Assignment means the legal transfer of an individual's right to third party medical coverage to the Nebraska Department of Health and Human Services Finance and Support.

Categorical Assistance means assistance administered by the Department. For the purposes of this definition it includes Aid to Dependent Children/Medical Assistance (ADC/MA); Child Welfare Payment and Medical Services Program (CWP)/MA; Assistance to the Aged, Blind, and Disabled (AABD)/MA; State Disability Program (SDP)/MA; Refugee Resettlement Program (RRP)/MA; and Children's Medical Assistance Programs (CMAP).

Client means an individual applying for or receiving CMAP. This term is used when the same policies apply to an applicant and a recipient.

Creditable Health Insurance Coverage means any current health insurance coverage except a plan that is limited to a single condition, such as cancer insurance, dental insurance, long term care insurance, etc. Insurance to which the individual does not have reasonable geographic access is not creditable coverage. The health insurance policy should be submitted to Central Office for consideration when it is questionable that it meets this definition.

Department means the Nebraska Department of Health and Human Services.

Emancipated Minor means a child age 18 or younger who is considered an adult because s/he has:

1. Married; ~~or~~
2. Moved away from the parent(s)' home and is not receiving support from the parent(s)~~.~~; or
3. Under Neb. Rev. Stat. § 71-6902.02, if a pregnant child, age 18 or younger, is denied financial support by her parents, guardians, or custodians due to her refusal to obtain an abortion, the pregnant child shall be deemed emancipated for purposes of eligibility for public assistance benefits, except that such benefits may not be used to obtain an abortion.

Equity means the fair market value of property minus the total amount owed on it.

Fair Market Value means the price an item of a particular make, model, size, material, or condition will sell for on the open market in the geographic area involved.

Fugitive Felon means a person who has been charged with a felony and who has fled from the jurisdiction of the court where the crime was committed.

Inquiry means any question received by phone, letter, or personal contact without any indication that the individual wishes to apply. This may or may not be followed by a request or application for assistance.

Minor Parent means an individual age 18 or younger, with a child (see 468 NAC 2-007.01). If emancipated, a minor parent is treated as an adult for assistance purposes.

Note: For treatment of child support when a noncustodial parent pays support for his/her child who is a minor parent, see 468 NAC 2-009.04A1.

Need means economic need when referred to as a condition of eligibility.

If a client, at the time of application, declares that s/he incurred medical expenses during the retroactive period and eligibility is not approved, the case record must contain documentation of the reason the client was not eligible in one or more months of the retroactive period.

1-012.02A Medicaid Effective Date for the Pregnant Woman: The Medicaid effective date for a pregnant woman is determined from when pregnancy begins based on the physician's statement.

If the physician verifies that the woman was pregnant during one or more of the three months before the month of request, application for retroactive Medicaid eligibility may be approved for the month(s) in which all other criteria were met and medical expenses were incurred. The worker shall determine eligibility for each month individually.

See 477 NAC 2-004.02 for the requirement for an SSN for a newborn.

1-012.02B Presumptive Eligibility (PE) for Pregnant Women: A pregnant woman may apply at a qualified provider's office (see 471 NAC 28-001.01) for ambulatory prenatal services. The provider makes a presumptive determination of the woman's eligibility based only on declared income and citizenship/eligible alien status. Income of the woman and spouse (if he is in the home) is counted. ~~or~~ Income of the responsible parent(s) of a pregnant minor is counted, unless the pregnant woman is an emancipated minor. The provider does not investigate resources or other eligibility requirements. For income levels see 471-000-202. See 477 NAC 1-004 for definition of emancipated minor.

The provider must forward the application, along with the attestation form if applicable to the Department within five working days after the determination of presumptive eligibility. The application date is the date the provider determines presumptive eligibility for assistance. The presumptive eligibility application is an application for Medicaid for the pregnant woman and serves as verification of pregnancy. This form also serves as a Medicaid application for the pregnant woman's children. The presumptive application includes the requirement of attestation of citizenship/eligible alien status, third party liability insurance cooperation, child support cooperation and options to claim good cause. Upon receiving the presumptive eligibility form, the Department opens the PE case on N-FOCUS and also pends the application for the pregnant woman and children listed on the Medicaid application. The Department reviews the application and mails a verification checklist requesting all verifications needed to determine eligibility. The presumptive case remains open until a determination of eligibility is made. The determination of eligibility must be made within 45 days. PE will automatically close when Medicaid is approved or denied. A presumptive application approved in error will be closed by the Department upon discovery of the error. The Department is not required to notify the woman that her PE case has closed, but the Department is required to send a notice when Medicaid eligibility has been determined.

A pregnant woman may receive only one period of presumptive eligibility per pregnancy.