| SUPERSEDING PAGES OF STATE PLAN MATERIAL | |
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| **TRANSMITTAL NUMBER:**<br><br>14-0004 MM5 | **STATE:**<br><br>Tennessee |
| **PAGE NUMBER OF THE PLAN SECTION OR ATTACHMENT:**<br><br>S88 Non-Financial Eligibility- State Residency | **PAGE NUMBER OF THE SUPERSEDED PLAN SECTION OR ATTACHMENT *(If Applicable)*:**<br><br>Section 2: Page 13, Item 2.3, TN 87-12;<br>Attachment 2.6-A: Page 3, TN 98-2 |

## Non-Financial Eligibility
## State Residency

S88

42 CFR 435.403

**State Residency**

☑ The state provides Medicaid to otherwise eligible residents of the state, including residents who are absent from the state under certain conditions.

Individuals are considered to be residents of the state under the following conditions:

- ■ Non-institutionalized individuals age 21 and over, or under age 21, capable of indicating intent and who are emancipated or married, if the individual is living in the state and:
  - ■ Intends to reside in the state, including without a fixed address, or
  - ■ Entered the state with a job commitment or seeking employment, whether or not currently employed.
- ■ Individuals age 21 and over, not living in an institution, who are not capable of indicating intent, are residents of the state in which they live.
- ■ Non-institutionalized individuals under 21 not described above and non IV-E beneficiary children:
  - ■ Residing in the state, with or without a fixed address, or
  - ■ The state of residency of the parent or caretaker, in accordance with 42 CFR 435.403(h)(1), with whom the individual resides.
- ■ Individuals living in institutions, as defined in 42 CFR 435.1010, including foster care homes, who became incapable of indicating intent before age 21 and individuals under age 21 who are not emancipated or married:
  - ■ Regardless of which state the individual resides, if the parent or guardian applying for Medicaid on the individual's behalf resides in the state, or
  - ■ Regardless of which state the individual resides, if the parent or guardian resides in the state at the time of the individual's placement, or
  - ■ If the individual applying for Medicaid on the individual's behalf resides in the state and the parental rights of the institutionalized individual's parent(s) were terminated and no guardian has been appointed and the individual is institutionalized in the state.
- ■ Individuals living in institutions who became incapable of indicating intent at or after age 21, if physically present in the state, unless another state made the placement.
- ■ Individuals who have been placed in an out-of-state institution, including foster care homes, by an agency of the state.
- ■ Any other institutionalized individual age 21 or over when living in the state with the intent to reside there, and not placed in the institution by another state.
- ■ IV-E eligible children living in the state, or

☒ Otherwise meet the requirements of 42 CFR 435.403.

Meet the criteria specified in an interstate agreement.

(●) Yes ( ) No

[■] The state has interstate agreements with the following selected states:

| | | | |
|---|---|---|---|
| [X] Alabama | [X] Illinois | [X] Montana | [X] Rhode Island |
| [X] Alaska | [X] Indiana | [X] Nebraska | [X] South Carolina |
| [X] Arizona | [X] Iowa | [X] Nevada | [X] South Dakota |
| [X] Arkansas | [X] Kansas | [X] New Hampshire | [ ] Tennessee |
| [X] California | [X] Kentucky | [X] New Jersey | [X] Texas |
| [X] Colorado | [X] Louisiana | [X] New Mexico | [X] Utah |
| [X] Connecticut | [X] Maine | [ ] New York | [X] Vermont |
| [X] Delaware | [X] Maryland | [X] North Carolina | [X] Virginia |
| [X] District of Columbia | [X] Massachusetts | [X] North Dakota | [X] Washington |
| [X] Florida | [X] Michigan | [X] Ohio | [X] West Virginia |
| [X] Georgia | [X] Minnesota | [X] Oklahoma | [X] Wisconsin |
| [X] Hawaii | [X] Mississippi | [X] Oregon | [ ] Wyoming |
| [X] Idaho | [X] Missouri | [X] Pennsylvania | |

[■] The interstate agreement contains a procedure for providing Medicaid to individuals pending resolution of their residency status and criteria for resolving disputed residency of individuals who (select all that apply):

- [X] Are IV-E eligible
- [ ] Are in the state only for the purpose of attending school
- [ ] Are out of the state only for the purpose of attending school
- [ ] Retain addresses in both states
- [ ] Other type of individual

The state has a policy related to individuals in the state only to attend school.

(●) Yes ( ) No

Provide a description of the policy:

Tennessee considers an applicant, aged 18-22 and a full time student in the state, to not be a resident of the state, if (1) neither parent lives in the state, (2) the student is claimed as a tax dependent by someone in another state, and (3) the student is applying on his or her own behalf.

[■] Otherwise meet the criteria of resident, but who may be temporarily absent from the state.

The state has a definition of temporary absence, including treatment of individuals who attend school in another state.

(•) Yes ( ) No

Provide a description of the definition:

The State considers an individual who has established state residency to still be a state resident during a period of temporary absence which may include, but is not limited to, a temporary work assignment, hospitalization, mental health treatment or education purposes if the individual intends to return to the state when the reason for the temporary absence ends.

## PRA Disclosure Statement

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