

50336 Other Persons in Out-of-State Institutions

(a)

The Director shall have the authority to determine the state of residence for a person who is living in an institution in another state when that state's medical assistance agency claims the person is a California resident.

(b)

Applications for Medi-Cal on behalf of the persons specified in (a) shall be referred to the Director by the county department.

(c)

The determination shall be made in accordance with federal Medicaid regulation 42 CFR 435.403, and shall be based upon such factors as the person's age, competency, former state of physical presence, 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.