

**MANUAL MATERIAL TRANSMITTED**

**MANUAL:** INCOME MAINTENANCE

**CHANGE NUMBER:** 73

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**INSERT OR CHANGE**

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In Section 10.4,A, the policy regarding earned income reported on a QR form which is used in the budgeting process has been corrected to correspond with a recently issued change to Section 7.4,A,3.

In Section 10.5, AFDC/U has been changed to TANF, where appropriate. The Medicaid coverage group, Medicaid for AFDC/U Recipients, has been changed to AFDC/U Medicaid throughout Chapter 10 and the financial eligibility determination policy has been added. This will preserve the former AFDC/U income policy in the manual in the event that TANF policy is changed and is no longer the same as AFDC/U. The policy for AFDC/U Medicaid is the same as that of the former AFDC/U program, with the intent that persons who meet the eligibility requirements for AFDC/U assistance, as the program existed on July 16, 1996, still qualify for AFDC/U Medicaid. This coverage group is not to be confused with AFDC/U-Related Medicaid which has different requirements.

The Child Support Incentive was added to Sections 10.5,C,3 and 10.24,C,2. This is a terminology change only and it remains an unearned income disregard.

A change was made in Section 9.21,A,3 regarding the child of a minor parent who receives an Independent Living Subsidy. The parent does not have to be a minor for the child to be ineligible.

Section 10.24 has been reorganized and new items added. A new Section 10.24,C, "Determining Eligibility and Benefit Level", was added. The item titled "Marriage Incentive" was removed from Chapter 24 and is now found in Section 10.24,C. Please read this Section carefully as much of the information was not previously contained in Chapter 10 for WV WORKS. Deeming was added to the Special Situations section and the Lump Sum policy was corrected. The policy for Unstated Income for WV WORKS was corrected. Please read this item carefully.

Clarification has been added to Sections 10.21,D,11,c and 10.22,D,11,c about the use of portions of old unpaid bills to meet spenddown and the use of bills which have been turned over to a collection agency.

The titles of Appendices F and G were changed, as were the column headings, to accurately reflect the contents. The charts now reflect the amount of the reduction which is subtracted in the calculations to correspond with the explanation of how the amount of the WV WORKS benefit is determined and the computation sheet, IM-WVW-1.

Questions should be directed to the IM Policy Unit in the Office of Family Support.

- o Education or training opportunities may be available and appropriate for the minor parent elsewhere.

When the minor parent demonstrates good cause for not living with a parent, eligibility may be established by living with another adult relative, a legal guardian or in an alternative living arrangement that is supervised by an unrelated adult.

When the alternative living arrangement is a maternity or other group home, the home must be supervised and licensed by the State.

When the alternative living arrangement involves living with or living in a setting supervised by an unrelated adult, the supervising adult must meet all of the following requirements:

- o Does not receive TANF or WV WORKS benefits;
  - o Is the same sex as the minor parent, or the minor parent lives or is supervised by a married couple;
  - o Is employed;
  - o Is at least 15 years older than the minor parent;
  - o Has a negative Protective Services record;
  - o Has no criminal record, as determined by a CIB report.
- Individuals convicted in federal or state court of having made a fraudulent statement or representation about residence to receive TANF, WV WORKS, Medicaid, Food Stamps or SSI are ineligible for 10 years from the date of the conviction. The conviction must have occurred on or after 8/23/96.
  - Individuals who are fleeing to avoid prosecution, or custody/confinement after conviction, for a felony or an attempt to commit a felony
  - Individuals who are violating a condition of probation or parole which was imposed under federal or state law.

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SOURCE OF INCOME	CONSIDERED AS INCOME FOR:			
	FOOD STAMPS	TANF, DEEMED AFDC/U-TANF, AFDC/U MEDICAID, TM, QC, P.L. PW AND CHILDREN, AFDC/U-RELATED MEDICAID	PAC, QMB, SLIMB, QDWI, CDCS, AIDS PROGRAMS, SSI-RELATED MEDICAID	WV WORKS; DCA Eligibility
A. ACE	See Domestic Volunteer Act	See Domestic Volunteer Act	See Domestic Volunteer Act	See Domestic Volunteer Act
B. ADOPTION ASSISTANCE	Unearned	Unearned. See Chapter 9.	No	Unearned.
C. ADULT FAMILY CARE PROVIDER INCOME	Earned if an employee; Self-Employment	Earned if an employee; Self-Employment	Earned if an employee; Self-Employment	Earned if an employee; Self-Employment
D. ADVANCE PAY	See Employment	See Employment	See Employment	See Employment
E. AGENT ORANGE PAYMENT PROGRAM	No	No	No	No
F. AGRICULTURAL STABILIZATION AND CONSERVATION PROGRAMS	Unearned	Unearned	Unearned	Unearned
G. ALASKAN NATIVE CLAIMS SETTLEMENT ACT PAYMENTS	No	No	No	No
H. ALLOTMENTS DIVERTED FROM:				
1. Military	1. Unearned	1. Unearned	1. Unearned	1. Unearned
2. Job Corps	2. Unearned	2. Unearned	2. Unearned	2. Unearned

SOURCE OF INCOME	CONSIDERED AS INCOME FOR:			
	FOOD STAMPS	TANF, DEEMED AFDC/U-TANF, AFDC/U MEDICAID, TM, QC, P.L. PW AND CHILDREN, AFDC/U-RELATED MEDICAID	PAC, QMB, SLIMB, QDWI, CDCS, AIDS PROGRAMS, SSI-RELATED MEDICAID	WV WORKS; DCA Eligibility

K. CASH CONTRIBUTIONS FROM:				
1. Individuals	1.	1.	1.	1.
a. Not For Shared Household Expenses	a. Unearned	a. Unearned	a. Unearned	a. Unearned
b. For Shared Household Expenses	b. No	b. No	b. No	b. No
2. Charitable Organizations	2. No, unless the amount exceeds \$300 in a federal fiscal quarter. If so, the amount over \$300 is counted as unearned in the month of receipt. A federal fiscal quarter is defined as a period of three consecutive calendar months beginning with January, April, July or October.	2. Unearned	2. Unearned	2. Unearned



SOURCE OF INCOME	CONSIDERED AS INCOME FOR:			
	FOOD STAMPS	TANF, DEEMED AFDC/U-TANF, AFDC/U MEDICAID, TM, QC, P.L. PW AND CHILDREN, AFDC/U-RELATED MEDICAID	PAC, QMB, SLIMB, QDWI, CDCS, AIDS PROGRAMS, SSI-RELATED MEDICAID	WV WORKS; DCA Eligibility

U. DIVIDENDS	Unearned, whether or not the benefit group actually collects them.	Unearned	Unearned	Unearned, whether or not the benefit group actually collects them.
V. DOMESTIC VOLUNTEER ACT OF 1973				
1. Title I (VISTA, ACTION, University Year of Action, Urban Crime Prevention Program)	1. Earned EXCEPTION: Excluded if the volunteer was eligible for or receiving AFDC/U, TANF, WV WORKS, FS or Medicaid at the time he joined. Once a determination is made, temporary interruptions in benefits do not alter the exclusion.	1. Earned EXCEPTION: Excluded if the volunteer was eligible for or receiving AFDC/U, TANF, WV WORKS, FS or Medicaid at the time he joined. Once a determination is made, temporary interruptions in benefits do not alter the exclusion.	1. Earned EXCEPTION: Excluded if the volunteer was eligible for or receiving AFDC/U, TANF, WV WORKS, FS or Medicaid at the time he joined. Once a determination is made, temporary interruptions in benefits do not alter the exclusion.	1. Earned EXCEPTION: Excluded if the volunteer was eligible for or receiving AFDC/U, TANF, WV WORKS, FS or Medicaid at the time he joined. Once a determination is made, temporary interruptions in benefits do not alter the exclusion.
2. Title II (RSVP, Foster Grandparents and Others)	2. No	2. No	2. No	2. No
3. Title III (SCORE and ACE)	3. No	3. No	3. No	3. No

SOURCE OF INCOME	CONSIDERED AS INCOME FOR:			
	FOOD STAMPS	TANF, DEEMED AFDC/U-TANF, AFDC/U MEDICAID, TM, QC, P.L. PW AND CHILDREN, AFDC/U-RELATED MEDICAID	PAC, QMB, SLIMB, QDWI, CDCS, AIDS PROGRAMS, SSI-RELATED MEDICAID	WV WORKS; DCA Eligibility
<p>Y. EDUCATIONAL INCOME</p> <p>1. Funded Under Title IV of the Higher Education Act or Bureau of Indian Affairs</p> <p>2. Funded From Other Than Title IV or Bureau of Indian Affairs</p> <p>a. College Work Study (CWS) - Non Title IV</p> <p>b. Other Than CWS</p>	<p>1. No</p> <p>2. See below.</p> <p>a. Earned, unless used for educational expenses. See program section.</p> <p>b. Unearned. See program section.</p>	<p>1. No</p> <p>2. See below.</p> <p>a. Earned, unless used for educational expenses. See program sections.</p> <p>b. Unearned. See program sections.</p>	<p>1. No</p> <p>2. See below.</p> <p>a. Earned, unless used for educational expenses. See program sections.</p> <p>b. Unearned. See program sections.</p>	<p>1. No</p> <p>2. See below.</p> <p>a. Earned, unless used for educational expenses. See program section.</p> <p>b. No</p>
Z. EMERGENCY ASSISTANCE FROM DHHR	No	No	No	No
<p>AA. EMERGENCY CHILD CARE PROVIDER INCOME</p> <p>1. Monthly Payment for Beds Maintained</p> <p>2. Per Diem Rate for Each Child Placed In Shelter</p>	<p>1. Self-Employment</p> <p>2. No</p>	<p>1. Self-Employment</p> <p>2. No</p>	<p>1. Self-Employment</p> <p>2. No</p>	<p>1. Self-Employment</p> <p>2. Self-Employment</p>

