

TRANSMITTAL AND NOTICE OF APPROVAL OF STATE PLAN MATERIAL	1. TRANSMITTAL NUMBER: 09-03	2. STATE Maryland
	3. PROGRAM IDENTIFICATION: TITLE XIX OF THE SOCIAL SECURITY ACT (MEDICAID)	
TO: REGIONAL ADMINISTRATOR CENTERS FOR MEDICARE & MEDICAID SERVICES DEPARTMENT OF HEALTH AND HUMAN SERVICES		4. PROPOSED EFFECTIVE DATE October 1, 2008

5. TYPE OF PLAN MATERIAL (*Check One*):

NEW STATE PLAN AMENDMENT TO BE CONSIDERED AS NEW PLAN AMENDMENT

COMPLETE BLOCKS 6 THRU 10 IF THIS IS AN AMENDMENT (*Separate Transmittal for each amendment*)

6. FEDERAL STATUTE/REGULATION CITATION: Section 1902(a) of the Social Security Act Section 1902 (r)(2) of the Social Security Act Section 1916(g) of the Social Security Act	7. FEDERAL BUDGET IMPACT: a. FFY <u>2009</u> \$ Unknown b. FFY <u>2010</u> \$ Unknown
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8. PAGE NUMBER OF THE PLAN SECTION OR ATTACHMENT: Attachment 2.2-A, Page 23e, Attachment 2.6-A Pages 12c thru 12o Supplement 8a to Attachment 2.6-A, Page 6 Supplement 8b to Attachment 2.6-A, Page 5	9. PAGE NUMBER OF THE SUPERSEDED PLAN SECTION OR ATTACHMENT (<i>If Applicable</i>): New New Supplement 8a to Attachment 2.6-A, Page 6 Supplement 8b to Attachment 2.6-A, Page 5
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10. SUBJECT OF AMENDMENT: To add Employed Individuals with Disabilities into the State plan under the eligibility groups authorized under sections 1902(a)(10)(A)(ii)(XV) of the Social Security Act.

11. GOVERNOR'S REVIEW (*Check One*):

- GOVERNOR'S OFFICE REPORTED NO COMMENT
 COMMENTS OF GOVERNOR'S OFFICE ENCLOSED
 NO REPLY RECEIVED WITHIN 45 DAYS OF SUBMITTAL

OTHER, AS SPECIFIED: The Secretary of the
Department of Health and Mental Hygiene

12. SIGNATURE OF STATE AGENCY OFFICIAL: 	16. RETURN TO: Susan Tucker Executive Director Office of Health Services Department of Health & Mental Hygiene 201 W Preston St, 1 st floor Baltimore MD 21201
13. TYPED NAME: John M. Colmers	
14. TITLE: Secretary, Department of Health & Mental Hygiene	
15. DATE SUBMITTED:	

FOR REGIONAL OFFICE USE ONLY

17. DATE RECEIVED:	18. DATE APPROVED:
PLAN APPROVED – ONE COPY ATTACHED	
19. EFFECTIVE DATE OF APPROVED MATERIAL:	20. SIGNATURE OF REGIONAL OFFICIAL:
21. TYPED NAME:	22. TITLE:

23. REMARKS:

Revision:

State/Territory: Maryland

Citation

Groups Covered

B. Optional Groups Other Than the Medically Needy
(Continued)

- | | | | |
|---|-------------------------------------|-----|---|
| 1902(a)(10)(A)
(ii)(XIII) of the Act | <input type="checkbox"/> | 23. | BBA Work Incentives Eligibility Group -
Individuals with a disability whose net family
income is below 250 percent of the Federal
poverty level for a family of the size involved
and who, except for earned income, meet all
criteria for receiving benefits under the SSI
program.
See page 12c of Attachment 2.6-A. |
| 1902(a)(10)(A)
(ii)(XV) of the Act | <input checked="" type="checkbox"/> | 24. | TWWIIA Basic Coverage Group - Individuals
with a disability at least 16 but less than 65
years of age whose income and resources do
not exceed a standard established by the
State.
See page 12d of Attachment 2.6-A. |
| 1902(a)(10)(A)
(ii)(XVI) of the Act | <input type="checkbox"/> | 25. | TWWIIA Medical Improvement Group -
Employed individuals at least 16 but less than
65 years of age with a medically improved
disability whose income and resources do not
exceed a standard established by the State.
See page 12h of Attachment 2.6A. |

NOTE: If the State elects cover this group, it
MUST also cover the eligibility group described
in No. 24 above.

