the South Dakota Medicaid State Plan regarding eligibility. The SPA provides 12 months of continuous eligibility (CE) for children under the age of 19 in the Children's Health Insurance Program (CHIP). The amendment is required by Section 5112 of the Consolidated Appropriations Act, 2023 and aligns with the corresponding Medicaid SPA under transmittal number 23-0023. The SPA amends the Separate CHIP General Eligibility – Continuous Eligibility CS27 MMDL pages. The Department intends to make these SPAs effective January 1, 2024.

The department estimates the fiscal impact associated with this SPA to be \$206,750 in State funds and \$449,391 in Federal funds, totaling \$656,141 in Federal Fiscal Year 2024 (January 1, 2024 to September 30, 2024) and \$275,667 in State funds and \$599,188 in Federal funds, totaling \$874,855 in Federal Fiscal Year 2025 (October 1, 2024 to September 30, 2025).

The SPAs are available to view on the department's website at <http://dss.sd.gov/medicaid/medicaidstateplan.aspx>. Copies of the proposed SPA pages are also available at the Department of Social Services, Division of Medical Services. Written requests for a copy of these changes, and corresponding comments, may be emailed to MedicaidSPA@state.sd.us or sent to:

DIVISION OF MEDICAL SERVICES
DEPARTMENT OF SOCIAL SERVICES
700 GOVERNORS DRIVE
PIERRE, SD 57501-2291

The public comment period will start January 22, and end February 21, 2024.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Matt Ballard'.

Matthew Ballard
Deputy Director
Division of Medical Services
South Dakota Department of Social Services

CC: Matt Althoff, Cabinet Secretary
Brenda Tidball-Zeltinger, Deputy Secretary

CHIP State Plan Amendment Proposal

Transmittal Number: SD-24-0006

Effective Date: 1/1/2024

Brief Description: Provides 12 months of continuous eligibility (CE) for children under the age of 19 in Children's Health Insurance Program (CHIP) as required by Section 5112 of the Consolidated Appropriations Act, 2023.

Area of State Plan Affected: CHIP Eligibility

Page(s) of State Plan Affected: Separate CHIP General Eligibility – Continuous Eligibility CS27

Estimate of Fiscal Impact, if Any: FFY24: \$656,141
FFY25: \$874,855

Reason for Amendment: To comply with Section 5112 of the Consolidated Appropriations Act, 2023.

PUBLIC NOTICE

South Dakota CHIP Program

Notice is hereby given that the South Dakota Department of Social Services intends to amend the South Dakota Medicaid State Plan regarding eligibility. The SPA provides 12 months of continuous eligibility (CE) for children under the age of 19 in the Children's Health Insurance Program (CHIP). The amendment is required by Section 5112 of the Consolidated Appropriations Act, 2023 and aligns with the corresponding Medicaid SPA under transmittal number 23-0023. The SPA amends the Separate CHIP General Eligibility – Continuous Eligibility CS27 MMDL pages. The Department intends to make these SPAs effective January 1, 2024.

The department estimates the fiscal impact associated with this SPA to be \$206,750 in State funds and \$449,391 in Federal funds, totaling \$656,141 in Federal Fiscal Year 2024 (January 1, 2024 to September 30, 2024) and \$275,667 in State funds and \$599,188 in Federal funds, totaling \$874,855 in Federal Fiscal Year 2025 (October 1, 2024 to September 30, 2025).

The SPA is available to view on the department's website at <http://dss.sd.gov/medicaid/medicaidstateplan.aspx>. Copies of the proposed SPA pages are also available at the Department of Social Services, Division of Medical Services. Written requests for a copy of these changes, and corresponding comments, may be emailed to MedicaidSPA@state.sd.us or sent to:

DIVISION OF MEDICAL SERVICES
DEPARTMENT OF SOCIAL SERVICES
700 GOVERNORS DRIVE
PIERRE, SD 57501-2291

The public comment period will start January 22, and end February 21, 2024.



SOUTH DAKOTA REGISTER

Published weekly by the Legislative Research Council

Volume 50

Monday, 8:00 a.m., January 22, 2024

FILINGS WITH THE LEGISLATIVE RESEARCH COUNCIL

Notices

The **Department of Social Services** intends to amend the South Dakota Medicaid State Plan regarding Community Mental Health Center (CMHC) provider qualifications. The proposed state plan amendment (SPA) updates the provider qualifications for CMHC staff members providing certain direct services and support to clients from an associate degree to a high school diploma or equivalent with clinical supervision to align with revised state standards for services provided by a CMHC. The SPA amends page 31 of Supplement to Attachment 3.1-A of the Medicaid State Plan.

The department intends to make this SPA effective February 1, 2024, and estimates there will be no fiscal impact associated with this SPA in Federal Fiscal Year 2024 or Federal Fiscal Year 2025.

The SPA is available to view on the department's website at <http://dss.sd.gov/medicaid/medicaidstateplan.aspx>. Copies of the proposed SPA pages are also available at the Department of Social Services, Division of Medical Services. Written requests for a copy of these changes, and corresponding comments, may be emailed to MedicaidSPA@state.sd.us or sent to the Division of Medical Services, Department of Social Services, 700 Governors Drive, Pierre, South Dakota 57501-2291. The public comment period will start January 22, 2024, and end February 21, 2024.

The **Department of Social Services** intends to amend the South Dakota Medicaid State Plan regarding eligibility. The proposed state plan amendment (SPA) provides twelve months of continuous eligibility for children under the age of nineteen in the Children's Health Insurance Program (CHIP). The amendment is required by Section 5112 of the Consolidated Appropriations Act, 2023, and aligns with the corresponding Medicaid SPA under transmittal number 23-0023. The SPA amends the Separate CHIP General Eligibility – Continuous Eligibility CS27 MMDL pages. The department intends to make this SPA effective January 1, 2024.

The department estimates the fiscal impact associated with this SPA to be \$206,750 in state funds and \$449,391 in federal funds, totaling \$656,141 in Federal Fiscal Year 2024, and \$275,667 in state funds and \$599,188 in federal funds, totaling \$874,855 in Federal Fiscal Year 2025.

The SPA is available to view on the department's website at <http://dss.sd.gov/medicaid/medicaidstateplan.aspx>. Copies of the proposed SPA pages are also available at the Department of Social Services, Division of Medical Services. Written requests for a copy of these changes, and corresponding comments, may be emailed to MedicaidSPA@state.sd.us or sent to the Division of Medical Services, Department of Social Services, 700 Governors Drive, Pierre, South Dakota 57501-2291. The public comment period will start January 22, 2024, and end February 21, 2024.