

MISSISSIPPI DIVISION OF MEDICAID

Eligibility Policy and Procedures Manual

CHAPTER 102 – Non-Financial Requirements

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102.03 STATE RESIDENCY

Medicaid must be available to eligible residents of the state. A resident is someone who voluntarily lives in Mississippi with the intention to remain permanently or for an indefinite period of time, or someone living in Mississippi, having entered with a job commitment or for the purpose of seeking employment, whether or not the individual is currently employed.

102.03.01 RESIDENCY REQUIREMENTS

The individual must live in Mississippi and meet all other eligibility requirements in order to receive Medicaid benefits. A spouse and children living in the same household with the individual are also considered MS residents.

No Permanent MS Address

An individual, including someone with no permanent address, is a resident of MS if he lives in the state and is capable of stating and does state intent to remain here permanently or for an indefinite period of time. Indefinite indicates the individual does not have a date in mind when he will no longer be a resident of the state.

Residing in Another State

An individual who claims to be a resident of MS, but is residing in another state, must show an established address or place of residence in MS before he can be considered temporarily absent from MS for Medicaid purposes.

Incapable of Stating Intent

An individual who is incapable of stating intent to reside is a resident of the state in which he is physically located. No statement of intent is needed. Refer to Section 102.03.07.

Stating Intent to Reside

A person is considered capable of stating intent to reside unless he has an IQ of 49 or less or has a mental age of seven or less based on tests acceptable to the Department of Education; or is judged legally incompetent; or is found incapable of indicating intent based on medical documentation obtained from a physician, psychologist or other individual licensed by the state in the field of mental retardation.