

7 AAC 43.020(a)(3), (a)(12), and (a)(14) are amended to read:

(3) be an aged, blind, or disabled person who is not eligible for assistance under the APA or SSI programs because of that person's income, but whose income does not exceed **the amount established in AS 47.07.020(b)(6)** [300 PERCENT OF THE CURRENT SSI PAYMENT STANDARD] and who

(A) has been an inpatient in a health care facility for at least 30 days; or

(B) is not an inpatient in a health care facility, but who has been approved by the **department** [DIVISION OF MEDICAL ASSISTANCE] to receive services under a home and community-based services waiver under 7 AAC 43.1000 - 7 AAC 43.1110;

...

(12) be a pregnant woman whose household income does not exceed **the amount established in AS 47.07.020(b)(14)** [200 PERCENT OF THE FEDERAL POVERTY GUIDELINE FOR ALASKA];

...

(14) be a child under 19 years of age whose household income exceeds 150 percent [BUT DOES NOT EXCEED 200 PERCENT] of the federal poverty guideline **but does not exceed the amount established in AS 47.07.020(b)(13)** [FOR ALASKA] and who

(A) is not currently covered by health insurance of any kind; and

(B) did not have private or employer-sponsored health insurance coverage end less than 12 months before the determination of eligibility, unless the **department** [DIVISION] determines under (i) of this section there was good cause for ending coverage;

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7 AAC 43.020(j) is amended to read:

(j) In this section, "federal poverty guidelines" means the United States Department of Health and Human Services poverty guidelines for this state [ALASKA] established in **68 Fed. Reg. 6456 - 6458, as revised as of February 7, 2003** [65 FED. REG. 7555 - 7557, AS REVISED AS OF FEBRUARY, 15, 2000], and adopted by reference as amended from time to time.

(Eff. 8/18/79, Register 71; am 1/4/85, Register 93; am 5/31/85, Register 94; am 3/26/93, Register 126; am 12/19/93, Register 128; am 1/26/94, Register 129; readopt 8/7/96, Register 139; am 7/1/97, Register 142; am 11/13/97, Register 144; am 2/12/99, Register 149; am 3/3/2001, Register 157; am 7/1/2001, Register 159; am 10/27/2001, Register 160; am 10/26/2003, Register 168)

Authority: AS 47.05.010 AS 47.07.040 AS 47.07.050
AS 47.05.020

7 AAC 43.1800(a)(1)(C)(i) is amended to read:

(i) giving rise to an offense under AS 11, [OR] AS 17.30.080, **or**
AS 47.05.210 for which the individual was convicted; and

7 AAC 43.1800(g) is amended to read:

(g) An individual who wishes to dispute any action taken by the department under **(a) - (e)** of this section or the amount of Medicaid expenditures claimed for recovery under this

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section may request a hearing under 7 AAC 49. (Eff. 3/26/2003, Register 165; am 10/26/2003, Register 168)

Authority: AS 47.05.010 AS 47.07.040

7 AAC 43.1810(b) is amended to read:

(b) If an individual member of a household applying for or receiving Medicaid benefits has been convicted of an offense under AS 11, [OR] AS 17.30.080, **or AS 47.05.210**, and if the department believes that the conduct giving rise to the offense was related to the obtaining of Medicaid benefits, the department may

(1) deny an application for Medicaid, subject to a hearing under 7 AAC 49; [OR]

(2) proceed with recovery of Medicaid expenditures in accordance with 7 AAC

43.1800, including a hearing under 7 AAC 49; **or**

(3) exclude the individual from participation in Medicaid in accordance with AS 47.05.240.

7 AAC 43.1810(d)(2) is amended to read:

(2) in the case of an individual who was convicted of an offense under AS 11 **or AS 47.05.210**, the conduct giving rise to the offense was related to the obtaining of Medicaid benefits. (Eff. 3/26/2003, Register 165; am 10/26/2003, Register 168)

Authority: AS 47.05.010 **AS 47.05.210** **AS 47.05.240**
AS 47.07.040