
INSTITUTIONALIZATION

PUBLIC INSTITUTIONS

- A. GENERAL
(42 CFR
435.1008
and 1009)**
- Federal Financial Participation (FFP) is not available for services provided to individuals who are inmates of public institutions. An inmate of a public institution is a person who is living in or under the direct control of a public institution. A public institution means an institution that is the responsibility of a governmental unit or over which a governmental unit exercises administrative control.
- B. INSTITUTIONS
NOT
CONSIDERED
PUBLIC
INSTITUTIONS**
- The following are not public institutions and FFP is possible for individuals who reside in such a facility if all other factors of eligibility are met.
- 1. Medical
Institution**
- A medical institution is one organized to provide medical care, including nursing and convalescent care, that is Title XIX approved, such as hospitals, nursing facilities and extended care facilities.
- 2. Publicly
Operated
Community
Residence
That Serves
No More
Than 16**
- In general, this means it is designed to serve no more than 16 residents and provides some services beyond food and shelter such as social services, help with personal living activities, or training in socialization and life skills. Occasional medical or remedial care may also be provided.
- Residential facilities located on the grounds of or adjacent to any large institution and correctional or holding facilities for prisoners or individuals being held under court order as witnesses or juveniles are considered public institutions and are not eligible for FFP.

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- 3. Child Care Institutions** Child care institution means a non-profit private child-care institution, or a public child-care institution that accommodates no more than twenty-five children, which is licensed by the State in which it is situated, or has been approved by the agency of the State responsible for licensing or approval of institutions of this type, as meeting the standards established for licensing. The term does not include detention facilities, forestry camps, training schools or any other facility operated primarily for the detention of children who are determined to be delinquent.
- 4. Foster Family Homes** Children receiving foster care payments under Title IV-E of the Social Security Act or who receive AFDC-foster care under Title IV-A of the Social Security Act and who reside in a child care institution described above are not residing in a public institution.
- 5. Institution for the Mentally Retarded or Related Conditions** Institution for the mentally retarded or persons with related conditions means an institution (or distinct part of an institution) that -
- Is primarily for the diagnosis, treatment, or rehabilitation of the mentally retarded or persons with related conditions; and
 - Provides, in a protected residential setting, ongoing evaluation, planning, 24-hour supervision, coordination, and integration of health or rehabilitative services to help each individual function at his greatest ability.