

121 of the federal poverty level as:

122 (i) the allowable income standard for eligibility for services or benefits; and

123 (ii) the allowable income standard for eligibility as a result of spend down.

124 (10) The department shall conduct internal audits of the Medicaid program.

125 (11) (a) The department may apply for and, if approved, implement a demonstration
126 program for health opportunity accounts, as provided for in 42 U.S.C. Sec. 1396u-8.

127 (b) A health opportunity account established under Subsection (11)(a) shall be an
128 alternative to the existing benefits received by an individual eligible to receive Medicaid under
129 this chapter.

130 (c) Subsection (11)(a) is not intended to expand the coverage of the Medicaid program.

131 (12) (a) (i) The department shall apply for, and if approved, implement an amendment
132 to the state plan under this Subsection (12) for benefits for:

133 (A) medically needy pregnant women;

134 (B) medically needy children; and

135 (C) medically needy parents and caretaker relatives.

136 (ii) The department may implement the eligibility standards of Subsection (12)(b) for
137 eligibility determinations made on or after the date of the approval of the amendment to the
138 state plan.

139 (b) In determining whether an applicant is eligible for benefits described in Subsection
140 (12)(a)(i), the department shall:

141 (i) disregard resources held in an account in the savings plan created under Title 53B,
142 Chapter 8a, Utah Educational Savings Plan, if the beneficiary of the account is:

143 (A) under the age of 26; and

144 (B) living with the account owner, as that term is defined in Section 53B-8a-102, or
145 temporarily absent from the residence of the account owner; and

146 (ii) include the withdrawals from an account in the Utah Educational Savings Plan as
147 resources for a benefit determination, if the withdrawal was not used for qualified higher
148 education costs as that term is defined in Section 53B-8a-102.5.

149 (13) (a) The department may not deny or terminate eligibility for Medicaid solely
150 because an individual is ~~H→~~ :

150a (i) ←H incarcerated H→ ; and [:]

150b (ii) not an inmate as defined in Section 64-13-1.

151 [~~(b) Upon release from incarceration, an individual remains eligible for Medicaid if the~~ ←H

152 ~~Ĥ→~~ [individual:
153 ~~—— (i) was eligible for Medicaid before incarceration; and~~
154 ~~—— (ii) is not determined to be ineligible for Medicaid on grounds other than incarceration.~~
155 ~~—— (c) This] (b) ←Ĥ~~ Subsection (13) ~~Ĥ→~~ (a) ~~←Ĥ~~ does not require the Medicaid program to
155a provide coverage
156 for any services for an individual while the individual is incarcerated ~~Ĥ→~~ [if prohibited under state
157 or federal law] ←Ĥ .