TN No. _____

Supersedes

Approval Date: _____

Effective Date: October 1, 2008

TN No. New

Revision:

State/Territory: Maryland

Citation

Condition or Requirement

1902(a)(10)(A)(ii)
(XIII) of the Act

(i) Working Individuals With Disabilities -BBA

In determining countable income and resources for working individuals with disabilities under BBA, the following methodologies are applied:

- _____ The methodologies of the SSI program.
- _____ The agency uses methodologies for treatment of income and resources more restrictive than the SSI program. These more restrictive methodologies are described in Supplement 4 (income) and Supplement 5 (resources) to Attachment 2.6-A.
- _____ The agency uses more liberal income and/or resource than the SSI program. More liberal methodologies are described in Supplement 8a to attachment 2.6-A. More liberal resource methodologies are described in Supplement 8b to Attachment 2.6-A.

TN No. _____
Supersedes
TN No. New

Approval Date _____ Effective Date October 1, 2008

Revision:

ATTACHMENT 2.6-A
Page 12d

State/Territory: Maryland

Citation

Condition or Requirement

1902(a)(10)(A)
(ii)(XV) of the Act

(ii) Working Individuals with Disabilities -
Basic Coverage Group - TWWIIA

In determining financial eligibility for working individuals with disabilities under this provision, The following standards and methodologies are applied:

The agency does not apply any income or resource standard.

NOTE: If the above option is chosen, no further eligibility-related options should be elected.

The agency applies the following income and/or resource standard(s):

The total countable net income may not exceed 300% of FPL for a family unit size equivalent to number of individuals in the assistance unit

Countable resources attributed to the assistance unit may not exceed \$10,000.

TN No. _____
Supersedes
TN No. New

Approval Date: _____ Effective Date: October 1, 2008

Revision:

State/Territory: Maryland

Citation

Condition or Requirement

1902(a)(10)(A)
(ii)(XV) of the Act (cont.)

Income Methodologies

In determining whether an individual meets the income standard described above, the agency uses the following methodologies.

 The income methodologies of the SSI program.

 The agency uses methodologies for treatment of income that are more restrictive than the SSI program. These more restrictive methodologies are described in Supplement 4 to Attachment 2.6 – A.

 X The agency uses more liberal income methodologies than the SSI program. More liberal income methodologies are described in Supplement 8a to Attachment 2.6-A.

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Supersedes
TN No. New

Approval Date: Effective Date: October 1, 2008

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ATTACHMENT 2.6-A
Page 12f
OMB No.:

State/Territory: Maryland

Citation

Condition or Requirement

1902(a)(10)(A)
(ii)(XV) of the Act (cont.)

Resource Methodologies

In determining whether the individual meets the resource standard described above, the agency uses the following methodologies.

Unless one of the following items is checked, the agency, under the authority of 1902(r)(2) of the Act, disregards all funds held in retirement funds and accounts, including private retirement accounts such as IRAs and other individual accounts, and employer-sponsored retirement plans such as 401(k) plans, Keogh plans, and employer pension plans. Any disregard involving retirement accounts is separately described in Supplement 8b to Attachment 2.6-A.

The agency disregards funds held in employer-sponsored retirement plans, but not private retirement plans.

The agency disregards funds in retirement accounts in a manner other than those described above. The agency's disregards are specified in Supplement 8b to Attachment 2.6-A.

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Supersedes
TN No. New

Approval Date: _____ Effective Date: October 1, 2008

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ATTACHMENT 2.6-A
Page 12g

State/Territory: Maryland

Citation

Condition or Requirement

1902(a)(10)(A)
(ii)(XV) of the Act (cont.)

The agency does not disregard funds in retirement accounts.