SOURCE OF INCOME	CONSIDERED AS INCOME FOR:			
	FOOD STAMPS	TANF, DEEMED AFDC/U-TANF, AFDC/U MEDICAID, TM, QC, P.L. PW AND CHILDREN, AFDC/U-RELATED MEDICAID	PAC, QMB, SLIMB, QDWI, CDCS, AIDS PROGRAMS, SSI-RELATED MEDICAID	WV WORKS; DCA Eligibility

BB. EMPLOYMENT (Continued)	EXCEPTIONS: NOT COUNTED AS INCOME IF:	EXCEPTIONS: NOT COUNTED AS INCOME IF:	EXCEPTIONS: NOT COUNTED AS INCOME IF:	EXCEPTIONS: NOT COUNTED AS INCOME IF:
	<ul style="list-style-type: none"> <li>- Under 18 years old; and</li> </ul> <p><b>NOTE:</b> Income is not counted until the month following the month in which the child turns 18.</p> <ul style="list-style-type: none"> <li>- Resides with a natural, adoptive or stepparent, as a member of the same benefit group or as a separate benefit group; or resides under the parental control of an adult benefit group member other than a parent; and</li> <li>- Is enrolled in elementary or secondary school or a program for completion of a GED at least half-time, as defined by the school.</li> </ul>	<ul style="list-style-type: none"> <li>- Dependent child and</li> <li>- Full-time student</li> </ul> <p>Earned income of an applicant dependent child who is a full-time student is excluded from the 185% and the 100% of Need tests for up to six months per calendar year. The months need not be consecutive months.</p> <p>This full-time student exclusion does not expand the six-month limitation on the exclusion of JTPA earnings. See JTPA. Earned income of a dependent child participating in JTPA is still disregarded for a maximum of six months for JTPA earnings, not six months for JTPA and an additional six months for the full-time student exclusion for the same income</p>	<ul style="list-style-type: none"> <li>- Under 22; and</li> <li>- Blind or disabled; and</li> <li>- Regularly attending school designed to prepare client for gainful employment</li> </ul> <p><b>NOTE:</b> Income is not counted until the month following the month in which the individual becomes 22.</p>	<ul style="list-style-type: none"> <li>- Child or parent under age 18; and</li> <li>- Is enrolled in secondary school or a program for completion of a GED.</li> </ul> <p><b>NOTE:</b> Income is not counted until the month following the month in which the individual becomes 18 or is no longer enrolled in school or a GED program.</p>

SOURCE OF INCOME	CONSIDERED AS INCOME FOR:			
	FOOD STAMPS	TANF, DEEMED AFDC/U-TANF, AFDC/U MEDICAID, TM, QC, P.L. PW AND CHILDREN, AFDC/U-RELATED MEDICAID	PAC, QMB, SLIMB, QDWI, CDCS, AIDS PROGRAMS, SSI-RELATED MEDICAID	WV WORKS, DCA Eligibility
BB. EMPLOYMENT (Continued)		excluded when the child is a half-time student who is not employed at least 30 hours per week. A half-time student is defined as being enrolled in and attending school or training at least half-time as defined by the institution.		
2. Self-Employment	2. Earned. This includes the new proceeds from the sale of capital goods and equipment.	2. Earned	2. Earned	2. Earned
3. Income earned from work supplementation or supported work program	3.	3.	3.	3.
a. TANF or WV WORKS check  The portion of the TANF or WV WORKS check that is diverted or received as a result of participation in one of the above programs.	a. Unearned	a. No	a. No	a. No
b. Non-TANF or Non-WV WORKS check	b. Earned	b. Earned	b. Earned	b. Earned

SOURCE OF INCOME	CONSIDERED AS INCOME FOR:			
	FOOD STAMPS	TANF, DEEMED AFDC/U-TANF, AFDC/U MEDICAID, TM, QC, P.L. PW AND CHILDREN, AFDC/U-RELATED MEDICAID	PAC, QMB, SLIMB, QDWI, CDCS, AIDS PROGRAMS, SSI- RELATED MEDICAID	WV WORKS; DCA Eligibility
HH. GSYF (Governor's Summer Youth Program)	See JTPA	See JTPA	See JTPA	See JTPA
II. HUD (Housing and Urban Development)  See Youthbuild Program	No	No	No	No, unless a rent or utility supplement is paid directly to the client. If so, it is counted as unearned income.
JJ. INCOME PROTECTION INSURANCE PROCEEDS	Unearned	Unearned	Unearned	Unearned
KK. INCOME TAX REFUNDS	No	No	No	No
LL. INDEPENDENT LIVING SUBSIDY (Paid Through The Office of Social Services of DHHR)	Unearned	No	No	N/A  See Section 9.21,A,3.



SOURCE OF INCOME	CONSIDERED AS INCOME FOR:			
	FOOD STAMPS	TANF, DEEMED AFDC/U-TANF, AFDC/U MEDICAID, TM, QC, P.L. PW AND CHILDREN, AFDC/U-RELATED MEDICAID	PAC, QMB, SLIMB, QDWI, CDCS, AIDS PROGRAMS, SSI-RELATED MEDICAID	WV WORKS; DCA Eligibility
<p>QQ. JTPA (Continued)</p> <p>b. Child</p>	<p>Those who are under 19 and under the parental control of another adult member have their earnings excluded.</p> <p>b. No, when the child is:</p> <ul style="list-style-type: none"> <li>- under 19 years of age</li> <li>- under the parental control of an adult member of the benefit group. School attendance is not a consideration.</li> </ul>	<p>b. No. Earned income under JTPA-funded programs paid to a dependent child is disregarded in all steps of the eligibility determination process for a maximum of six months during any calendar year. These six months need not be consecutive months. See Employment.</p>	<p>b. No, unless income is from an on-the-job training program. If not excluded, it is earned. See Employment.</p>	<p>b. No, unless:</p> <ul style="list-style-type: none"> <li>- The income is from OJT; and</li> <li>- The child or parent is age 18 or older; or</li> <li>- The individual is not enrolled in secondary school or a program for completion of a GED.</li> </ul> <p>If not excluded, it is earned. See Employment.</p>
<p>2. Training Allowances, Reimbursements and Incentive Payments</p>	<p>2. No</p>	<p>2. No</p>	<p>2. No</p>	<p>2. No</p>
<p>RR. LIEAP (LOW-INCOME ENERGY ASSISTANCE)</p>	<p>No</p>	<p>No</p>	<p>No</p>	<p>No</p>

SOURCE OF INCOME	CONSIDERED AS INCOME FOR:			
	FOOD STAMPS	TANF, DEEMED AFDC/U-TANF, AFDC/U MEDICAID, TM, QC, P.L. PW AND CHILDREN, AFDC/U-RELATED MEDICAID	PAC, QMB, SLIMB, QDWI, CDCS, AIDS PROGRAMS, SSI-RELATED MEDICAID	WV WORKS; DCA Eligibility

NN. IN-KIND PAYMENTS	No	No	No	No
OO. INSURANCE PROCEEDS	See Personal Injury Awards or Replacement of Property	See Personal Injury Awards or Replacement of Property	See Personal Injury Awards or Replacement of Property	See Personal Injury Awards or Replacement of Property
PP. INTEREST INCOME	Unearned, including the amount left to accumulate.	Unearned, including the amount left to accumulate.	Unearned, including the amount left to accumulate.  <b>EXCEPTION:</b> Accumulated interest which becomes part of excluded burial funds is not counted as income.	Unearned, including the amount left to accumulate.

SOURCE OF INCOME	CONSIDERED AS INCOME FOR:			
	FOOD STAMPS	TANF, DEEMED AFDC/U-TANF, AFDC/U MEDICAID, TM, QC, P.L. PW AND CHILDREN, AFDC/U-RELATED MEDICAID	PAC, QMB, SLIMB, QDWI, CDCS, AIDS PROGRAMS, SSI-RELATED MEDICAID	WV WORKS; DCA Eligibility
UU. NAZI PERSECUTION VICTIMS PAYMENTS  This may include, but is not limited to:  - Austrian Social Insurance Payments - German Reparations Payments - Netherlands WUV Payments	No	No	No	No
VV. OLDER AMERICANS ACT - COMMUNITY SERVICE EMPLOYMENT (CSEP) UNDER TITLE V	No	Earned	Earned	No
WW. PENSIONS	Unearned. Count gross.	Unearned. Count balance after subtracting mandatory payroll deductions.	Unearned. Count gross.	Unearned. Count gross.
XX. PERSONAL CARE PROVIDER INCOME	Earned if an employee; Self-Employment	Earned if an employee; Self-Employment.	Earned if an employee; Self-Employment	Earned if an employee; Self-Employment.
YY. PERSONAL INJURY AWARDS  (Insurance settlements and other compensation)	No, treated as a lump sum payment. See program section.	Unearned, treated as a lump sum payment. See program sections.	Unearned, treated as a lump sum payment. See program sections.	Unearned, treated as a lump sum payment. See program sections.
ZZ. RAILROAD RETIREMENT	Unearned	Unearned	Unearned	Unearned
AAA. RENTER'S INSURANCE PROCEEDS	See Replacement of Property	See Replacement of Property	See Replacement of Property	See Replacement of Property

SOURCE OF INCOME	CONSIDERED AS INCOME FOR:			
	FOOD STAMPS	TANF, DEEMED AFDC/U-TANF, AFDC/U MEDICAID, TM, QC, P.L. PW AND CHILDREN, AFDC/U-RELATED MEDICAID	PAC, QMB, SLIMB, QDWI, CDCS, AIDS PROGRAMS, SSI-RELATED MEDICAID	WV WORKS; DCA Eligibility
<p>EEE. RENTAL INCOME (also see Roomer/Boarder Provider Income)</p> <p>1. Non-business (Not self-employed in the rental business.)</p> <p>2. Business</p>	<p>1. Unearned, unless a member of the benefit group is actively engaged in managing the rental property at least an average of 20 hours per week. Even when unearned, it is considered self-employment. See program section.</p> <p>2. Earned. See program section.</p>	<p>1. Earned, unless the rental property is managed by a rental agency, and the client receives only the profit. If so, unearned income.</p> <p>2. Earned, unless the rental property is managed by a rental agency and the client receives only the profit. If so, unearned income. See program sections.</p>	<p>1. Unearned. See Self-Employment in program sections.</p> <p>2. Earned. See program section.</p>	<p>1. Earned</p> <p>2. Earned, unless the rental property is managed by a rental agency and the client receives only the profit. If so, unearned income. See program section.</p>
<p>FFF. REPLACEMENT OF PROPERTY BENEFITS</p> <p>(From insurance companies, federal or state agencies, public or private organizations or other individuals.)</p>	<p>No, when it is received for the purpose of replacing or repairing an asset which is lost, stolen or damaged. If it is not used for the above purpose, it is counted as a lump sum payment.</p>	<p>No, when it is received for the purpose of replacing or repairing an asset which is lost, stolen or damaged. If it is not used for the above purpose, it is counted as a lump sum payment.</p>	<p>No, when it is received for the purpose of replacing or repairing an asset which is lost, stolen or damaged. If it is not used for the above purpose, it is counted as a lump sum payment.</p>	<p>No, when it is received for the purpose of replacing or repairing an asset which is lost, stolen or damaged. If it is not used for the above purpose, it is counted as a lump sum payment.</p>

