

42 C.F.R. § 435.227

Optional eligibility for individuals under age 21 who are under State adoption assistance agreements.

(a) *Basis.* This section implements section 1902(a)(10)(A)(ii)(VIII) of the Act.

(b) *Eligibility.* The agency may provide Medicaid to individuals under age 21 (or, at State option, under age 20, 19, or 18):

(1) For whom an adoption assistance agreement (other than an agreement under title IV–E of the Act) between a State and the adoptive parent(s) is in effect;

(2) Who the State agency which entered into the adoption agreement determined could not be placed for adoption without Medicaid coverage because the child has special needs for medical or rehabilitative care; and

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