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# 42 U.S. Code § 1396r-1a

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## Presumptive eligibility for children

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### **(a) In general**

A State plan approved under section 1396a of this title may provide for making medical assistance with respect to health care items and services covered under the State plan available to a child during a presumptive eligibility period.

### **(b) Definitions; regulations**

For purposes of this section:

- (1) The term “child” means an individual under 19 years of age.
- (2) The term “presumptive eligibility period” means, with respect to a child, the period that—
  - (A) begins with the date on which a qualified entity determines, on the basis of preliminary information, that the family income of the child does not exceed the applicable income level of eligibility under the State plan, and
  - (B) ends with (and includes) the earlier of—
    - (i) the day on which a determination is made with respect to the eligibility of the child for medical assistance under the State plan, or
    - (ii) in the case of a child on whose behalf an application is not filed by the last day of the month following the month during which the entity makes the determination referred to in subparagraph (A), such last day.

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