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services under § 440.160 of this subchapter.

(b) The exclusion of FFP described in paragraph (a) of this section does not apply during that part of the month in which the individual is not an inmate of a public institution or a patient in an institution for mental diseases.

(c) An individual on conditional release or convalescent leave from an institution for mental diseases is not considered to be a patient in that institution. However, such an individual who is under age 22 and has been receiving inpatient psychiatric services under § 440.160 of this subchapter is considered to be a patient in the institution until he is unconditionally released or, if earlier, the date he reaches age 22.

[43 FR 45204, Sept. 29, 1978, as amended at 50 FR 13200, Apr. 3, 1985; 50 FR 38811, Sept. 25, 1985]

**§ 436.1005 Definitions relating to institutional status.**

For purposes of FFP, the definitions in § 435.1009 of this subchapter apply to this part.

**PART 440—SERVICES: GENERAL PROVISIONS**

**Subpart A—Definitions**

Sec.

- 440.1 Basis and purpose.
- 440.2 Specific definitions; definitions of services for FFP purposes.
- 440.10 Inpatient hospital services, other than services in an institution for mental diseases.
- 440.20 Outpatient hospital services and rural health clinic services.
- 440.30 Other laboratory and X-ray services.
- 440.40 Nursing facility services for individuals age 21 or older (other than services in an institution for mental disease), EPSDT, and family planning services and supplies.
- 440.50 Physicians' services and medical and surgical services of a dentist.
- 440.60 Medical or other remedial care provided by licensed practitioners.
- 440.70 Home health services.
- 440.80 Private duty nursing services.
- 440.90 Clinic services.
- 440.100 Dental services.
- 440.110 Physical therapy, occupational therapy, and services for individuals with speech, hearing, and language disorders.

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- 440.120 Prescribed drugs, dentures, prosthetic devices, and eyeglasses.
- 440.130 Diagnostic, screening, preventive, and rehabilitative services.
- 440.140 Inpatient hospital services, nursing facility services, and intermediate care facility services for individuals age 65 or older in institutions for mental diseases.
- 440.150 Intermediate care facility (ICF/MR) services.
- 440.155 Nursing facility services, other than in institutions for mental diseases.
- 440.160 Inpatient psychiatric services for individuals under age 21.
- 440.165 Nurse-midwife services.
- 440.166 Nurse practitioner services.
- 440.167 Personal care services.
- 440.170 Any other medical or remedial care recognized under State law and specified by the Secretary.
- 440.180 Home or community-based services.
- 440.181 Home and community-based services for individuals age 65 or older.
- 440.185 Respiratory care for ventilator-dependent individuals.

**Subpart B—Requirements and Limits Applicable to All Services**

- 440.200 Basis, purpose, and scope.
- 440.210 Required services for the categorically needy.
- 440.220 Required services for the medically needy.
- 440.225 Optional services.
- 440.230 Sufficiency of amount, duration, and scope.
- 440.240 Comparability of services for groups.
- 440.250 Limits on comparability of services.
- 440.255 Limited services available to certain aliens.
- 440.260 Methods and standards to assure quality of services.
- 440.270 Religious objections.

AUTHORITY: Sec. 1102 of the Social Security Act (42 U.S.C. 1302).

SOURCE: 43 FR 45224, Sept. 29, 1978, unless otherwise noted.

**Subpart A—Definitions**

**§ 440.1 Basis and purpose.**

This subpart interprets and implements the following sections of the Act:

- 1905(a) Services included in the term "medical assistance."
- 1905 (c), (d), (f) through (i), (l), and (m) Definitions of institutions and services that are included in the term "medical assistance."
- 1913 "Swing-bed" services. (See §§ 447.280 and 482.66 of this chapter for related provisions on "swing-bed" services.)