



## ADMINISTRATIVE RULES OF MONTANA



### **37.82.1102 NON-FINANCIAL REQUIREMENTS, NON- INSTITUTIONALIZED MEDICALLY NEEDY**

- (1) Except as provided in (2) , for groups covered under ARM 37.82.1101 (1) , the AFDC nonfinancial requirements which are set forth in ARM 46.10.301 through 46.10.307, 46.10.320 and 46.10.321 will be used to determine whether:
  - (a) an individual under age 19 is considered a dependent child because he is deprived of parental support or care;
  - (b) an individual is an eligible member of a family with a dependent child; and
  - (c) notwithstanding the above and in accordance with ARM 37.82.1101 (1) (c) , (d) , and (e) , the school attendance requirement found in ARM 46.10.301 and the JOBS participation requirements found in ARM 46.10.805 through 46.10.847 do not apply to this coverage group.
- (2) In the case of individuals under 21 who are ineligible for medicaid under ARM 37.82.701 (1) (b) (iii) and (3) , the nonfinancial requirements for medicaid under this subchapter are as provided in ARM 37.82.701 (3) .
- (3) Except as provided in (4) , for groups under non-institutionalized SSI-related individuals and couples, the SSI nonfinancial requirements which are set forth in 20 CFR, part 416, subparts H and I, will be used to determine whether an individual is aged, blind or disabled.
  - (a) 20 CFR part 416, subpart H, contains the SSI criteria for determining age.
  - (b) 20 CFR part 416, subpart I, contains the SSI criteria for determining blindness and disability.
  - (c) The department hereby adopts and incorporates by reference 20 CFR part 416, subparts H and I. A copy of these federal regulations may be obtained from the Department of Public Health and Human Services, Human and Community Services Division, Public Assistance Bureau, Cogswell Building, 1400 Broadway, P.O. Box 202952, Helena, MT 59620-2952.
- (4) For individuals who, under ARM 37.82.1101 (2) (b) , may meet the December 1973 blindness or disability criteria instead of the current SSI criteria, see ARM 37.82.902 (4) for these.

**Authorizing statute(s):** Sec. 53-6-113, MCA

**Implementing statute(s):** Sec. 53-6-131, MCA

---

**History:** NEW, 1982 MAR p. 729, Eff. 4/16/82; AMD, 1991 MAR p. 265, Eff. 3/1/91; TRANS, from SRS, 2000 MAR p. 476.