*Table 2: Other Presumptive Eligibility Requirements and Options*

| Requirements and Options | Hospital and Regular Presumptive Eligibility |
|---|---|
| **Household Income** | States may elect to use either gross income or a reasonable estimate of modified adjusted gross income (MAGI). A full MAGI-based eligibility determination cannot be required to determine PE. To arrive at a reasonable estimate of MAGI, states may utilize a simplified methodology such as determining household composition following the rules for nonfilers described at 42 CFR 435.603(f). For other eligibility groups, the state may specify other income methodologies to determine household income for PE. |
| **Residency and Citizenship** | States may choose to require individuals to attest to their state residency, to their U.S. citizenship, or to having an eligible immigration status in a PE application. If a state does not elect to do so in the state plan, then attestation of residency, citizenship, or immigration status cannot be required as part of the PE process. States may not require verification of citizenship, immigration, or residency information as a condition of PE. |
| **Attestations and Verification** | An individual may attest to information needed to make a PE determination, such as income, household size, and, at state option, citizenship and residency. States may not require verification of information as a condition of PE. Thus, individuals cannot be required to provide proof or documentation of any eligibility criteria as part of the PE process.<br><br>*Note*: *Verification of eligible immigration status is required during the full Medicaid enrollment process. The* **Medicaid Disaster SPA** *allows states to extend the reasonable opportunity period granted to noncitizens in order to give these individuals more time to provide any necessary documentation.* |
| **Program Integrity** | States must establish oversight mechanisms to ensure that PE determinations are being made consistent with the statute and regulations. In addition, states must adopt reasonable standards regarding the number of periods of PE that will be authorized in a given time frame. *See* 42 CFR 435.1102; *see also* 42 CFR 435.1110(d) (providing requirements for state oversight of hospitals).<br><br>States can use the new **Medicaid Disaster SPA** to make temporary changes to the performance standards for participating hospitals and/or to revise the number of PE periods allowed. |
| **Authorities and Resources** | *Hospital PE:* Social Security Act § 1902(a)(47)(B); 42 CFR 435.1110<br><br>*Regular PE:* Social Security Act §§ 1920A and 1920; 42 CFR 435.1102 (children); 42 CFR 435.1103(a) (pregnant women); 42 CFR 435.1103(b) (parents and caretaker relatives; adult group; former foster care children; individuals under 65 with incomes above 133% FPL); 42 CFR 435.1103(c) (individuals eligible for family planning services; individuals with breast or cervical cancer)<br>***Guidance materials:***<br>• CMS Medicaid Disaster SPA Template: https://www.medicaid.gov/state-resource-center/downloads/medicaid-disaster-relief-spa-template.docx<br>• Medicaid Disaster SPA Instructions: https://www.medicaid.gov/state-resource-center/downloads/medicaid-disaster-relief-spa-instructions.pdf<br>• CMS COVID-19 FAQs: https://www.medicaid.gov/state-resource-center/downloads/covd-19-faqs-20200312.pdf<br>• MAC Disaster Response Tools: https://www.medicaid.gov/state-resource-center/downloads/mac-learning-collaboratives/medicaid-chip-inventory.pdf; https://www.medicaid.gov/state-resource-center/downloads/mac-learning- |

| Requirements and Options | Hospital and Regular Presumptive Eligibility |
|---|---|
| | collaboratives/medicaid-chip-disastertoolkit.pdf<br>• Eligibility and Administration SPA Toolkits: https://www.medicaid.gov/state-resource-center/spa-and-1915-waiver-processing/medicaid-spa-toolkit/index.html<br>• CMS Hospital PE FAQs: https://www.medicaid.gov/state-resource-center/faq-medicaid-and-chip-affordable-care-act-implementation/downloads/faqs-by-topic-hospital-pe-01-23-14.pdf<br>• MAC Learning Collaboratives Hospital PE Training Template for Qualified Hospitals: https://www.medicaid.gov/state-resource-center/mac-learning-collaboratives/learning-collaborative-state-toolbox/downloads/hpe-training-presentation.pdf |