SOURCE OF INCOME	CONSIDERED AS INCOME FOR:			
	FOOD STAMPS	TANF, DEEMED AFDC/U-TANF, AFDC/U MEDICAID, TM, QC, P.L. PW AND CHILDREN, AFDC/U-RELATED MEDICAID	PAC, QMB, SLIMB, QDWI, CDCS, AIDS PROGRAMS, SSI-RELATED MEDICAID	WV WORKS; DCA Eligibility
NNN. SICK BENEFITS FROM EMPLOYER	Earned, if received while still employed. Unearned, if received after employment is terminated. Count gross.	Earned. EXCEPTION: Any portion attributed to the employee's own contribution is unearned income.	Unearned. EXCEPTION: Sick pay received from an employer or third party, within the first 6 months of the last day worked, is earned income. However, any portion of the above sick pay that is attributed to the employee's own contribution is considered unearned income.	Earned.
000. SOCIAL SECURITY PAYMENTS	Unearned. See RSDI.	Unearned. See RSDI.	Unearned. See RSDI.	Unearned. See RSDI.
PPP. SPOUSAL SUPPORT OR ALIMONY  Note: Separate entry for Child Support	Unearned	Unearned	Unearned	Unearned

SOURCE OF INCOME	CONSIDERED AS INCOME FOR:			
	FOOD STAMPS	TANF, DEEMED AFDC/U-TANF, AFDC/U MEDICAID, TM, QC, P.L. PW AND CHILDREN, AFDC/U-RELATED MEDICAID	PAC, QMB, SLIMB, QDWI, CDCS, AIDS PROGRAMS, SSI-RELATED MEDICAID	WV WORKS; DCA Eligibility
QQQ. SSI (SUPPLEMENTAL SECURITY INCOME) (Continued)	funds are deposited there at the discretion of the representative payee.			
RRR. STRIKE BENEFITS	Unearned	Unearned	Unearned	N/A
SSS. TANF PAYMENTS				
1. Ongoing Payments	1. Unearned. Do not count amount of special needs added to TANF check. Enter in Block 54 of C-219 system.	1. Payments from other states are counted as unearned income.	1. No	1. Payments from other states are counted as unearned income
2. Corrective and Retro-active Payments	2. No, except a payment received in the month for which it is intended	2. No	2. No	2. No

SOURCE OF INCOME	CONSIDERED AS INCOME FOR:			
	FOOD STAMPS	TANF, DEEMED AFDC/U-TANF, AFDC/U MEDICAID, TM, QC, P.L. PW AND CHILDREN, AFDC/U-RELATED MEDICAID	PAC, QMB, SLIMB, QDWI, CDCS, AIDS PROGRAMS, SSI-RELATED MEDICAID	WV WORKS; DCA Eligibility
WWW. UNIFORM GIFTS TO MINORS ACT (Income Disbursements)	Unearned	Unearned	Unearned	Unearned
XXX. UNSTATED INCOME (See Definitions)	No	No	Unearned. See program sections.	Unearned. See program section.
YYY. UNIVERSITY YEAR OF ACTION	See Domestic Volunteer Act	See Domestic Volunteer Act	See Domestic Volunteer Act	See Domestic Volunteer Act
ZZZ. URBAN CRIME PREVENTION PROGRAM	See Domestic Volunteer Act	See Domestic Volunteer Act	See Domestic Volunteer Act	See Domestic Volunteer Act
AAAA. U.S. ACTION AGENCY (Payments To Volunteers)	No	No	Unearned	No
BBBB. U.S. SAVINGS BONDS	No	No	Unearned, when the bond can be cashed and it was received as a gift. Otherwise, no.	No
CCCC. VACATION PAY	See Employment	See Employment	See Employment	See Employment
DDDD. VETERAN'S COMPENSATION OR PENSION	Unearned	Unearned	Unearned	Unearned
EEEE. VISTA	See Domestic Volunteer Act	See Domestic Volunteer Act	See Domestic Volunteer Act	See Domestic Volunteer Act
FFFF. WIC	No	No	No	No
GGGG. WINNINGS (Prizes, Awards, Lottery, Bingo, Gambling, etc.)	Unearned	Unearned, treated as a lump sum payment.	Unearned, treated as a lump sum payment.	Unearned, treated as a lump sum payment.

SOURCE OF INCOME	CONSIDERED AS INCOME FOR:			
	FOOD STAMPS	TANF, DEEMED AFDC/U-TANF, AFDC/U MEDICAID, TM, QC, P.L. PW AND CHILDREN, AFDC/U-RELATED MEDICAID	PAC, QMB, SLIMB, QDWI, CDCS, AIDS PROGRAMS, SSI-RELATED MEDICAID	WV WORKS; DCA Eligibility
<p>KKKK. WV WORKS PAYMENTS</p> <p>1. Ongoing Payments</p> <p>2. Corrective and Retro-active Payments</p>	<p>1. Unearned. Do not count amount of special needs added to WV WORKS check. Enter in Block 54 of C-219 system. The marriage incentive, as part of the WV WORKS check, is not a special need and is counted.</p> <p>2. No, except a payment received in the month for which it is intended</p>	<p>1. Payments from other states are counted as unearned income.</p> <p>2. No</p>	<p>1. No</p> <p>2. No</p>	<p>1. Payments from other states are counted as unearned income</p> <p>2. No</p>
<p>LLLL. YOUTHBUILD PROGRAM (HUD)</p>	<p>See JTPA</p>	<p>See JTPA</p>	<p>See JTPA</p>	<p>See JTPA</p>



## 10.4 FOOD STAMP PROGRAM

This Section contains specific instructions for determining countable income and the amount of the Food Stamp benefit.

### A. BUDGETING METHOD

For the purpose of arriving at the amount of income available to the benefit group, it is first necessary to determine which month's income is used in the calculation.

**NOTE:** Treatment of income of persons employed under an annual contract and of migrant farm workers with seasonal employment requires special instructions. Consult the Table of Contents for Special Situations for the Food Stamp Program.

Procedures used to determine the monthly amount of income are the same for all benefit groups, whether or not the case participates in the QR process. The only difference is that benefit groups required to QR must report all earned and unearned income received in the two (2) months prior to the month the report is due. Only the earned income received in the month prior to the month the report is due must be verified.

For QR and non-QR cases, income is projected. For QR cases, the projected amount is based on information reported on the QR form.

For both groups, if the client does not report any anticipated change in the source or amount of income, reported income from each source is averaged and converted to a monthly amount. Averaged and converted income from all earned income sources is added together. Averaged and converted income from all unearned income sources is also added together. This process determines the total monthly earned and unearned income which is projected for the next quarter (QR cases), or until a change is reported (non-QR cases). For QR cases, unearned income and all reported earned income for any month(s) in the quarter is used in this process.

**NOTE:** Earned income for the 2nd month of the QR period must be verified for a complete QR form, but all reported earned income is used, even when not verified.

Any client who reports an anticipated change in income will have his income projected based on that change.

The following steps are used to determine projected monthly income:

## 10.5 TANF

This Section contains specific instructions for determining countable income and the benefit level for TANF.

### A. BUDGETING METHOD

For the purpose of arriving at the amount of income available to the benefit group, it is first necessary to determine which month's income is used in the calculation.

**NOTE:** Treatment of income of persons employed under an annual contract and of migrant farm workers with seasonal employment requires special instructions. Consult the Table of Contents for Special Situations for TANF.

Procedures used to determine the monthly amount of income are the same for all benefit groups, whether or not the case participates in the QR process. The only difference is that benefit groups required to QR must report all earned and unearned income received in the two (2) months prior to the month the report is due. Only the earned income received in the month prior to the month the report is due must be verified.

For QR and non-QR cases, income is projected. For QR cases, the projected amount is based on information reported on the QR form.

For both groups, if the client does not report any anticipated change in the source or amount of income, reported income from each source is averaged and converted to a monthly amount. Averaged and converted income from all earned income sources is added together. Averaged and converted income from all unearned income sources is also added together. This process determines the total monthly earned and unearned income which is projected for the next quarter (QR cases), or until a change is reported (non-QR cases). For QR cases, only unearned income and verified earned income from the first and/or second month prior to the month the QR form is due is used in the process.

Any client who reports an anticipated change in income will have his income projected based on that change.

The following steps are used to determine projected monthly income:

Step 1: Determine each income source.

Projected income is determined as follows.

Step 1: See above.

Step 2: See above.

Step 3: Earnings of  $\$700 \div 4 = \$175$  average.  
UCI of  $\$150 \div 2 = \$75$  average.  
Earnings of  $\$1200 \div 12 = \$100$  average.

Step 4: Weekly earnings of  $\$175 \times 4.3 = \$752.50$  converted.  
Biweekly UCI of  $\$75 \times 2.15 = \$161.25$  converted.  
Annual contract earnings =  $\$100$  converted.

Step 5:  $\$752.50$   
 $+100.00$   
 $\$852.50$  Projected monthly earned income

Step 6:  $\$161.25$  Projected monthly unearned income

B. INCOME DISREGARDS AND DEDUCTIONS

The following disregards and deductions are applied to income.

