

EFFECTIVE
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NEBRASKA DEPARTMENT OF
HEALTH AND HUMAN SERVICES

477 NAC 4

TITLE 477

MEDICAID ELIGIBILITY

CHAPTER 4

EFFECTIVE DATE OF MEDICAID ELIGIBILITY

001. SCOPE AND AUTHORITY. These regulations govern the services provided under Nebraska's Medicaid program as defined by the Medical Assistance Act, Nebraska Revised Statute § 68-901 et seq.

002. EFFECTIVE DATE OF MEDICAID ELIGIBILITY. If an individual is eligible one day of the month, he or she is eligible the entire month.

002.01 EFFECTIVE DATE EXCEPTIONS. This provision does not apply to the following groups:

- (A) Emergency Medical Services Assistance (EMSA). Individuals eligible under this category are eligible only for the dates of the determined emergency medical condition;
- (B) Presumptive eligibility begins on the date the provider completes a presumptive eligibility determination; and
- (C) Individuals who are inmates of a public institution and meet inpatient status in a medical institution as defined by 42 Code of Federal Regulations (CFR) 435.1010 are only eligible for the dates of a qualifying inpatient stay.

003. RETROACTIVE ELIGIBILITY. The effective date of Medicaid can be determined up to three months prior to the month of application when the following conditions are met:

- (A) Eligibility is determined and a budget computed separately for each of the three months;
 - (i) An applicant may be eligible for any or all months of the retroactive period even though ineligible for the prospective period. Continuous eligibility may begin in a retroactive month.
- (B) A medical need exists; and
- (C) Elements of eligibility were met at some time during each month.