

#### **§ 436.843**

three may not be less than that set for an assistance unit of two.

[58 FR 4938, Jan. 19, 1993]

#### **§ 436.843 Medically needy resource standard: State plan requirements.**

The State plan must specify the resource standard for the covered medically needy groups.

[58 FR 4938, Jan. 19, 1993]

#### **DETERMINING ELIGIBILITY ON THE BASIS OF RESOURCES**

#### **§ 436.845 Medically needy resource eligibility.**

To determine eligibility on the basis of resources for medically needy individuals, the agency must—

(a) Consider only the individual's resources and those that are considered available to him under the financial responsibility requirements for relatives under § 436.602;

(b) Consider only resources available during the period for which income is computed under § 436.831(a);

(c) Deduct the value of resources that would be deducted in determining eligibility under the State's plan for OAA, AFDC, AB, APTD, or AABD or under the State's less restrictive financial methodology specified in the State Medicaid plan in accordance with § 436.601. In determining the amount of an individual's resources for Medicaid eligibility, States must count amounts of resources that otherwise would not be counted under the conditional eligibility provisions of the AFDC program.

(d) Apply the resource standards established under § 436.840.

[43 FR 45218, Sept. 29, 1978, as amended at 46 FR 47992, Sept. 30, 1981; 58 FR 4938, Jan. 19, 1993]

#### **Subpart J—Eligibility in Guam, Puerto Rico, and the Virgin Islands**

SOURCE: 44 FR 17939, Mar. 23, 1979, unless otherwise noted.

#### **§ 436.900 Scope.**

This subpart sets forth requirements for processing applications, determining eligibility, and furnishing Medicaid.

#### **42 CFR Ch. IV (10–1–12 Edition)**

#### **§ 436.901 General requirements.**

The Medicaid agency must comply with all the requirements of part 435, subpart J, of this subchapter, except those specified in § 435.909.

#### **§ 436.909 Automatic entitlement to Medicaid following a determination of eligibility under other programs.**

The agency may not require a separate application for Medicaid from an individual if the individual receives cash assistance under a State plan for OAA, AFDC, AB, APTD, or AABD.

#### **Subpart K—Federal Financial Participation (FFP)**

#### **§ 436.1000 Scope.**

This subpart specifies when, and the extent to which, FFP is available in expenditures for determining eligibility and for Medicaid services to individuals determined eligible under this part, and prescribes limitations and conditions on FFP for those expenditures.

#### **FFP FOR EXPENDITURES FOR DETERMINING ELIGIBILITY AND PROVIDING SERVICES**

#### **§ 436.1001 FFP for administration.**

(a) FFP is available in the necessary administrative costs the State incurs in—

(1) Determining and redetermining Medicaid eligibility and in providing Medicaid to eligible individuals; and

(2) Determining presumptive eligibility for children and providing services to presumptively eligible children.

(b) Administrative costs include any costs incident to an eye examination or medical examination to determine whether an individual is blind or disabled.

[43 FR 45218, Sept. 29, 1978, as amended at 66 FR 2668, Jan. 11, 2001]

#### **§ 436.1002 FFP for services.**

(a) FFP is available in expenditures for Medicaid services for all beneficiaries whose coverage is required or allowed under this part.

(b) FFP is available in expenditures for services provided to beneficiaries who were eligible for Medicaid in the