**Section 140.483 Limitations on Family Planning Services**

Payment for sterilization procedures shall be made only under the following conditions:

a) When informed consent as defined under Federal regulations for the Medicaid program (42 CFR 441.250 - 441.259) is given and a consent form acceptable under Federal regulations is properly signed and witnessed by the patient, a witness, and the surgeon not less than 30 days or more than 180 days or in cases of premature delivery or emergency abdominal surgery not less than 72 hours prior to completion of the surgical procedure. In the case of premature delivery, the informed consent must have been given at least 30 days before the expected date of delivery.

b) The patient must have attained the age 21 years.

c) The patient must be mentally competent to render consent for sterilization procedure.