**Section 535.115 Determination of Eligibility**

An individual who is a resident in a nursing home during one or more days after June 30, 1992 and before July 1, 1993 is eligible to receive assistance under the Act if he or she meets the following criteria:

a) For each day for which nursing home grant assistance is sought, the individual's nursing home care was not paid for, in whole or in part, by a federal, State, or combined federal-State medical care program (other than Medicare Part B benefits); and

b) *The individual's annual adjusted gross income, after payment of expenses for nursing home care, does not exceed 250% of the federal poverty guidelines for an individual as published annually by the U.S. Department of Health and Human Services for purposes of determining Medicaid eligibility.* (Section 5 of the Act)