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Title 22@ Social Security

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Division 3@ Health Care Services

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Subdivision 1@ California Medical Assistance Program

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Chapter 2@ Determination of Medi-Cal Eligibility and Share of Cost

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Article 5@ MEDI-CAL PROGRAMS

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Section 50223@ Disability

## **50223 Disability**

### **(a)**

Persons 18 years of age or over are disabled if they meet the definition in (1) or the definition in (2): (1) Federally disabled persons are persons who meet the definition of disability in Title II or Title XVI, Social Security Act. (2) SGA-disabled persons are persons who were once determined to be disabled in accordance with the provisions of the SSI/SSP program (Section 1614, Part A, Title XVI, Social Security Act) and meet both the following conditions: (A) Were eligible for SSI/SSP but became ineligible because of engagement in substantial gainful activity as defined in Title XVI regulations. (B) Continue to suffer from the physical or mental impairment which was the basis of the disability determination.

#### **(1)**

Federally disabled persons are persons who meet the definition of disability in Title II or Title XVI, Social Security Act.

#### **(2)**

SGA-disabled persons are persons who were once determined to be disabled in accordance with the provisions of the SSI/SSP program (Section 1614, Part A, Title XVI, Social Security Act) and meet both the following conditions: (A) Were eligible for SSI/SSP but became ineligible because of engagement in substantial gainful activity as defined in Title XVI regulations. (B) Continue to suffer from the physical or mental impairment which was the basis of the disability determination.

**(A)**

Were eligible for SSI/SSP but became ineligible because of engagement in substantial gainful activity as defined in Title XVI regulations.

**(B)**

Continue to suffer from the physical or mental impairment which was the basis of the disability determination.

**(b)**

Children who are under 18 years of age shall be considered to be disabled if they have any medically determinable physical or mental impairment of comparable severity to that which would make an adult disabled in accordance with (a)(1) or (2).

**(c)**

Eligibility or share of cost determinations effective on or after January 1, 1980 shall be based on the provisions of this Section.