The agency uses resource methodologies in addition to any indicated above that are more liberal than those used by the SSI program. More liberal resource methodologies are described in Supplement 8b to Attachment 2.6-A.

The agency uses the resource methodologies of the SSI Program.

The agency uses methodologies for treatment of resources that are more restrictive than the SSI program. These more restrictive methodologies are described in Supplement 5 to Attachment 2.6-A.

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Supersedes
TN No. New

Approval Date: _____ Effective Date: October 1, 2008

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State/Territory: Maryland

Citation

Condition or Requirement

1902(a)(10)(A)
(ii)(XVI) of the Act

(ii) Working Individuals with Disabilities -
Employed Medically Improved Individuals -
TWWIIA

In determining financial eligibility for employed medically improved individuals under this provision, the following standards and methodologies are applied:

_____ The agency does not apply any income or resource standard.

NOTE: If the above option is chosen, no further eligibility-related options should be elected.

_____ The agency applies the following income and/or resource standard(s):

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TN No. New

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State/Territory: Maryland

Citation

Condition or Requirement

1902(a)(10)(A)
(ii)(XVI) of the Act (cont.)

Income Methodologies

In determining whether an individual meets the income standard described above, the agency uses the following methodologies.

_____ The income methodologies of the SSI program.

_____ The agency uses methodologies for treatment of income that are more restrictive than the SSI program. These more restrictive methodologies are described in Supplement 4 to Attachment 2.6-A.

_____ The agency uses more liberal income methodologies than the SSI program. More liberal income methodologies are described in Supplement 8a to Attachment 2.6-A.

TN No. _____
Supersedes
TN No. New

Approval Date: _____ Effective Date: October 1, 2008

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ATTACHMENT 2.6-A
Page 12j

State/Territory: Maryland

Citation

Condition or Requirement

1902(a)(10)(A)
(ii)(XVI) of the Act (cont.)

Resource Methodologies

In determining whether the individual meets the resource standard described above, the agency uses the following methodologies.

Unless one of the following items are checked, the agency, under the authority of 1902(r)(2) of the Act, disregards all funds held in retirement funds and accounts, including private retirement accounts such as IRAs and other individual accounts, and employer-sponsored retirement plans such as 401(k) plans, Keogh plans, and employer pension plans. Any disregard involving retirement accounts is separately described in Supplement 8b to Attachment 2.6-A.

The agency disregards funds held in employer-sponsored retirement plans, but not private retirement plans.

The agency disregards funds in retirement accounts in a manner other than those described above. The agency's disregards are specified in Supplement 8b to Attachment 2.6-A.

TN No. _____
Supersedes
TN No. New

Approval Date: _____ Effective Date: October 1, 2008

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ATTACHMENT 2.6-A
Page 12k

State/Territory: Maryland

Citation

Condition or Requirement

1902(a)(10)(A)
(ii)(XVI) of the Act (cont.)

_____ The agency does not disregard funds in retirement accounts.

_____ The agency uses resource methodologies in addition to any indicated above that are more liberal than those used by the SSI program. More liberal resource methodologies are described in Supplement 8b to Attachment 2.6-A.

_____ The agency uses the resource methodologies of the SSI Program.

_____ The agency uses methodologies for treatment of resources that are more restrictive than the SSI program. These more restrictive methodologies are described in Supplement 5 to Attachment 2.6-A.

TN No. _____
Supersedes
TN No. New

Approval Date: _____ Effective Date: October 1, 2008

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ATTACHMENT 2.6-A
Page 12I

State/Territory: Maryland

Citation

Condition or Requirement

1902(a)(10)(A)
(ii)(XVI) and 1905(v)(2)
of the Act.

Definition of Employed – Employed Medically
Improved Individuals – TWWIIA

_____ The agency uses the statutory definition of “employed”, i.e., earning at least the minimum wage, and working at least 40 hours per month.