1. Earned Income

**NOTE:** Failure without good cause to supply information about, or verification of, the earned income of benefit group members and sanctioned persons by the seventh of the month the QR form is due, means the earned income disregards and deductions are not applied to the income earned during the report period, even if it is provided within the 13-day notice period. These months count, however, as three of the four consecutive months of receipt of the  $\$30 + 1/3$  Disregard.

In addition, if new employment is not reported, without good cause, within 10 days of the date a benefit group member or sanctioned person begins the employment, the earned income disregards and deductions are not applied to any month's income for which earnings were not reported. These same disregards and deductions are not applied to any earnings received during the time the employment is unreported. Each month of no disregards and deductions counts as one of the four consecutive months of the  $\$30 + 1/3$  Earned Income Disregard.

limit, he is not eligible for the Disregard again after the original expiration date, until the case is inactive for 12 consecutive months.

When the case is closed for any other reason prior to the fourth month, the individual is eligible for another 4 consecutive months of this Disregard.

**EXAMPLE:** An individual received the \$30 + 1/3 Disregard for income he received in May and June. He received no income in July due to a layoff. He returns to work in December and the \$30 + 1/3 Disregard is again applied to his income for 4 consecutive months.

c. \$30 Disregard

After the \$30 + 1/3 Disregard has been applied in 4 consecutive months, the \$30 disregard continues for 8 consecutive months. At the end of 8 consecutive months, an individual is not eligible to receive the \$30 Disregard again until he has been a non-recipient of TANF for 12 consecutive months.

This 8-month period continues whether the \$30 Disregard is actually applied or not.

**EXAMPLE:** A recipient goes to work in January. He receives the \$30 + 1/3 Disregard for income received in January, February, March and April. The \$30 Disregard begins in May. In July, the client loses his job. The 8-month period continues through December. The client returns to work in September, and the \$30 Disregard is applied to the income earned in September through December.

When the client becomes ineligible for TANF after receiving the \$30 + 1/3 Disregard for 4 consecutive months, but before 8 additional months of the \$30 Disregard have been available, the client is eligible for the remaining months of the \$30 Disregard, if he returns to TANF during that time. The \$30 Disregard is available to the client who lost eligibility due to the end of the \$30 + 1/3 Disregard and becomes an applicant

each dependent. The dependent need not be receiving TANF for the deduction to apply.

AGE OF DEPENDENT	MAXIMUM MONTHLY DEDUCTION
Under Age 2	\$200
Age 2 or Over	\$175

Only payments made from the client's own funds are deductible. Clients with these expenses must be offered a referral to the Office of Social Services for help in meeting these expenses. However, there is no penalty for failure to accept these services.

## 2. Unearned Income

The only unearned income disregard or deduction is the first \$50 of child support received. This is the Child Support Incentive.

Special consideration must be given to applicants as follows.

If the client is receiving child support payments at the time of application, and the application is approved, it may not be possible or practical for him to redirect the support payment received during the effective month of approval. It is also possible that the child support, which has already been redirected to CSED, has been released to the client. In these situations, the first \$50 is disregarded and the remainder is counted as income.

The client is not considered out of compliance with the redirection requirement if he fails to redirect when:

- The child support payment is received during the effective month of approval of the application. The Worker considers the unredirected child support payment in excess of \$50 as income only in the month of application.
- It is the initial child support payment that is received by a recipient. The overpayment is recovered through the CSED repayment process and the child support payment is not counted as income.

After the 185% of Need test (item 1 above) is met, it is necessary to determine if the 100% of Need test is applicable. The following situations require that the 100% of Need test be met:

- The applicant benefit group has never received TANF or AFDC/U.
- When the case has been inactive for at least 4 consecutive months preceding the month of reapplication.
- An individual who has never received TANF or AFDC/U is added to an existing benefit group. The test is made for the entire benefit group, without application of the \$30 + 1/3 Disregard to the earnings of the new member.
- An individual, who has not received TANF or AFDC/U for the 4 consecutive months preceding the month he is added to the benefit group, is added to an existing benefit group. The test is made for the entire benefit group, without application of the \$30 + 1/3 Disregard or the \$30 Disregard to the earnings of the new member.

When the 100% of Need test is applicable, the determination is made as follows:

- Step 1: Add together total non-excluded gross income of the benefit group and any sanctioned person(s).
- Step 2: The Standard Work Deduction and Dependent Care Deduction are applied to the earned income of each benefit group member and each sanctioned person, if applicable.
- Step 3: Determine the 100% of Need amount in Appendix A for the appropriate benefit group size.
- Step 4: If the amount resulting from Step 2 is greater than Step 3, the benefit group is ineligible.
- Step 5: If the amount resulting from Step 2 is equal to or less than Step 3, the benefit group is eligible for further determinations.

the difference between Step 5 and Step 6,  
minus the recoupment amount.

D. SPECIAL SITUATIONS

1. Categorical Eligibility

Food Stamp Categorical Eligibility has no bearing on the check or how the check is issued.

2. Expedited Service

The Food Stamp requirement of Expedited Service has no bearing on the check or how the check is issued.

3. Destitute Benefit Groups

The Food Stamp requirement of Destitute Benefit Groups has no bearing on the check or how the check is issued.

4. Self-Employment Income

When the benefit group member or disqualified individual(s) receives self-employment income, the instructions below must be used to arrive at the gross profit which is used to calculate countable income. This is determined by subtracting allowable business expenses from the gross income.

a. Determining Gross Income

The method used to determine monthly gross income from self-employment varies with the nature of the enterprise. It is necessary to determine which of the following types of self-employment applies to the client's situation. Once the pattern of self-employment is determined, this is used to determine how the income is counted.

(1) Persons Receiving Regular Income

These persons receive income on a more or less regular schedule (weekly, monthly, etc.), or receive a specific amount from the business each week or month and/or receive the balance of profit from the enterprise at the end of the business year.

The income of people in this situation is converted to a monthly amount according to item A above.

Business expenses may be computed on a monthly basis or prorated over a 12-month period, at the client's option.

(2) Persons Receiving Irregular Income

Many persons derive income from short-term seasonal self-employment. This seasonal enterprise may be the major source of income for the year, or the income may be only for the period of time the person is actually engaged in this enterprise, with other sources of income being available during the



5. Migrant Farm Laborers With Seasonal Employment

Income of migrant farm laborers is treated the same as the income of any other applicant or recipient.

6. Annual Contract Employment

This section applies to any person employed under a yearly contract, such as school employees, including bus drivers, cooks, janitors, aids and professional staff.

These individuals have their annual income prorated over a 12-month period. Additional earnings, such as for summer work, are added to the prorated amount during the time additional earnings are received.

Although a person may not have signed a new annual contract, he is still considered employed under an annual contract when the contract is automatically renewable, or when he has implied renewal rights. Implied renewal rights are most commonly associated with school contracts.

**NOTE:** This section does not apply during strike and disaster situations when the other party to the contract cannot fulfill it; or, when labor disputes interrupt the flow of earnings specified in the contract.

7. Educational Income

All student financial assistance, funded in whole or in part under Title IV of the Higher Education Act or the Bureau of Indian Affairs, is excluded in its entirety.

Treatment of educational income and expenses depends upon the source of income and the intended use.

a. Sources Which are Totally Excluded

Funds from the following sources are totally excluded:

- Pell Grants
- SEOG
- Guaranteed Student Loans, including PLUS loans and Supplemental Loans for Students

(2) Earnings Unknown At Beginning of Semester

When the amount of the earnings is not known at the beginning of the semester, any portion of the CWS income specifically earmarked for items of need is treated as earned income and converted to a monthly amount according to item A. All earned income disregards and deductions apply.

c. Other Sources

Educational funds from any source, other than those listed in items a. and b. above, are totally excluded as being earmarked for educational purposes, unless any portion of the funds is specifically earmarked for items of need included in the check (shelter, utilities, food, clothing not needed for the program or course of study, or incidentals).

Any of the funds specifically earmarked for items of need are counted as unearned income and prorated over the period of time they are intended to cover.

8. Deeming

a. General Rules For Deeming of Income

The following general rules for deeming are applicable:

- Income is deemed from a major parent(s) to minor parents.
- For income to be deemed from one person to another, the individuals must be living together.
- Income of the SSI recipient is never deemed to any other individual. This applies to all income of the SSI recipient, not just the SSI amount.

**NOTE:** In some cases, payments made to former SSI recipients are deemed. See item b. below.

Appendix A for the number of ineligible individuals living in the home, including the stepparent, who are, or could be, claimed by him as dependents for federal income tax purposes. Do not include a parent of the TANF children who is not included in the benefit group.

Step 4: Subtract any amounts he actually pays to persons not living in the home, but who are, or could be, claimed by him as dependents for federal income tax purposes.

Step 5: Subtract any child support or alimony actually paid to individuals not living in the home.

The remaining amount is deemed as unearned income to the benefit group.

c. Deeming from the Spouse of a Caretaker Relative Who is Not the Parent

When the child is in the home of a specified relative other than the natural or adoptive parents, only one relative is included in the benefit group. If the specified relative, who is included in the benefit group, has income, all of this income is counted. When the spouse of an included non-parent caretaker relative has income, it is deemed according to instructions in item b. above. When the non-parent caretaker relative is not included in the benefit group, neither the non-parent caretaker relative's income nor his spouse's income is deemed to the TANF children.

d. Deeming from Major Parent(s)

A Major Parent (MP) is defined as a parent(s) of a minor parent (under 18 years of age).

**NOTE:** See Chapter 9 to determine the benefit group composition.

This provision requires the deeming of income when a minor parent (mp) and the mp's dependent child live with the MP(s). The income of the MP(s) is deemed as if he were a member of the benefit group, when the mp is included as a dependent

Regardless of who is included in the same benefit group, the MP is always financially responsible for the mp and the mp is always financially responsible for the child.

e. Deeming from Sanctioned Parent(s)

The parent is normally required to be in the benefit group. However, he may be ineligible due to a sanction. If so, his income is treated as found below.

