

CHAPTER 67:46:14

CHILDREN'S HEALTH INSURANCE-~~(CHIP-NM)~~

Section

67:46:14:01	Definitions
67:46:14:02	Eligibility requirements for ~~CHIP-NM~~ <u>nonmedicaid children's health insurance program</u> .
67:46:14:03	Insurance -- Exceptions.
67:46:14:04	Good cause for dropping insurance under a group health plan.
67:46:14:05	Determining size of ~~CHIP-NM~~ <u>nonmedicaid children's health insurance program</u> family.
67:46:14:06	Repealed.
67:46:14:07	Repealed.
67:46:14:08	Repealed.
67:46:14:09	Repealed.
67:46:14:10	Repealed.
67:46:14:11	Repealed.
67:46:14:12	Repealed.
67:46:14:13	Members of ~~CHIP-NM~~ <u>nonmedicaid children's health insurance program</u> family must cooperate with department.
67:46:14:14	Discontinuance of services.

67:46:14:02. Eligibility requirements for ~~CHIP-NM~~ nonmedicaid children's health insurance program. A child is eligible for the nonmedicaid children's health insurance program (CHIP-NM) if the child:

- (1) Does not meet the financial eligibility criteria for the state's Medicaid program;
- (2) Is a member of a CHIP-NM family whose income, as defined in 42 C.F.R. § 435.603 (November 30, 2016), does not exceed ~~209~~ two hundred and nine percent of the federal poverty guidelines;
- (3) Is not a member of a CHIP-NM unit in which the child's parent or legal guardian is an employee of a public agency and eligible to participate in the state health insurance benefit plan;
- (4) Is not covered under health insurance or a group health plan;
- ~~(5) Has not had insurance under a group health plan in the three-month period immediately prior to the date of application for CHIP-NM;~~
- ~~——(6) Except for § 67:46:01:13, meets the requirements of chapter 67:46:01;~~
- ~~(7)(6)~~ Is not a resident of a public institution or a patient in an institution for mental diseases;
- ~~(8)(7)~~ Meets the residency requirements of §§ 67:46:01:17 ~~through~~ to 67:46:01:28, inclusive; and
- ~~(9)(8)~~ Meets the other requirements of this chapter.

Source: 26 SDR 168, effective July 1, 2000; 28 SDR 4, effective July 1, 2001; 41 SDR 7, effective July 29, 2014; 47 SDR 24, effective September 10, 2020.

General Authority: SDCL 28-6-1~~(1)(4)(6)~~.

Law Implemented: SDCL 28-6-1(1)(4)(6).

Cross-References:

____Federal poverty level, § 67:11:01:03;

____Determining size of ~~CHIP-NM~~ nonmedicaid children's health insurance program
family, § 67:46:14:05.

67:46:14:05. Determining size of ~~CHIP-NM~~ nonmedicaid children's health insurance program family. A ~~CHIP-NM~~ nonmedicaid children's health insurance program family size ~~household is determined as~~ and household are defined in 42 C.F.R. § 435.603 (November 30, 2016).

Source: 26 SDR 168, effective July 1, 2000; 41 SDR 7, effective July 29, 2014.

General Authority: SDCL 28-6-1.

Law Implemented: SDCL 28-6-1.

~~———— **Cross Reference:** Application of modified adjusted gross income (MAGI), 42 C.F.R. § 435.603 (July 15, 2013).~~

67:46:14:13. Members of ~~CHP-NM~~ nonmedicaid children's health insurance program family must cooperate with department. The department may request information from members of the family concerning the existence of actual or potential third-party liability coverage or a third-party payment source for medical expenses. For purposes of this rule, third-party liability coverage or a third-party payment source includes the obligation of an entity other than the medical assistance program for either partial or full payment of the medical cost of injury, disease, or disability.

The individual or caretaker must also provide the department with the necessary verifications to establish initial or continuing eligibility or information necessary for federal reporting requirements or quality control efforts. Failure or refusal to supply the necessary information results in the denial of an application or the termination of current benefits.

An alien who fails or refuses to obtain the cooperation of the alien's sponsor is ineligible for assistance.

Source: 26 SDR 168, effective July 1, 2000; 41 SDR 7, effective July 29, 2014.

General Authority: SDCL 28-6-1.

Law Implemented: SDCL 28-6-1.

Cross-Reference: Acceptance of assistance as assignment and subrogation of support rights and insurance proceeds -- Liability of insurer or attorney, SDCL 28-6-7.1.