

## 42 C.F.R. § 430.35

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### Withholding of payment for failure to comply with Federal requirements.

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(a) *Basis for withholding.* CMS withholds payments to the State, in whole or in part, only if, after giving the agency reasonable notice and opportunity for a hearing in accordance with subpart D of this part, the Administrator finds—

- (1) That the plan no longer complies with the provisions of section 1902 of the Act; or
- (2) That in the administration of the plan there is failure to comply substantially with any of those provisions.

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