(1) Ongoing Income

The ongoing income of a sanctioned parent is treated as if the parent were included in the benefit group, and the same exclusions, disregards and deductions he would normally receive are applied. However, the disqualified parent is not included in the benefit group and is not used in determining eligibility or benefit level. He is subject to the same income reporting requirements applicable to the benefit group.

(2) Lump Sum Payment

When a sanctioned parent receives a lump sum payment, it is counted as if he were in the benefit group. However, he is not included in the number of eligibles when determining the appropriate Standard of Need to use for prorating the lump sum payment.

9. Strikers

When an individual, who must be included in the TANF benefit group, is a striker, the entire benefit group is ineligible for TANF. See Section 10.4,D,9,a for the definition of a striker.

10. Irregular Income

Regardless of the source, irregular income is excluded because it cannot be anticipated.

- Any of the lump sum funds, obligated and used for legal fees as a result of the efforts of the attorney to obtain the lump sum payment, are deducted.

**EXAMPLE:** A client's home is destroyed by fire. He receives an insurance settlement of \$16,500. With \$10,000 of this settlement, he purchases a mobile home. Only \$6,500 is counted as a lump sum payment.

b. Computing the Period of Ineligibility

After applying appropriate exclusions, disregards and deductions to other income received for the month, add the lump sum payment to all other monthly income. When the total amount is less than the payment amount for the number in the TANF benefit group, the lump sum payment is counted as income in its entirety for one month.

When the total amount is less than the Standard of Need for the number in the benefit group, but more than the check amount for the benefit group found in Appendix A, the case is ineligible for one month. The amount in excess of the check amount is not counted as income for the following month.

When the total amount is greater than the appropriate Standard of Need, divide the lump sum payment by the appropriate Standard of Need. The case is ineligible for the full number of months equal to the result of the division. Ineligibility begins the month of receipt.

When a fractional amount remains, there is an amount that must be counted as income in the month following the month the period of ineligibility ends. The procedure to determine this amount is as follows:

- Multiply the Standard of Need by the number of full months the case has been determined ineligible.
- Subtract this figure from the total lump sum.

and the same Standard of Need used in the original proration.

If the client becomes eligible as a result of the recomputations, he is treated like any other applicant. The date of application is the date contact is made about the recomputation. Benefits are prorated from the date eligibility is established. Retroactive or corrective payment is not made for any period between the time the lump sum became unavailable and the date eligibility is reestablished.

It is the unavailability of the lump sum payment amount itself that is explored, not the loss of goods purchased with the lump sum.

**EXAMPLE:** A family of 5 receives a lump sum payment of \$3,000 in August. The lump sum payment was retroactive RSDI benefits received due to the father's disability. The family was found ineligible for two months, with \$198 counted as income in the third month. Late in August, the father abandons the family, taking all of the lump sum payment with him. The current benefit group, therefore, has none of the lump sum available to them and the circumstances are beyond the family's control. There is, therefore, no period of ineligibility.

**EXAMPLE:** Same as above except that the father returns to the home on September 20th. The family becomes ineligible for September and \$198 is counted as income in October. Repayment is not sought for August when the father was out of the home.

**EXAMPLE:** A family of 4 receives a lump sum payment in April. It is determined that they are ineligible for six (6) months. In June, they report to the local office that they used most of the lump sum amount to pay back money owed to the wife's parents who made trailer payments for them for several months so they would not lose the trailer. Since the use of the money was under the control of

**EXAMPLE:** A family of 4 receives a lump sum payment of \$3,834 in December. They are determined ineligible for 3 months. In February, the client reports that \$2,500 was stolen early in February. He reapplies on February 10th and is found eligible on that date. The recomputation is as follows:

\$3,834	Original lump sum amount
<u>-2,500</u>	Amount stolen
\$1,334	New amount which is prorated

The  $\$1,334 \div \$1,196$  (100% Standard of Need for 4 persons) = 1 month of ineligibility with \$138 counted as income in January. The client, therefore, is eligible for a prorated check amount in February.

**EXAMPLE:** Same situation as above except that the money was stolen on January 10th. The result is the same as above since the client did not reapply and establish eligibility until February 10th.

12. Withheld Income

a. From Earned Income

Earnings withheld to repay an advance payment are disregarded, if they were counted in the month received. If not counted in the month received, the withheld earnings are considered income. No other earned income is excluded from consideration just because it is withheld by the employer.

b. From Unearned Income

All withheld unearned income is counted, unless an amount is being withheld to repay income that was previously used to determine AFDC/U, TANF or WV WORKS eligibility.

13. Funds Diverted To A Pass

Funds diverted to a PASS account are counted as earned or unearned income, depending on the source.

Step 6: Add together all converted unearned income to determine the total monthly projected unearned income.

For an example, see Section 10.4,A.

C. CATEGORICAL ELIGIBILITY, EXPEDITED SERVICE, DESTITUTE BENEFIT GROUPS AND MIGRANT FARM WORKERS

Food Stamp Categorical Eligibility includes recipients of TANF, WV WORKS and SSI. Categorical Eligibility has no bearing on any other Medicaid coverage group.

The Food Stamp requirements of Expedited Service, Destitute Benefit Groups and Migrant Farm Workers have no bearing on any Medicaid coverage group.



- Convert WEEKLY income by multiplying it by 4.3.
- Convert BIWEEKLY (every 2 weeks) income by multiplying it by 2.15.
- Convert SEMI-MONTHLY (twice per month) income by multiplying it by 2.

**NOTE:** When the client is not expected to receive a full month's income, the averaged amount of income is multiplied by the number of times it is anticipated that it will be received.

**EXAMPLE:** A woman begins working on the second Monday of a month. She earns \$200/week and is paid every Friday. Her average weekly pay is \$200. For the first month she has earnings, she expects to be paid 3 times. Her income for the month is  $\$200 \times 3 = \$600$ . A change must be made for the anticipated income from the second month of her employment.

Step 5: Add together all converted earned income to determine the total monthly projected earned income.

Step 6: Add together all converted unearned income to determine the total monthly projected unearned income.

**EXAMPLE:** An applicant family has the following income:

- Gross earnings of \$700 total. Paid four (4) times. Paid weekly.
- UCI benefits of \$150. Paid twice. Paid every 2 weeks.
- Gross earnings under an annual contract of \$1200/year.

Projected income is determined as follows.

Step 1: See above.

Step 2: See above.

Step 3: Earnings of  $\$700 \div 4 = \$175$  average.  
UCI of  $\$150 \div 2 = \$75$  average.  
Earnings of  $\$1200 \div 12 = \$100$  average.

(1) General Requirements for All Cases

When more than one individual has earnings, the Disregard is applied separately to each individual.

Use of the \$30 + 1/3 Disregard is limited to 4 consecutive months. The individual may not receive it again until he has been a non-recipient of AFDC/U Medicaid for 12 consecutive months.

An individual receiving Extended Medicaid or Transitional Medicaid coverage is considered a non-recipient of AFDC/U Medicaid for 12 consecutive months.

**NOTE:** If a sanctioned or disqualified individual has received 4 consecutive months of the \$30 + 1/3 Disregard, he may not receive it again until he has not received AFDC/U Medicaid for 12 consecutive months.

(2) Interruption of the \$30 + 1/3 Disregard

When an individual requests case closure, solely to avoid the expiration of the 4-month limit, he is not eligible for the Disregard again, after the original expiration date, until he does not receive AFDC/U Medicaid for 12 consecutive months.

When the case is closed for any other reason prior to the fourth month, the individual is eligible for another 4 consecutive months of this Disregard.

**EXAMPLE:** An individual received the \$30 + 1/3 Disregard for income he received in May and June. He received no income in July due to a layoff. He returns to work in December and the \$30 + 1/3 Disregard is again applied to his income for 4 consecutive months.

c. \$30 Disregard

After the \$30 + 1/3 Disregard has been applied in 4 consecutive months, the \$30 disregard continues for 8 consecutive months. At the end of 8

**EXAMPLE:** A client's case is closed effective May, because his earned income is excessive after discontinuance of the \$30 + 1/3 Disregard. He does not receive Medicaid as an AFDC/U Recipient for 12 consecutive months. In June of the following year, he reapplies for AFDC/U Medicaid. He is eligible again for the \$30 + 1/3 Disregard, if he meets the 185% and the 100% of Need tests.

**EXAMPLE:** Same situation as above except that the client retains eligibility through application of the \$30 Disregard through July. In July, his earnings increase and his case is closed effective July. In August of the following year, he reapplies for AFDC/U Medicaid and is eligible again for the \$30 + 1/3 Disregard, if he meets the 185% and the 100% of Need tests.

d. Dependent Care Deduction

When the employed benefit group member, sanctioned or disqualified parent must pay for dependent child or incapacitated adult care to accept or continue employment or training, a deduction from income must be allowed. The amount must be allowed, as paid, up to the maximum amounts shown below. The maximum amounts are based on the age of the dependent and are the maximum amounts allowed for each dependent. The dependent need not be receiving AFDC/U Medicaid for the deduction to apply.

AGE OF DEPENDENT	MAXIMUM MONTHLY DEDUCTION
Under Age 2	\$200
Age 2 or Over	\$175

Only payments made from the client's own funds are deductible. Clients with these expenses must be offered a referral to the Office of Social Services for help in meeting these expenses. However, there is no penalty for failure to accept these services.

2. Determining Need - 100% of Need Test

After the 185% of Need test (item 1 above) is met, it is necessary to determine if the 100% of Need test is applicable. The following situations require that the 100% of Need test be met:

- The applicant benefit group has never received AFDC/U, TANF or AFDC/U Medicaid.
- When the case has been inactive for at least 4 consecutive months preceding the month of reapplication.
- An individual who has never received AFDC/U, TANF or AFDC/U Medicaid is added to an existing benefit group. The test is made for the entire benefit group, without application of the \$30 + 1/3 Disregard to the earnings of the new member.
- An individual, who has not received AFDC/U, TANF or AFDC/U Medicaid for the 4 consecutive months preceding the month he is added to the benefit group, is added to an existing benefit group. The test is made for the entire benefit group, without application of the \$30 + 1/3 Disregard or the \$30 Disregard to the earnings of the new member.

