such individuals, it may also provide Medicaid to individuals in intermediate care facilities for the mentally retarded.

(4) Individuals receiving active treatment as inpatients in psychiatric facilities or programs, if inpatient psychiatric services for individuals under 21 are provided under the plan.


§ 435.310 Medically needy coverage of specified relatives.

(a) If the agency provides for the medically needy, it may provide Medicaid to specified relatives, as defined in paragraph (b) of this section, who meet the income and resource requirements of subpart I of this part.

(b) Specified relatives means individuals who:

(1) Are listed under section 406(b)(1) of the Act and 45 CFR 233.90(c)(1)(v)(A); and

(2) Have in their care an individual who is determined to be (or would, if needy, be) dependent, as specified in §435.510.

[58 FR 4929, Jan. 19, 1993]

§ 435.320 Medically needy coverage of the aged in States that cover individuals receiving SSI.

If the agency provides Medicaid to individuals receiving SSI and elects to cover the medically needy, it may provide Medicaid to those aged, blind, or disabled individuals who meet:

(a) The requirements for disability, as specified in §§435.540 and 435.541; and

(b) The income and resource requirements of Subpart I of this part.


§ 435.322 Medically needy coverage of the blind in States that cover individuals receiving SSI.

If the agency provides Medicaid to individuals receiving SSI and elects to cover the medically needy, it may provide Medicaid to blind individuals who meet:

(a) The requirements for blindness, as specified in §§435.530 and 435.531; and

(b) The income and resource requirements of subpart I of this part.

[46 FR 47996, Sept. 30, 1981]

§ 435.324 Medically needy coverage of the disabled in States that cover individuals receiving SSI.

If the agency provides Medicaid to individuals receiving SSI and elects to cover the medically needy, it may provide Medicaid to disabled individuals who meet:

(a) The requirements for disability, as specified in §§435.540 and 435.541; and

(b) The income and resource requirements of Subpart I of this part.

[46 FR 47996, Sept. 30, 1981]

§ 435.326 Individuals who would be ineligible if they were not enrolled in an MCO or PCCM.

If the agency provides Medicaid to individuals receiving SSI and elects to cover the medically needy, it may provide Medicaid to those aged, blind, or disabled individuals who meet:

(a) The requirements for disability, as specified in §§435.540 and 435.541; and

(b) The income and resource requirements of Subpart I of this part.

[67 FR 41095, June 14, 2002]

§ 435.330 Medically needy coverage of the aged, blind, and disabled in States using more restrictive eligibility requirements for Medicaid than those used under SSI.

If the agency provides Medicaid to individuals receiving SSI and elects to cover the medically needy, it may provide Medicaid to those aged, blind, or disabled individuals who meet:

(a) The requirements for disability, as specified in §§435.540 and 435.541; and

(b) The income and resource requirements of Subpart I of this part.

[46 FR 47996, Sept. 30, 1981]