

Dept. of Health and Human Services

§ 95.4

- 95.613 Procurement standards.
- 95.615 Access to systems and records.
- 95.617 Software and ownership rights.
- 95.619 Use of ADP systems.
- 95.621 ADP reviews.
- 95.623 Reconsideration of denied FFP for failure to obtain prior approval.
- 95.624 Consideration for FFP in emergency situations.
- 95.625 Increased FFP for certain ADP systems.
- 95.626 Independent Verification and Validation.
- 95.627 Waivers.

FEDERAL FINANCIAL PARTICIPATION IN COSTS OF ADP ACQUISITIONS

- 95.631 Cost identification for purpose of FFP claims.
- 95.633 Nondiscrimination requirements.
- 95.635 Disallowance of Federal financial participation for automated systems that fail to comply substantially with requirements.

EXEMPTIONS

- 95.641 Applicability of rules for charging equipment in subpart G of this part.

Subpart G—Equipment Acquired Under Public Assistance Programs

- 95.701 Purpose and scope of subpart.
- 95.703 Definitions.
- 95.705 Equipment costs—Federal financial participation.
- 95.707 Equipment management and disposition.

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Subpart A—Time Limits for States To File Claims

SOURCE: 46 FR 3529, Jan. 15, 1981, unless otherwise noted.

§ 95.1 Scope.

(a) This subpart establishes a two year time limit (15 months in some cases) for a State to claim Federal financial participation in expenditures under State plans approved under the following titles of the Social Security Act:

Title I—Grants to States for Old-Age Assistance and Medical Assistance for the Aged.

Title IV-A—Grants to States for Aid and Services to Needy Families with Dependent Children (except for Section 402(a)(19)(G) of the Act).

Title IV-B—Child Welfare Services.

Title IV-D—Child Support and Establishment of Paternity.

Title IV-E—Foster Care and Adoption Assistance.

Title X—Grants to States for Aid to the Blind.

Title XIV—Grants to States for Aid to the Permanently and Totally Disabled.

Title XVI—Grants to States for Aid to the Aged, Blind, or Disabled (AABD), or for Such Aid and Medical Assistance for the Aged.

Title XIX—Grants to States for Medical Assistance Programs.

Title XX—Grants to States for Services.

Title XXI—Grants to States for State Children's Health Insurance Programs.

(b) This subpart also applies to claims for Federal financial participation by any State which are based on any provision of the Act that is enacted after issuance of these regulations and that provides, on an entitlement basis, for Federal financial participation in expenditures made under State plans or programs.

(c) This subpart explains under what conditions the Secretary may decide to extend the time limit for filing claims when a State believes it has good cause for not meeting the time limit.

[46 FR 3529, Jan. 15, 1981, as amended at 65 FR 33632, May 24, 2000]

§ 95.4 Definitions.

In this subpart—

Adjustment to prior year costs means an adjustment in the amount of a particular cost item that was previously claimed under an interim rate concept and for which it is later determined that the cost is greater or less than that originally claimed.

Audit exception means a proposed adjustment by the responsible Federal agency to any expenditure claimed by a State by virtue of an audit.

Claim means a request for Federal financial participation in the manner and format required by our program regulations, and instructions or directives issued thereunder.

Court-ordered retroactive payment means either a retroactive payment the State makes to an assistance recipient or an individual, under a Federal or State court order or a retroactive payment we make to a State under a Federal court order. Although