When the 100% of Need test is applicable, the determination is made as follows:

- Step 1: Add together total non-excluded gross income of the benefit group and any sanctioned or disqualified person(s).
- Step 2: The Standard Work Deduction and Dependent Care Deduction are applied to the earned income of each benefit group member and each sanctioned or disqualified person, if applicable.
- Step 3: Determine the 100% of Need amount in Appendix A for the appropriate benefit group size.
- Step 4: If the amount resulting from Step 2 is greater than Step 3, the benefit group is ineligible.

2. Expedited Service

The Food Stamp requirement of Expedited Service has no bearing on AFDC/U Medicaid.

3. Destitute Benefit Groups

The Food Stamp requirement of Destitute Benefit Groups has no bearing on AFDC/U Medicaid.

4. Self-Employment Income

When the benefit group member or sanctioned or disqualified individual(s) receives self-employment income, the instructions below must be used to arrive at the gross profit which is used to calculate countable income. This is determined by subtracting allowable business expenses from the gross income.

a. Determining Gross Income

The method used to determine monthly gross income from self-employment varies with the nature of the enterprise. It is necessary to determine which of the following types of self-employment applies to the client's situation. Once the pattern of self-employment is determined, this is used to determine how the income is counted.

(1) Persons Receiving Regular Income

These persons receive income on a more or less regular schedule (weekly, monthly, etc.), or receive a specific amount from the business each week or month and/or receive the balance of profit from the enterprise at the end of the business year.

The income of people in this situation is converted to a monthly amount according to item A above.

Business expenses may be computed on a monthly basis or prorated over a 12-month period, at the client's option.

(2) Persons Receiving Irregular Income

Many persons derive income from short-term seasonal self-employment. This seasonal

amount of past expenses does not accurately reflect the anticipated monthly circumstances because of a substantial increase or decrease in business, the expenses are calculated based on anticipated costs.

b. Determining Gross Profit

Gross Profit from self-employment is the income remaining after deducting any identifiable costs of doing business from the gross income.

(1) Deductions

Examples of allowable deductions are:

- Employee labor costs
- Stock and supplies
- Raw material
- Seed
- Fertilizers
- Repair and maintenance of machinery and/or property
- Cost of rental space used for conducting the business
- Insurance premiums and taxes paid on the business and business property
- Interest and taxes, but not the principal, paid on installment payments to purchase capital assets such as real estate, machinery, equipment, etc.
- Interest and taxes on the client's residence which is used in part to produce income. This is applicable only if the costs on the portion of the home used in the self-employment enterprise can be identified separately.
- Advertising costs
- Utilities

5. Migrant Farm Laborers With Seasonal Employment

Income of migrant farm laborers is treated the same as the income of any other applicant or recipient.

6. Annual Contract Employment

This section applies to any person employed under a yearly contract, such as school employees, including bus drivers, cooks, janitors, aids and professional staff.

These individuals have their annual income prorated over a 12-month period. Additional earnings, such as for summer work, are added to the prorated amount during the time additional earnings are received.

Although a person may not have signed a new annual contract, he is still considered employed under an annual contract when the contract is automatically renewable, or when he has implied renewal rights. Implied renewal rights are most commonly associated with school contracts.

**NOTE:** This section does not apply during strike and disaster situations when the other party to the contract cannot fulfill it; or, when labor disputes interrupt the flow of earnings specified in the contract.

7. Educational Income

All student financial assistance, funded in whole or in part under Title IV of the Higher Education Act or the Bureau of Indian Affairs, is excluded in its entirety.

Treatment of educational income and expenses depends upon the source of income and the intended use.

a. Sources Which are Totally Excluded

Funds from the following sources are totally excluded:

- Pell Grants
- SEOG
- Guaranteed Student Loans, including PLUS loans and Supplemental Loans for Students

(2) Earnings Unknown At Beginning of Semester

When the amount of the earnings is not known at the beginning of the semester, any portion of the CWS income specifically earmarked for items of need is treated as earned income and converted to a monthly amount according to item A. All earned income disregards and deductions apply.

c. Other Sources

Educational funds from any source, other than those listed in items a. and b. above, are totally excluded as being earmarked for educational purposes, unless any portion of the funds is specifically earmarked for items of need which would be included in an assistance check (shelter, utilities, food, clothing not needed for the program or course of study, or incidentals).

Any of the funds specifically earmarked for items of need are counted as unearned income and prorated over the period of time they are intended to cover.

8. Deeming

a. General Rules For Deeming of Income

The following general rules for deeming are applicable:

- Income is deemed from a major parent(s) to minor parents.
- For income to be deemed from one person to another, the individuals must be living together.
- Income of the SSI recipient is never deemed to any other individual. This applies to all income of the SSI recipient, not just the SSI amount.

**NOTE:** In some cases, payments made to former SSI recipients are deemed. See item b. below.



Appendix A for the number of ineligible individuals living in the home, including the stepparent, who are, or could be, claimed by him as dependents for federal income tax purposes. Do not include a parent of the AFDC/U Medicaid children who is not included in the benefit group.

Step 4: Subtract any amounts he actually pays to persons not living in the home, but who are, or could be, claimed by him as dependents for federal income tax purposes.

Step 5: Subtract any child support or alimony actually paid to individuals not living in the home.

The remaining amount is deemed as unearned income to the benefit group.

c. Deeming from the Spouse of a Caretaker Relative Who is Not the Parent

When the child is in the home of a specified relative other than the natural or adoptive parents, only one relative is included in the benefit group. If the specified relative, who is included in the benefit group, has income, all of this income is counted. When the spouse of an included non-parent caretaker relative has income, it is deemed according to instructions in item b. above. When the non-parent caretaker relative is not included in the benefit group, neither the non-parent caretaker relative's income nor his spouse's income is deemed to the AFDC/U Medicaid children.

d. Deeming from Major Parent(s)

A Major Parent (MP) is defined as a parent(s) of a minor parent (under 18 years of age).

**NOTE:** See Chapter 9 to determine the benefit group composition.

This provision requires the deeming of income when a minor parent (mp) and the mp's dependent child live with the MP(s). The income of the MP(s) is

relative in her own case or is the non-caretaker parent, no income is deemed from the stepparent to the mp.

Regardless of who is included in the same benefit group, the MP is always financially responsible for the mp and the mp is always financially responsible for the child.

e. Deeming from Sanctioned or Disqualified Parent(s)

The parent is normally required to be in the benefit group. However, he may be ineligible due to a sanction or disqualification. If so, his income is treated as found below.

(1) Ongoing Income

The ongoing income of a sanctioned or disqualified parent is treated as if the parent were included in the benefit group, and the same exclusions, disregards and deductions he would normally receive are applied. However, the sanctioned or disqualified parent is not included in the benefit group and is not used in determining eligibility or benefit level. He is subject to the same income reporting requirements applicable to the benefit group.

(2) Lump Sum Payment

When a sanctioned or disqualified parent receives a lump sum payment, it is counted as if he were in the benefit group. However, he is not included in the number of eligibles when determining the appropriate Standard of Need to use for prorating the lump sum payment.

9. Strikers

When an individual, who must be included in the benefit group, is a striker, the entire benefit group is ineligible for AFDC/U Medicaid. See Section 10.4,D,9,a for the definition of a striker.

monies to replace a defective automobile) are deducted.

- Any of the lump sum funds, obligated and used for legal fees as a result of the efforts of the attorney to obtain the lump sum payment, are deducted.

**EXAMPLE:** A client's home is destroyed by fire. He receives an insurance settlement of \$16,500. With \$10,000 of this settlement, he purchases a mobile home. Only \$6,500 is counted as a lump sum payment.

b. Computing the Period of Ineligibility

After applying appropriate exclusions, disregards and deductions to other income received for the month, add the lump sum payment to all other monthly income. When the total amount is less than the payment amount for the number in the benefit group, the lump sum payment is counted as income in its entirety for one month.

When the total amount is less than the Standard of Need for the number in the benefit group, but more than the check amount for the benefit group found in Appendix A, the case is ineligible for one month. The amount in excess of the check amount is not counted as income for the following month.

When the total amount is greater than the appropriate Standard of Need, divide the lump sum payment by the appropriate Standard of Need. The case is ineligible for the full number of months equal to the result of the division. Ineligibility begins the month of receipt.

When a fractional amount remains, there is an amount that must be counted as income in the month following the month the period of ineligibility ends. The procedure to determine this amount is as follows:

- Multiply the Standard of Need by the number of full months the case has been determined ineligible.

specified below, the period of ineligibility is shortened. This may be done at any point between the time the lump sum payment is received and the period of ineligibility expires. Once the period of ineligibility expires, no consideration is given to shortening the time period retroactively. The lump sum amount is considered unavailable only in the following situations:

- The lump sum payment was, totally or in part, destroyed by fire, flood or other natural disaster. This refers to destruction of the money itself, not the goods purchased with it or destruction of replaceable checks or bonds.
- The lump sum payment was, totally or in part, stolen from the benefit group. This refers to the money itself, not the theft of goods purchased with it or the theft of replaceable checks or bonds.
- A member of the benefit group gained access to all or part of the lump sum payment, abandoned the remaining benefit group members and left them without access to it. The loss of all or part of the lump sum in this way refers to the loss of the money itself or checks, bonds, etc., when payment cannot be stopped, not the taking of goods purchased with it. Moving to another place of residence, with the family relationship still intact, is not sufficient to justify shortening the period of ineligibility. There must be abandonment of the other benefit group members. If one or both of the parents left with the lump sum, the definition of absence must be met.

When the benefit group member who left with all or part of the lump sum returns to the home, the period of ineligibility resumes the month he returns and continues until the month the original period of ineligibility was due to expire.

If the client becomes eligible as a result of the recomputations, he is treated like any other applicant. The date of application is the date contact is made about the recomputation. Medicaid eligibility can begin no earlier than the first day of the month in which eligibility is reestablished.

It is the unavailability of the lump sum payment amount itself that is explored, not the loss of goods purchased with the lump sum.