_____ The agency uses an alternative definition of “employed” that provides for substantial and reasonable threshold criteria for hours of work, wages, or other measures. The agency’s threshold criteria is described below:

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Supersedes
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Approval Date: _____ Effective Date: October 1, 2008

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ATTACHMENT 2.6-A
Page 12m

State/Territory: Maryland

Citation

Condition or Requirement

1902(a)(10)(A)(ii)(XIII)
(XV), (XVI), and 1916(g)
of the Act

Payment of Premiums or Other Cost Sharing Charges

For individuals eligible under the BBA eligibility group described in No. 23 on page 23e of Attachment 2.2-A:

_____ The agency requires payment of premiums or other cost-sharing charges on a sliding scale based on income. The premiums or other cost-sharing charges, and how they are applied are described below:

TN No. _____
Supersedes
TN No. New

Approval Date _____ Effective Date October 1, 2008

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ATTACHMENT 2.6-A
Page 12n

State/Territory: Maryland

Citation

Condition or Requirement

1902(a)(10)(A)(ii)
(XIII), (XV), (XVI), and 1916(g)
of the Act (cont.)

For individuals eligible under the Basic Coverage Group described in No. 24 on page 23e of Attachment 2.2-A, and the Medical Improvement Group described in No. 25 on page 23e of Attachment 2.2-A:

NOTE: Regardless of the option selected below, the agency MUST require that individuals whose annual adjusted gross income, as defined under IRS statute, exceeds \$75,000 pay 100 percent of premiums.

X The agency requires individuals to pay premiums or other cost-sharing charges on a sliding scale based on income. For individuals with net annual income below 450 percent of the Federal poverty level for a family of the size involved, the amount of premiums cannot exceed 7.5 percent of the individual's income.

The premiums or other cost-sharing charges, and how they are applied are described on page 12o.

TN No. _____
Supersedes
TN No. New

Approval Date: _____ Effective Date: October 1, 2008

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State/Territory: Maryland

Citation

Condition or Requirement

Sections 1902(a)(10)(A)
(ii)(XV), (XVI), and 1916(g)
of the Act (cont.)

Premiums and Other Cost-Sharing Charges

For the Basic Coverage Group and the Medical Improvement Group, the agency's premium and other cost-sharing charges, and how they are applied, are described below.

There are four income tiers for EID. There is no premium amount for income which is at or below 100% of FPL; a monthly premium of \$25 applied to income above 100% FPL but at or below 200% FPL; a monthly premium of \$40 applied to income above 200% FPL but at or below 250% FPL ; and a monthly premium of \$55 for income above 250% FPL but at or below 300% FPL. The premium is not more than three percent of lowest income figure in that tier.

TN No. _____

Supersedes Approval Date: _____ Effective Date: October 1, 2008

TN No. New

State Plan Under Title XIX of the Social Security Act

State: MarylandLESS RESTRICTIVE METHODS OF TREATING INCOME
UNDER SECTION 1902(r)(2) OF THE ACT

For the SSI-related groups authorized under Section 1902(a)(10)(A)(ii)(I), 1902(a)(10)(A)(ii)(IV), 1902(a)(10)(A)(ii)(XV), 1902(a)(10)(C), 1902(a)(10)(E)(i), 1902(a)(10)(E)(iii), 1902(a)(10)(E)(iv), and 1905(p) of the Social Security Act, the following more liberal methodologies apply:

1. Earned and unearned in-kind income is excluded.
2. Training allowances and expenses are excluded as countable income.
3. Educational work-study earnings, stipends, and reimbursement for out-of-pocket expenses are excluded as countable income.
4. Payments received under a crime victims compensation program are excluded as countable income.
5. Interest income accrued to bank accounts is excluded as countable income.
6. All grants, loans, scholarships, fellowships, and training allowances for educational purposes and all educational expenses while in attendance are excluded as countable income.
7. All charitable contributions received are excluded as countable income.
8. Infrequent or irregular unearned income is excluded up to \$200 per 6 months, and earned income is excluded up to \$30 per quarter.
9. Room and/or board income received from a person living in the assistance unit's home is excluded.
10. For consideration of rental property income and self-employment income, deduct 50% from the gross earnings as the cost to produce.

