

**§ 447.50**

**42 CFR Ch. IV (10–1–02 Edition)**

**COST SHARING**

**§ 447.50 Cost sharing: Basis and purpose.**

(a) Section 1902(a)(14) of the Act permits States to require certain recipients to share some of the costs of Medicaid by imposing upon them such payments as enrollment fees, premiums, deductibles, coinsurance, co-payments, or similar cost sharing charges. For States that impose cost sharing payments, §§ 447.51 through 447.59 prescribe State plan requirements and options for cost sharing, specify the standards and conditions under which States may impose cost sharing, set forth minimum amounts and the methods for determining maximum amounts, and prescribe conditions for FFP that relate to cost sharing requirements.

**ENROLLMENT FEE, PREMIUM OR SIMILAR COST SHARING CHARGE**

**§ 447.51 Requirements and options.**

(a) The plan must provide that the Medicaid agency does not impose any enrollment fee, premium, or similar charge upon categorically needy individuals, as defined in §§ 435.4 and 436.3 of this subchapter, for any services available under the plan.

(b) The plan may impose an enrollment fee, premium, or similar charge on medically needy individuals, as defined in §§ 435.4 and 436.3 of this subchapter, for any services available under the plan.

(c) For each charge imposed under paragraph (b) of this section, the plan must specify—

- (1) The amount of the charge;
- (2) The period of liability for the charge; and
- (3) The consequences for an individual who does not pay.

(d) The plan must provide that any charge imposed under paragraph (b) of this section is related to total gross family income as set forth under § 447.52.

**§ 447.52 Minimum and maximum income-related charges.**

For the purpose of relating the amount of an enrollment fee, premium, or similar charge to total gross family

income, as required under § 447.51(d), the following rules apply:

(a) *Minimum charge.* A charge of at least \$1.00 per month is imposed on each—

(1) One- or two-person family with monthly gross income of \$150 or less;

(2) Three- or four-person family with monthly gross income of \$300 or less; and

(3) Five- or more-person family with monthly gross income of \$350 or less.

(b) *Maximum charge.* Any charge related to gross family income that is above the minimum listed in paragraph (a) of this section may not exceed the standards shown in the following table:

MAXIMUM MONTHLY CHARGE			
Gross family income (per month)	Family size		
	1 or 2	3 or 4	5 or more
\$150 or less .....	\$1	\$1	\$1
\$151 or \$200 .....	2	1	1
\$201 to \$250 .....	3	1	1
\$251 to \$300 .....	4	1	1
\$301 to \$350 .....	5	2	1
\$351 to \$400 .....	6	3	2
\$401 to \$450 .....	7	4	3
\$451 to \$500 .....	8	5	4
\$501 to \$550 .....	9	6	5
\$551 to \$600 .....	10	7	6
\$601 to \$650 .....	11	8	7
\$651 to \$700 .....	12	9	8
\$701 to \$750 .....	13	10	9
\$751 to \$800 .....	14	11	10
\$801 to \$850 .....	15	12	11
\$851 to \$900 .....	16	13	12
\$901 to \$950 .....	17	14	13
\$951 to \$1,000 .....	18	15	14
More than \$1,000 .....	19	16	15

(c) *Income-related charges.* The agency must impose an appropriately higher charge for each higher level of family income, within the maximum amounts specified in paragraph (b) of this section.

[43 FR 45253, Sept. 29, 1978, as amended at 45 FR 24889, Apr. 11, 1980]

**DEDUCTIBLE, COINSURANCE, CO-PAYMENT OR SIMILAR COST-SHARING CHARGE**

**§ 447.53 Applicability; specification; multiple charges.**

(a) *Basic requirements.* Except as specified in paragraph (b) of this section, the plan may impose a nominal deductible, coinsurance, copayment, or similar charge upon categorically and medically needy individuals for any service under the plan.