

**NORTH DAKOTA DEPARTMENT OF HUMAN SERVICES  
BISMARCK, NORTH DAKOTA  
January 7, 2015**

**Amended IM 5233**

**TO:** County Social Service Directors  
Economic Assistance Policy Regional Representatives  
Economic Assistance Policy Quality Control Reviewers

**FROM:** Julie Schwab, Director, Medical Services

**SUBJECT: ACA – Maintenance of Effort – Medicaid to Healthy Steps**

**PROGRAMS:** Healthy Steps, ACA Medicaid

**EFFECTIVE:** Immediately

**RETENTION:** Until superseded

**SECTIONS AFFECTED:** **510-03-30-15 Assigning Category of Eligibility**  
**510-07-20-15 Assigning Category of Eligibility**  
**510-07-40-40 Income Levels (Supersedes IM 5220)**

**This IM is being resent to correct the year in the first paragraph.**

The maintenance of effort for children who were eligible on 12-31-13, who, at their next review lost eligibility for Medicaid due to the loss of disregards (COE M092) ends 12-31-14. For reviews processed on or after January 1, 2015, you will no longer need to review those who fail for excess income to check whether it was due to the loss of disregards.

**Exception:** For individuals whose coverage ended at the end of October, November, or December 2014 for the sole reason of not submitting or completing their reviews who submit their reviews/verifications in January 2015 (for reviews originally due in October, November, or December); or in February 2015 (for reviews originally due in November or December), or in March 2015 for reviews originally due in December----since their reviews were received within 90 days of their coverage closure, if they fail Medicaid for excess income, they need to be reviewed for this Maintenance of Effort.

Individuals get one 12 month Maintenance of Effort period only. Those already determined to be eligible under the Maintenance of Effort will stay eligible under that category through their twelve-month period. After the end of their twelve-month period, these individuals will be tested for other Medicaid and CHIP coverages, including Medically Needy if they wish further coverage.

Note that the other Maintenance of Effort for children ages 6 through 18 with income between 111% and 133% of the Federal Poverty Level (COE M095) continues.

If you have questions, please contact your Regional Representative.