For the AFDC-related groups authorized under Sections 1902(a)(10)(A)(i)(III), 1902(a)(10)(A)(i)(IV), 1902(a)(10)(A)(i)(VI), 1902(a)(10)(A)(VII), 1902(a)(10)(A)(ii)(I), 1902(a)(10)(A)(ii)(VIII), 1902(a)(10)(A)(ii)(IX), 1902(a)(10)(A)(ii)(XIV), and 1902(a)(10)(C) of the Social Security Act, the following more liberal methodology applies:

1. Earned income of the child less than 18 years old is excluded.
2. Earned or unearned in-kind income is excluded.
3. All loans are excluded as countable income, regardless of whether the person is receiving money as the borrower or the lender.
4. Training allowances and expenses are excluded as countable income.
5. Educational work-study earnings, stipends, and reimbursement for out-of-pocket expenses are excluded as countable income.
6. Payments received under a crime victims' compensation program are excluded as countable income.
7. Interest income accrued to bank accounts is excluded.
8. All grants, loans, scholarships, fellowships and trainings allowances for educational purposes and all educational expenses are excluded as countable income.
9. All charitable contributions received are excluded as countable income.
10. Infrequent or irregular unearned income is excluded up to \$200 per 6 months, and earned income is excluded up to \$30 per quarter.
11. For consideration of room and/or board income, rental property income, and self-employment income, deduct 50% from the gross earnings as the cost to produce.
12. Disregard up to \$200 per month per child in child care expenses for an assistance unit member who works 100 or more hours per month. Disregard up to \$100 per month if the member works less than 100 hours per month.

TN No. _____

Supersedes _____

TN No. 04-20

Approval Date _____

Effective Date: October 1, 2008

State Plan Under Title XIX of the Social Security Act

State: Maryland

LESS RESTRICTIVE METHODS OF TREATING RESOURCES
UNDER SECTION 1902(r)(2) OF THE ACT

For the SSI-related groups authorized under Section 1902(a)(10)(A)(ii)(I), 1902(a)(10)(A)(ii)(IV), 1902(a)(10)(A)(ii)(V), 1902(a)(10)(A)(ii)(XV), 1902(a)(10)(C), 1902(a)(10)(E)(i), 1902(a)(10)(E)(iii), 1902(a)(10)(E)(iv), and 1905(p) of the Social Security Act, the following more liberal methodologies apply:

1. Any vehicle regardless of the value is excluded as a countable resource, except for airplanes, recreational vehicles, boats and their trailers, and antique cars which are not the assistance unit's primary vehicle.
2. Exclude as a countable resource all irrevocable or revocable burial or funeral plans which specify that a funeral home will receive all proceeds. Exclude other liquid resources designated for burial/funeral up to \$1,500.
3. Exclude income-producing property as a countable resource if it annually produces income consistent with the fair market value.
4. Exclude household goods and personal effects, except for luxury items or valuable collections (e.g., antiques, stamp or coin collection, expensive jewelry other than wedding rings, fur coats).

For the AFDC-related groups authorized under Sections 1902(a)(10)(A)(i)(III), 1902(a)(10)(A)(i)(IV), 1902(a)(10)(A)(i)(VI), 1902(a)(10)(A)(i)(VII), 1902(a)(10)(A)(ii)(I), 1902(a)(10)(A)(ii)(VIII), 1902(a)(10)(A)(ii)(IX), 1902(a)(10)(A)(ii)(XIV), and 1902(a)(10)(C), as further defined at Sections 1905(a)(i), (ii), and (viii), of the Social Security Act, the following more liberal methodologies apply:

1. All resources are disregarded.

For the SSI-related groups authorized under 1902(a)(10)(A)(ii)(XV) of the Social Security Act, the following more liberal methodologies apply:

1. Exclude as a countable resource all retirement and pension plans except IRA accounts.
2. Exclude liquid resources up to \$10,000.

