

50338 Other Persons in California Institutions

(a)

Persons living in California institutions, other than persons specified in Section 50334 shall be considered California residents.

(b)

Notwithstanding (a), the Director shall have the authority to determine the state of residence for persons in California institutions in accordance with federal Medicaid regulation 42 CFR 435.403. The determination shall be based upon such factors as the person's age, competency, former state of physical presence and the residence of the person's parents, or in accordance with an interstate agreement entered into by the Director and another state's medical assistance agency. The county department shall, upon request by the Director, obtain the information necessary for the determination to be made.