**EXAMPLE:** A family of 5 receives a lump sum payment of \$3,000 in August. The lump sum payment was retroactive RSDI benefits received due to the father's disability. The family was found ineligible for two months, with \$198 counted as income in the third month. Late in August, the father abandons the family, taking all of the lump sum payment with him. The current benefit group, therefore, has none of the lump sum available to them and the circumstances are beyond the family's control. There is, therefore, no period of ineligibility.

**EXAMPLE:** Same as above except that the father returns to the home on September 20th. The family becomes ineligible for September and \$198 is counted as income in October.

**EXAMPLE:** A family of 4 receives a lump sum payment in April. It is determined that they are ineligible for six (6) months. In June, they report to the local office that they used most of the lump sum amount to pay back money owed to the wife's parents who made trailer payments for them for several months so they would not lose the trailer. Since the use of the money was under the control of the benefit group, the period of ineligibility is not shortened.

**EXAMPLE:** Same situation as above except that the family used most of the lump sum to pay for the birth of a new baby. The use of the money was under the control of the benefit group, so the period of ineligibility cannot

\$3,834	Original lump sum amount
<u>-2,500</u>	Amount stolen
\$1,334	New amount which is prorated

The  $\$1,334 \div \$1,196$  (100% Standard of Need for 4 persons) = 1 month of ineligibility with \$138 counted as income in January. The client, therefore, is eligible for AFDC/U Medicaid beginning February 1.

**EXAMPLE:** Same situation as above except that the money was stolen on January 10th. The result is the same as above since the client did not reapply and establish eligibility until February 10th.

12. Withheld Income

a. From Earned Income

Earnings withheld to repay an advance payment are disregarded, if they were counted in the month received. If not counted in the month received, the withheld earnings are considered income. No other earned income is excluded from consideration just because it is withheld by the employer.

b. From Unearned Income

All withheld unearned income is counted, unless an amount is being withheld to repay income that was previously used to determine eligibility for AFDC/U Medicaid.

13. Funds Diverted To A Pass

Funds diverted to a PASS account are counted as earned or unearned income, depending on the source.

14. Unstated Income

There is no provision for counting unstated income.

15. Spenddown

The Medicaid spenddown provision does not apply.

**EXAMPLE:** A mother applies for Medicaid for herself and her two children. Also in the home are her husband and his two children, who are also applying for Medicaid. The medical bills of the husband and his children are used to meet the spenddowns of his wife and stepchildren as well as his own and his children's spenddown.

**EXAMPLE:** Same situation as above, except that the husband and his children are not applying for Medicaid. The medical bills of the husband and his children are used to meet the spenddown of the mother and her children.

**EXAMPLE:** A man and woman live together, but are not married. They each have two children from previous marriages, and all are applying for Medicaid. The medical bills of the woman and her two children are used to meet their own spenddowns, but not those of the man and his two children. The medical bills of the man and his two children are used to meet their own spenddowns, but not those of the woman and her two children.

c. Allowable Spenddown Expenses

The following medical expenses, which are not subject to payment by a third-party, and for which the client will not be reimbursed, are used to reduce or eliminate the spenddown.

- A current payment on or the unpaid balance of an old bill, incurred outside the current POC, is used as long as that

portion of the bill was not used in a previous POC during which the client became eligible. No payment or part of a bill which is used to make a client eligible may be used again. Old unpaid bills, which are being collected by an agency other than the medical provider, may be used when the expense is still owed to the provider. If the expense has been written off by the provider, it is no longer considered the client's obligation, and is, therefore, not an allowable spenddown expense.

Medical bills that were previously submitted, but were not sufficient to meet the spenddown, are used again in a new POC. However, when any old or new bill is used and the spenddown is met, those same bills must not be used again in a new POC. When only a portion of the old bill, incurred outside the current POC, is used to meet spenddown, any remaining portion of the bill for which the client is still liable may be used to meet spenddown in a new POC.

In addition, when the client submits an old bill and then withdraws his application, the old bill may be used again if he reapplies.

- Health insurance premiums, including Medicare
- Medicare co-insurance, deductibles and enrollment fees
- Necessary medical or remedial care expenses. This includes, but is not limited to:
  - Office visits to a physician
  - Hospital services, inpatient and outpatient
  - Emergency room services
  - Prescriptions
  - Over-the-counter drugs prescribed by a physician
  - Eye examinations



the client on the IM-MS-1. This includes, but is not limited to, the following:

- The date of service
  - The provider of the service
  - The total amount of the bill
  - The amount used toward the spenddown.
- The Worker uses the ES-5 to code the spenddown transaction at the same time the case approval is coded. The Worker routes the approval and the ES-5 to the Terminal Operator, who notes the M-219 system's response on the ES-5.
- The Worker must highlight, or circle in red, the bill that met the client's spenddown and send a copy of the highlighted IM-MS-1 to Medical Processing in the Bureau of Medical Services. A copy of the IM-MS-1 is filed in the case record. The client's eligibility begins the day the amount of incurred medical expenses at least equals his spenddown amount.

**NOTE:** Although eligibility begins on the date that medical bills bring the spenddown amount to \$0, expenses incurred on that date which are used to meet the spenddown, as indicated by the Worker on form IM-MS-1, are not paid by Medicaid.

- If the client does not submit sufficient medical bills by the application processing deadline, the application is denied using reason code 0136. See Section 23.19,F for information about computer-generated client notification produced from reason code 0136.

meet the spenddown, may be used again in a new POC. However, when any old or new bill is used and the spenddown is met, those same bills must not be used again in a new POC. When only a portion of the old bill, incurred outside the current POC, is used to meet spenddown, any remaining portion of the bill for which the client is still liable may be used to meet spenddown in a new POC.

In addition, when the client submits an old bill and then withdraws his application, the old bill may be used again if he reapplies.

- Health insurance premiums, including Medicare
- Medicare co-insurance, deductibles and enrollment fees
- Necessary medical or remedial care expenses. This includes, but is not limited to:
  - Office visits to a physician
  - Hospital services, inpatient and outpatient
  - Emergency room services
  - Prescriptions
  - Over-the-counter drugs prescribed by a physician
  - Eye examinations
  - Eye glasses
  - Dental services
  - Therapy prescribed by a physician
  - Chiropractic services
  - Prosthetic devices

- Step 1: See above.
- Step 2: See above.
- Step 3: Earnings of  $\$700 \div 4 = \$175$  average.  
UCI of  $\$150 \div 2 = \$75$  average.  
Earnings of  $\$1200 \div 12 = \$100$  average.
- Step 4: Weekly earnings of  $\$175 \times 4.3 = \$752.50$   
converted.  
Biweekly UCI of  $\$75 \times 2.15 = \$161.25$  converted.  
Annual contract earnings =  $\$100$  converted.
- Step 5:  $\$752.50$   
 $+100.00$   
 $\$852.50$  Projected monthly earned income
- Step 6:  $\$161.25$  Projected monthly unearned income

B. INCOME DISREGARDS AND DEDUCTIONS

The following disregards and deductions are applied to income.

1. Earned Income

**NOTE:** Failure without good cause to supply information about, or verification of, the earned income of benefit group members and disqualified persons by the seventh of the month the QR form is due, means the earned income disregards and deductions are not applied to the income earned during the report period, even if it is provided within the 13-day notice period. The failure to verify income does not result in a sanction.

In addition, if new employment is not reported, without good cause, within 10 days of the date a benefit group member or disqualified person begins the employment, the earned income disregards and deductions are not applied to any month's income for which earnings were not reported. These same disregards and deductions are not applied to any earnings received during the time the employment is unreported. In addition, when new employment is not reported, as required by the PRC, the appropriate sanction is applied. See Chapter 13.

to redirect the support payment received during the effective month of approval. It is also possible that the child support, which has already been redirected to CSED, has been released to the client. In these situations, the first \$50 is disregarded and the remainder is counted as income.

The client is not considered out of compliance with the redirection requirement if he fails to redirect when:

- The child support payment is received during the effective month of approval of the application. The Worker considers the unredirected child support payment in excess of \$50 as income only in the month of application.
- It is the initial child support payment that is received by a recipient. The overpayment is recovered through the CSED repayment process and the child support payment is not counted as income.

All child support must be redirected, unless only a DCA payment is received.

C. DETERMINING ELIGIBILITY AND BENEFIT LEVEL

To determine eligibility for a DCA payment, see Chapter 1. Countable income is used to determine eligibility only. It is not used to determine the amount of the DCA payment.

**NOTE:** The income of the disqualified person(s) is included in determining the amount of income available to the benefit group. However, the needs of the disqualified person(s) are not considered in any step of the eligibility determination process.

**NOTE:** The earned income of a child or parent, under age 18, who is enrolled in secondary school or a program for a GED, is disregarded at all steps of the eligibility determination process.

1. Determining Eligibility - 100% of Need Test

The benefit group is ineligible in any month that its non-excluded monthly gross income exceeds 100% of the Standard of Need. The test is applied as follows:

- An mp lives in a group setting because she cannot live with a parent.
- An individual who would otherwise be included, but is excluded by law, lives with the benefit group. These are as follows:
  - Individuals who cannot be included in the benefit group because they have been convicted in federal or state court of having made a fraudulent statement or representation about residence to receive TANF, WV WORKS, Medicaid, Food Stamps or SSI.
  - Individuals who cannot be included in the benefit group because they are fleeing to avoid prosecution, or custody/confinement after conviction, for a felony or an attempt to commit a felony.
  - Individuals who cannot be included in the benefit group because they are violating a condition of probation or parole which was imposed under federal or state law.
  - Individuals who cannot be included in the benefit group because they have been convicted on or after 8/23/96 of a felony under federal or state law when the offense involves the possession, use or distribution of a controlled substance, as defined in Section 102(6) of the Controlled Substance Act.

**NOTE:** The reduction is applied to the benefit amount after all disregards and deductions are applied to income. The reduction is never more than 25%, regardless of the number of non-benefit group members living in the home.

The reduction is effective at application or the month following the month in which the person(s) begins to live with the benefit group. Advance notice requirements apply.

