

**641—56.4(135) Cost-share component.** Persons determined ineligible for the brain injury services waiver, due to fiscal or functional criteria, or persons who are eligible for the waiver but for whom funding was not authorized or available to provide waiver eligibility are eligible for the cost-share component of the brain injury services program.

**56.4(1)** An individual must meet all of the following requirements:

- a.* The individual is aged one month through 64 years.
- b.* The individual has a diagnosed brain injury as defined in Iowa Code section 135.22.
- c.* The individual is a resident of Iowa and either a United States citizen or a qualified alien as defined in 8 U.S.C. Section 1641.
- d.* The individual must meet the cost-share component's financial eligibility requirements and be willing to pay a cost share for the cost-share component.

**56.4(2)** Cost-share financial eligibility. Countable income shall be used when determining initial and ongoing eligibility for the program. All of the following criteria must be met.

- a.* Individuals who are at 300 percent or below the federal poverty level for a family of the same size will not be assessed a cost share.
- b.* Individuals whose countable income is between 301 percent and 350 percent of the federal poverty level for a family of the same size will be assessed a 10 percent cost share for services that will be payable to the service provider.
- c.* Individuals whose countable income is between 351 percent and 400 percent of the federal poverty level for a family of the same size will be assessed a 20 percent cost share for services that will be payable to the service provider.
- d.* Individuals whose countable income is above 400 percent of the federal poverty level for a family of the same size will be assessed a 30 percent cost share for services that will be payable to the service provider.

**56.4(3)** The cost-share component must be the source of last resort for payment; the program shall not pay for services when the provision of those services is mandated by law or administrative rule to be the responsibility of another governmental unit, private agency or program. Brain injury cost-share services are not available to an individual who receives services or funding under any type of medical assistance home- and community-based services waiver.