**Section 240.755 Residence**

a) To be eligible for CCP, a participant must be a resident of the State of Illinois as defined in Section 2-10 of the Public Aid Code [305 ILCS 5].

b) Only those persons who are legally admitted to the U.S. can be found to be residents of the State of Illinois. The residency of a participant is based on 1 of the following factors:

1) A participant whose residence is located in Illinois, butwhose U.S. Post Office address indicates a state other than Illinois (i.e., a participant residing near the State line), is a resident of Illinois;

2) An individual currently living in Illinois and receiving a State Supplementary Payment (as defined in 42 CFR 435.4), Mandatory State Supplement or Optional State Supplement from a different state, is not a resident of Illinois for purposes of CCP eligibility;

3) A participant who is incapable of stating his/her intent to remain in Illinois is a resident of Illinois if he/she currently lives in Illinois.

c) Illinois cannot deny eligibility to a participant who, although currently residing in Illinois, has not lived in this State for a specific period of time. An Illinois resident who is temporarily absent from the State retains Illinois residency if the individual intends to return to Illinois when the reason for the absence is accomplished. If an individual remains outside of Illinois for a continuous period of more than 12 months, he/she will provide evidence (e.g., a copy of his/her most recent State Income Tax return) documenting that the absence was not due to an intent to change his/her residency.

d) Illinois cannot deny eligibility to a participant who is temporarily absent from Illinois and plans to return when the purpose of his/her absence has been completed unless the absence will exceed 60 calendar days or unless the other state has determined that the participant is a resident of that state.

(Source: Amended at 42 Ill. Reg. 20653, effective January 1, 2019)