
42 C.F.R. § 457.320

Other eligibility standards.

(a) *Eligibility standards.* To the extent consistent with title XXI of the Act and except as provided in paragraph (b) of this section, the State plan may adopt eligibility standards for one or more groups of children related to—

- (1) Geographic area(s) served by the plan;
- (2) Age (up to, but not including, age 19);
- (3) Income;
- (4) Spenddowns;
- (5) Residency, in accordance with paragraph (d) of this section;
- (6) Disability status, provided that such standards do not restrict eligibility;
- (7) Access to, or coverage under, other health coverage; and
- (8) Duration of eligibility, in accordance with paragraph (e) of this section.

(b) *Prohibited eligibility standards.* In establishing eligibility standards and methodologies, a State may *not*—

- (1) Cover children with a higher household income without covering children with a lower household income within any defined group of covered targeted low-income children;

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