

Centers for Medicare & Medicaid Services, HHS

§ 435.3

LIMITATIONS ON FFP

- 435.1005 Recipients in institutions eligible under a special income standard.
- 435.1006 Recipients of optional State supplements only.
- 435.1007 Categorically needy, medically needy, and qualified Medicare beneficiaries.
- 435.1008 Institutionalized individuals.
- 435.1009 Definitions relating to institutional status.

REQUIREMENTS FOR STATE SUPPLEMENTS

- 435.1010 Requirement for mandatory State supplements.
- 435.1011 Requirement for maintenance of optional State supplement expenditures.

Subpart I—Option for Coverage of Special Groups

- 435.1100 Basis and scope.

PRESUMPTIVE ELIGIBILITY FOR CHILDREN

- 435.1101 Definitions related to presumptive eligibility for children.
- 435.1102 General rules.

AUTHORITY: Sec. 1102 of the Social Security Act (42 U.S.C. 1302).

SOURCE: 43 FR 45204, Sept. 29, 1978, unless otherwise noted.

Subpart A—General Provisions and Definitions

§ 435.2 Purpose and applicability.

This part sets forth, for the 50 States, the District of Columbia, the Northern Mariana Islands, and American Samoa—

- (a) The eligibility provisions that a State plan must contain;
- (b) The mandatory and optional groups of individuals to whom Medicaid is provided under a State plan;
- (c) The eligibility requirements and procedures that the Medicaid agency must use in determining and redetermining eligibility, and requirements it may not use;
- (d) The availability of FFP for providing Medicaid and for administering the eligibility provisions of the plan; and
- (e) Other requirements concerning eligibility determinations, such as use

of an institutionalized individual's income for the cost of care.

[43 FR 45204, Sept. 29, 1978, as amended at 44 FR 17937, Mar. 23, 1979; 51 FR 41350, Nov. 14, 1986]

§ 435.3 Basis.

(a) This part implements the following sections of the Act and public laws that mandate eligibility requirements and standards:

- 402(a)(22) Eligibility of deemed recipients of AFDC who receive zero payments because of recoupment of overpayments.
- 402(a)(37) Eligibility of individuals who lose AFDC eligibility due to increased earnings.
- 414(g) Eligibility of certain individuals participating in work supplementation programs.
- 473(b) Eligibility of children in foster care and adopted children who are deemed AFDC recipients.
- 1619(b) Benefits for blind individuals or those with disabling impairments whose income equals or exceeds a specific SSI limit.
- 1634(b) Preservation of benefit status for disabled widows and widowers who lost SSI benefits because of 1983 changes in actuarial reduction formula.
- 1634(d) Individuals who lose eligibility for SSI benefits due to entitlement to early widow's or widower's social security disability benefits under section 202(e) or (f) of the Act.
- 1902(a)(8) Opportunity to apply; assistance must be furnished promptly.
- 1902(a)(10) Required and optional groups.
- 1902(a)(12) Determination of blindness.
- 1902(a)(17) Standards for determining eligibility: flexibility in the application of income eligibility standards.
- 1902(a)(19) Safeguards for simplicity of administration and best interests of recipients.
- 1902(a)(34) Three-month retroactive eligibility.
- 1902(a) (second paragraph after (47)) Eligibility despite increased monthly insurance benefits under title II.
- 1902(a)(55) Mandatory use of outstation locations other than welfare offices to receive and initially process applications of certain low-income pregnant women, infants, and children under age 19.
- 1902(b) Prohibited conditions for eligibility: Age requirement of more than 65 years; State residence requirements excluding individuals who reside in the state; and Citizenship requirement excluding United States citizens.
- 1902(e) Four-month continued eligibility for families ineligible because of increased hours or income from employment.