TN No. _____
Supersedes _____
TN No. 08-05

Approval Date: _____ Effective Date: October 1, 2008

FEDERAL REGULATION CITATIONS: SPA 09-03

- ___ Attachment 2.2A 42 CFR 435.10
- X Attachment 2.6A 42 CFR Part 435, Section 435.10 and Subparts G&H AT-78-90, AT-80-6, AT-80-34, 1902(l) and (n) of the Act, P.L. 99-509 (Secs. 9401 and 9402), 1902 (l) and (n) and 1920 of the Act, P.L. 99-509 (Secs. 9401, 9402, and 9407)
- ___ Attachment 3.1A Part 400, Subpart B and 1902(e)(5), 1905(a)(18) through (20), and 1920 of the Act, P.L. 99-272 (Sections 9501, 9505 and 9526) and 1902(a), 1902(a)(47), 1902 (e)(7) through (9), and 1920 of the Act, P.L. 99-509 (Sections 9401(d), 9403, 9406 through 9408) and P.L. 99-514 (Section 1985(c)(3))
- ___ Attachment 3.1B 42 CFR Part 440, Subpart B, 42 CFR 441.15, AT-78-90, AT-80-34
- ___ Attachment 3.1C 42 CFR 431.53, AT-78-90
- ___ Attachment 3.1F 1905(a)(24) and 1930 of the Act, P.L. 101-508 (Section 4712 OBRA 90)
- ___ Attachment 4.18A 447.51 through 447.58
- ___ Attachment 4.18C 447.51 through 447.58
- ___ Attachment 4.18-F 447.50-447.59
- ___ Attachment 4.19 A&B (a) 42 CFR 447.252, 46 FR 44964, 48 FR 56046, 50 FR 23009, 1902(e)(7) of the Act, P.L. 99-509 (Section 9401(d))
(b) 42 CFR 447.201, 42 CFR 447.302, AT-78-90, AT-80-34, 1903(a)(1) and (n) and 1920 of the Act, P.L. 99-509 (Section 9403, 9406 and 9407), 52 FR 28648
- ___ Attachment 4.16 42 CFR 431.615(c) AT-78-90
- ___ Attachment 4.19D (d) 42 CFR 447.252, 47 FR 47964, 48 FR 56046, 42 CFR 447.280, 47 FR 31518, 52 FR 28141
- ___ Attachment 4.22A (a) 433.137(a), 50 FR 46652, 55 FR 1423
- ___ Attachment 4.22B (b) 433.138(f), 52 FR 5967, 433.138(g)(1)(ii) and (2)(ii), 52 FR 5967, 433.133(g)(3)(i) and (iii), 52 FR 5967, 433.138(h)(4)(i) through (iii), 52 FR 5967
- ___ Attachment 4.22C Section 1906 of the Act
- ___ Attachment 4.26 1927(g) 42 CFR 456.700, 1927(g)(1)(A), 1927(g)(1)(a) 42 CFR 456.705(b) and 456.709(b), 1927(g)(1)(B) 42 CFR 456.703(d) and (f), 1927(g)(1)(D) 42 CFR 456.703(b), 1927(g)(2)(A) 42 CFR 456.705(b), 1927(g)(2)(A)(i) 42 CFR 456.705(b), 1927(g)(2)(A)(i) 42 CFR 456.705(b), (1)-(7), 1927(g)(2)(A)(ii) 42 CFR 456.705(c) and (d), 1927(g)(2)(B) 42 CFR 456.709(a), 1927(g)(2)(C) 42 CFR 456.709(b), 1927(g)(2)(D) 42 CFR 456.711, 1927 (g)(3)(A) 42 CFR 456.716(a), 1927 (g)(3)(B) 42 CFR 456.716 (A) and (B), 1927(g)(3)(C) 42 CFR 456.716 (d) 1927(g)(3)(C) 42 CFR 456.711 (a)-(d), 1927 (g)(3)(D) 42 CFR 456.712 (A) and (B), 1927(b)(1) 42 CFR 456.722, 1927(g)(2)(A)(i) 42 CFR 456.705(b), 1927(j)(2) 42 CFR 456.703(c)
- ___ Attachment 4.32A (a) 435.940 through 435.960, 52 FR 5967
- ___ Attachment 4.33A (a) 1902(a)(48) of the Act, P.L. 99-570 (Section 11005), P.L. 100-93 (Section 6(a)(3))
- ___ Attachment 4.35A (a) 1919(b)(1) and (2) of the Act, P.L. 100-103 (Section 4212(a))
- ___ Attachment 4.35B (b) Same as above