

**441—75.54(249A) Eligibility factors specific to child.**

**75.54(1) Age.** Unless otherwise specified at rule 441—75.1(249A), Medicaid shall be available to a needy child under the age of 18 years without regard to school attendance.

*a.* A child is eligible for the entire month in which the child's eighteenth birthday occurs, unless the birthday falls on the first day of the month.

*b.* Medicaid shall also be available to a needy child aged 18 years who is a full-time student in a secondary school, or in the equivalent level of vocational or technical training, and who is reasonably expected to complete the program before reaching the age of 19 if the following criteria are met.

(1) A child shall be considered attending school full-time when enrolled or accepted in a full-time (as certified by the school or institute attended) elementary, secondary or the equivalent level of vocational or technical school or training leading to a certificate or diploma. Correspondence school is not an allowable program of study.

(2) A child shall also be considered to be in regular attendance in months when the child is not attending because of an official school or training program vacation, illness, convalescence, or family emergency. A child meets the definition of regular school attendance until the child has been officially dropped from the school rolls.

(3) When a child's education is temporarily interrupted pending adjustment of an education or training program, exemption shall be continued for a reasonable period of time to complete the adjustment.

**75.54(2) Residing with a relative.** The child shall be living in the home of one of the relatives specified in subrule 75.55(1). When the mother intends to place her child for adoption shortly after birth, the child shall be considered as living with the mother until the time custody is actually relinquished.

*a.* Living with relatives implies primarily the existence of a relationship involving an accepted responsibility on the part of the relative for the child's welfare, including the sharing of a common household.

*b.* Home is the family setting maintained or in the process of being established as evidenced by the assumption and continuation of responsibility for the child by the relative.

**75.54(3) Deprivation of parental care and support.** Rescinded IAB 11/1/00, effective 1/1/01.

**75.54(4) Continuous eligibility for children.**

*a.* A child under the age of 19 who is determined eligible for ongoing Medicaid under subrule 75.1(14), 75.1(15), or 75.1(28) shall retain that eligibility regardless of changes in family income or household composition until the earliest of the following dates:

(1) Twelve months after the month when the department received the household's latest application or review form;

(2) The month of the household's annual eligibility review; or

(3) The month when the child reaches age 19.

*b.* Children entering an existing Medicaid household shall be assigned the same annual eligibility review date as that established for the household.