

42 C.F.R. § 417.424

Denial of enrollment.

(a) *Basis for denial.* An HMO or CMP may deny enrollment to an individual who meets the criteria of § 417.422 if acceptance would—

- (1) Cause the number of enrollees who are Medicare or Medicaid beneficiaries to exceed 50 percent of the HMO's or CMP's total enrollment;
- (2) Prevent the HMO or CMP from complying with any of the other contract qualifying conditions set forth in subpart J of this part;

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