



Department of Public Health and Human Services

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Steve Bullock, Governor

Richard H. Opper, Director

April 8, 2015

To: All Supplemental Nutrition Assistance Program (SNAP),
Temporary Assistance for Needy Families (TANF),
Family Medicaid (FMA) including Affordable Care Act,
Healthy Montana Kids (HMK) and
Aged, Blind and Disabled (ABD) Medicaid Manual Holders

From: Melinda Cummings, SNAP Eligibility Manager
Pam Barragato, TANF/SNAP Policy Specialist
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Subject: SNAP Bulletin 109
TANF Bulletin 87
FMA Bulletin 73
HMK Bulletin 1
ABD Bulletin 117

Please place this bulletin at the beginning of section 201-1 for SNAP.
Please place this bulletin at the beginning of section 201-2 for TANF.
Please place this bulletin at the beginning of section 200 for Family Medicaid.
Please place this bulletin at the beginning of section 5.4 for HMK.
Please place this bulletin at the beginning of section 200-1 for ABD Medicaid.

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SECTION: Household Composition

SUBJECT: Same sex marriage

REFERENCES: FNS Policy Memo dated May 27, 2014 and State Medicaid Director letter dated May 30, 2014

EFFECTIVE DATE: Immediately

INTRODUCTION: Married same sex couples are considered as spouses when determining eligibility for SNAP, TANF, HMK and Medicaid.

POLICY CHANGE: If same sex couples marry in a jurisdiction recognizing same sex marriage, they are considered as spouses. Same sex marriage is permissible under Montana law. The state of Montana recognizes same sex marriages performed in other jurisdictions.

Civil unions or domestic partnerships do not impact marital status and these couples are not considered spouses when determining Medicaid eligibility.

Department of Public Health
and Human Services

Section:
Eligibility Determination

HEALTHY MONTANA KIDS

Subject:
Family Composition

Supersedes: **New to HMK Manual**

General Rule – When determining eligibility for the Healthy Montana Kids (HMK) coverage group, a family includes:

1. A child who:
 - a. is less than 19 years of age;
 - b. resides in the home at least 50% of the time; and

NOTE: A child who resides with each parent 50% of the time may have HMK eligibility determined based on the family circumstances (family composition, income, etc.) of the parent who applies for HMK. The child can only be included in one family at any one time.

EXAMPLE: Sally is enrolled under her father's application. When her mother applies for HMK coverage, Sally cannot be included in her mother's family size.

- c. for whom the family is applying;

NOTE: An unmarried emancipated minor who applies for HMK is considered a family of one.

2. the child's biological or adoptive parent(s);
3. the spouse of the child's biological or adoptive parent (i.e., step-parent);

NOTE: When a parent and step-parent divorce, the relationship between a child and step-parent is severed. Therefore, the former step-parent's income is not considered when determining HMK eligibility for the child.

EXAMPLE: Casey's biological mother, Sally, and step-father, Alan, divorce. Casey continues to reside with Alan. When Alan applies for HMK on Casey's behalf, financial eligibility is based solely on Casey's income.

4. the child's siblings (biological, adoptive, half or step) age newborn through 18 years;

NOTE: The child's siblings, ages 19 through 22 who attend school, are included in the family size. However, their income is not counted.

5. The child's spouse.

NOTE: Unborn children are included when determining family size. If all eligibility criteria are met and no waiting list exists, the child is enrolled as early as the first day of the month after HMK is notified of the birth. The newborn is assigned a temporary ID number for up to two months until the child's Social Security Number is provided.

NOTE: The unborn child of a HMK-eligible youth is included in the family size. However, after the child is born to an HMK-enrolled youth, the newborn will generally be referred for a Healthy Montana Kids *Plus* (HMK *Plus*) eligibility determination. HMK *Plus* eligibility will be based on the new family's composition (i.e., mother and newborn) and income.

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