

§ 434.70

§ 434.70 Conditions for Federal Financial Participation (FFP).

(a) *Basic requirements.* FFP is available only for periods during which the contract—

- (1) Meets the requirements of this part;
- (2) Meets the applicable requirements of 45 CFR part 74; and
- (3) Is in effect.

(b) *Basis for withholding.* CMS may withhold FFP for any period during which the State fails to meet the State plan requirements of this part.

[67 FR 41095, June 14, 2002]

§ 434.76 Costs under fiscal agent contracts.

Under each contract with a fiscal agent—

- (a) The amount paid to the provider of medical services is a medical assistance cost; and
- (b) The amount paid to the contractor for performing the agreed-upon functions is an administrative cost.

§ 434.78 Right to reconsideration of disallowance.

A Medicaid agency dissatisfied with a disallowance of FFP under this subpart may request and will be granted reconsideration in accordance with 45 CFR part 16.

PART 435—ELIGIBILITY IN THE STATES, DISTRICT OF COLUMBIA, THE NORTHERN MARIANA ISLANDS, AND AMERICAN SAMOA

Subpart A—General Provisions and Definitions

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- 435.2 Purpose and applicability.
- 435.3 Basis.
- 435.4 Definitions and use of terms.
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Subpart B—Mandatory Coverage of the Categorically Needy

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- MANDATORY COVERAGE OF FAMILIES AND CHILDREN
- 435.110 Individuals receiving aid to families with dependent children.

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- 435.112 Families terminated from AFDC because of increased earnings or hours of employment.
- 435.113 Individuals who are ineligible for AFDC because of requirements that do not apply under title XIX of the Act.
- 435.114 Individuals who would be eligible for AFDC except for increased OASDI income under Pub. L. 92–336 (July 1, 1972).
- 435.115 Individuals deemed to be receiving AFDC.

MANDATORY COVERAGE OF PREGNANT WOMEN, CHILDREN UNDER 8, AND NEWBORN CHILDREN

- 435.116 Qualified pregnant women and children who are not qualified family members.
- 435.117 Newborn children.

MANDATORY COVERAGE OF QUALIFIED FAMILY MEMBERS

- 435.119 Qualified family members.

MANDATORY COVERAGE OF THE AGED, BLIND, AND DISABLED

- 435.120 Individuals receiving SSI.
- 435.121 Individuals in States using more restrictive requirements for Medicaid than the SSI requirements.
- 435.122 Individuals who are ineligible for SSI or optional State supplements because of requirements that do not apply under title XIX of the Act.
- 435.130 Individuals receiving mandatory State supplements.
- 435.131 Individuals eligible as essential spouses in December 1973.
- 435.132 Institutionalized individuals who were eligible in December 1973.
- 435.133 Blind and disabled individuals eligible in December 1973.
- 435.134 Individuals who would be eligible except for the increase in OASDI benefits under Pub. L. 92–336 (July 1, 1972).
- 435.135 Individuals who become ineligible for cash assistance as a result of OASDI cost-of-living increases received after April 1977.
- 435.136 State agency implementation requirements for one-time notice and annual review system.
- 435.137 Disabled widows and widowers who would be eligible for SSI except for the increase in disability benefits resulting from elimination of the reduction under Pub. L. 98–31.
- 435.138 Disabled widows and widowers aged 60 through 64 who would be eligible for SSI benefits except for receipt of early social security benefits.

MANDATORY COVERAGE OF CERTAIN ALIENS

- 435.139 Coverage for certain aliens.