- Step 3: Subtract the Dependent Care Deduction for each person who pays dependent care.
- Step 4: Add the non-excluded unearned income of the benefit group and any disqualified person(s). The resulting amount is the countable income.
- Step 5: Determine the maximum WV WORKS check amount for the benefit group size, using Appendix A.
- Step 6: If the amount arrived at in Step 4 equals or exceeds the amount in Step 5, the case is ineligible. If the amount arrived at in Step 4 is less than the amount in Step 5, the case is income eligible and the amount from Step 4 is subtracted from the amount in Step 5.
- Step 7: If the 25% reduction is applicable, multiply the amount in Step 6 by .25 and drop any cents, or use Appendix F of this Chapter. Subtract this amount from the Step 6 amount.
- Step 8: If the Marriage Incentive is applicable, multiply the amount from Step 7 by .1 and drop any cents. Add this amount to the Step 7 amount.
- Step 9: If a sanction is applicable, multiply the Step 8 amount by .3333 (1/3) or .6666 (2/3) and drop any cents, or use Appendix F. Subtract this amount from the Step 8 amount.
- Step 10: Subtract any repayment amount from the amount remaining after Step 9.
- Step 11: Add any special needs amount to the Step 10 amount. The result is the WV WORKS check amount.

interrupt the flow of earnings specified in the contract.

7. Educational Income

All educational income, including loans for education, is excluded, with the exception of certain non-Title IV-funded College Work Study (CWS) Program income.

Any portion of the non-Title IV CWS which is specifically earmarked for items of need included in the check (shelter, utilities, food, clothing not needed for the program or course of study, or incidentals) is counted.

Because income is usually paid to the student on the basis of work performed, not in one lump sum, its treatment is different than that of other educational benefits. Treatment of this income depends upon whether or not the amount to be earned in one semester is known at the beginning of the semester.

When the amount of the earnings, or maximum amount which can be earned, is known at the beginning of the semester, the Worker prorates any portion, specifically earmarked for items of need, over the period of time it is intended to cover.

When the amount of the earnings is not known at the beginning of the semester, any portion of the non-Title CWS income specifically earmarked for items of need is treated as earned income and converted to a monthly amount according to item A. All earned income disregards and deductions apply.

8. Deeming

a. Ongoing Income

The ongoing income of a disqualified individual(s), who would otherwise be required to be included in the benefit group, is counted in its entirety. The same exclusions, disregards and deductions he would normally receive are applied. However, the disqualified individual is not included in the benefit group and is not considered in determining eligibility or benefit level. He is subject to the same reporting requirements applicable to the benefit group.

For any partial month remaining after the division, the amount of the lump sum payment which remains is counted as income. The number of months the case is ineligible, because of the receipt of the lump sum payment, and the amount of income counted for any remaining partial month, is determined as follows.

a. Determining Countable Amount

The total amount of the lump sum payment is counted, except for the amount used as described below. The following portions of a lump sum payment are not counted.

- Lump sum payments that are earmarked and used for the purpose for which they are intended (e.g., monies for back medical bills resulting from injury, or funeral and burial costs) are deducted. In addition, lump sum payments that are intended and used for replacement or repair of an asset (e.g., monies to replace a defective automobile) are deducted.
- Any of the lump sum funds, obligated and used for legal fees as a result of the efforts of the attorney to obtain the lump sum payment, are deducted.

**EXAMPLE:** A client's home is destroyed by fire. He receives an insurance settlement of \$16,500. With \$10,000 of this settlement, he purchases a mobile home. Only \$6,500 is counted as a lump sum payment.

b. Computing the Period of Ineligibility

After applying appropriate exclusions, disregards and deductions to other income received for the month, add the lump sum payment to all other monthly income. When the total amount is less than the payment amount for the number in the WV WORKS benefit group, the lump sum payment is counted as income in its entirety for one month.

When the total amount is less than the FPL for the number in the benefit group, but more than the check amount for the benefit group found in Appendix A, the case is ineligible for one month. The amount in excess of the check amount is not counted as income for the following month.



c. Shortening the Period of Ineligibility

The period of ineligibility may be shortened only for the following reasons and by the following procedures:

(1) Reasons

When all or part of the lump sum payment becomes unavailable to the benefit group, due to circumstances beyond its control, as specified below, the period of ineligibility is shortened. This may be done at any point between the time the lump sum payment is received and the period of ineligibility expires. Once the period of ineligibility expires, no consideration is given to shortening the time period retroactively. The lump sum amount is considered unavailable only in the following situations:

- The lump sum payment was, totally or in part, destroyed by fire, flood or other natural disaster. This refers to destruction of the money itself, not the goods purchased with it or destruction of replaceable checks or bonds.
- The lump sum payment was, totally or in part, stolen from the benefit group. This refers to the money itself, not the theft of goods purchased with it or the theft of replaceable checks or bonds.
- A member of the benefit group gained access to all or part of the lump sum payment, abandoned the remaining benefit group members and left them without access to it. The loss of all or part of the lump sum in this way refers to the loss of the money itself or checks, bonds, etc., when payment cannot be stopped, not the taking of goods purchased with it. Moving to another place of residence, with the family relationship still intact, is not sufficient to justify shortening the period of ineligibility. There must be abandonment of the other benefit group members. If one or both of the parents left with the lump sum, the

Step 3: Prorate the remainder, using the original first month of the ineligibility period as the new first month of ineligibility, using the same monthly income, if any, and the same 100% FPL used in the original proration.

If the client becomes eligible as a result of the recomputations, he is treated like any other applicant. The date of application is the date contact is made about the recomputation. Benefits are prorated from the date eligibility is established. Retroactive or corrective payment is not made for any period between the time the lump sum became unavailable and the date eligibility is reestablished.

It is the unavailability of the lump sum payment amount itself that is explored, not the loss of goods purchased with the lump sum.

**EXAMPLE:** A WV WORKS family of 5 receives a lump sum payment of \$3,200 in August. The lump sum payment was retroactive RSDI benefits received due to the father's disability. The family was found ineligible for two months, with \$70 counted as income in the third month. Late in August, the father abandons the family, taking all of the lump sum payment with him. The current benefit group, therefore, has none of the lump sum available to them and the circumstances are beyond the family's control. There is, therefore, no period of ineligibility.

**EXAMPLE:** Same as above except that the father returns to the home on September 20th. The family becomes ineligible for September and \$70 is counted as income in October.

Repayment is not sought for August when the father was out of the home.

**EXAMPLE:** A WV WORKS family of 4 receives a lump sum payment in April. It is determined that they are ineligible for 6 months. In June, they report to the local office that they used most of the lump sum amount to pay back money owed to the wife's parents who made trailer payments for them for several months so they would not lose the trailer. Since the use of the money was

February 10th and is found eligible on that date. The recomputation is as follows:

\$4,200	Original lump sum amount
<u>-2,700</u>	Amount stolen
\$1,500	New amount which is prorated

The recalculated period of ineligibility is December and \$162 is counted as income in January. The family is eligible for a prorated check for February.

**EXAMPLE:** Same situation as above except that the money was stolen on January 10th. The result is the same as above since the client did not reapply and establish eligibility until February 10th.

12. Withheld Income

a. From Earned Income

Earnings withheld to repay an advance payment are disregarded, if they were counted in the month received. If not counted in the month received, the withheld earnings are considered income. No other earned income is excluded from consideration just because it is withheld by the employer.

b. From Unearned Income

All withheld unearned income is counted, unless an amount is being withheld to repay income that was previously used to determine AFDC/U, TANF or WV WORKS eligibility.

13. Funds Diverted To A Pass

Funds diverted to a PASS account are counted as earned or unearned income, depending on the source.

14. Unstated Income

Unstated income is income that has not been reported by the household, and is not otherwise known to the agency, but is determined to exist because the

WEST VIRGINIA WORKS REDUCTION SCHEDULES

Amount	25% Reduction	1/3 Reduction	2/3 Reduction
\$524	\$131	\$174	\$349
\$523	\$130	\$174	\$348
\$522	\$130	\$173	\$347
\$521	\$130	\$173	\$347
\$520	\$130	\$173	\$346
\$519	\$129	\$172	\$345
\$518	\$129	\$172	\$345
\$517	\$129	\$172	\$344
\$516	\$129	\$171	\$343
\$515	\$128	\$171	\$343
\$514	\$128	\$171	\$342
\$513	\$128	\$170	\$341
\$512	\$128	\$170	\$341
\$511	\$127	\$170	\$340
\$510	\$127	\$169	\$339
\$509	\$127	\$169	\$339
\$508	\$127	\$169	\$338
\$507	\$126	\$168	\$337
\$506	\$126	\$168	\$337
\$505	\$126	\$168	\$336
\$504	\$126	\$167	\$335
\$503	\$125	\$167	\$335
\$502	\$125	\$167	\$334
\$501	\$125	\$166	\$333
\$500	\$125	\$166	\$333
\$499	\$124	\$166	\$332
\$498	\$124	\$165	\$331
\$497	\$124	\$165	\$331
\$496	\$124	\$165	\$330
\$495	\$123	\$164	\$329
\$494	\$123	\$164	\$329
\$493	\$123	\$164	\$328
\$492	\$123	\$163	\$327
\$491	\$122	\$163	\$327
\$490	\$122	\$163	\$326
\$489	\$122	\$162	\$325
\$488	\$122	\$162	\$325
\$487	\$121	\$162	\$324

WEST VIRGINIA WORKS REDUCTION SCHEDULES

Amount	25% Reduction	1/3 Reduction	2/3 Reduction
\$448	\$112	\$149	\$298
\$447	\$111	\$148	\$297
\$446	\$111	\$148	\$297
\$445	\$111	\$148	\$296
\$444	\$111	\$147	\$295
\$443	\$110	\$147	\$295
\$442	\$110	\$147	\$294
\$441	\$110	\$146	\$293
\$440	\$110	\$146	\$293
\$439	\$109	\$146	\$292
\$438	\$109	\$145	\$291
\$437	\$109	\$145	\$291
\$436	\$109	\$145	\$290
\$435	\$108	\$144	\$289
\$434	\$108	\$144	\$289
\$433	\$108	\$144	\$288
\$432	\$108	\$143	\$287
\$431	\$107	\$143	\$287
\$430	\$107	\$143	\$286
\$429	\$107	\$142	\$285
\$428	\$107	\$142	\$285
\$427	\$106	\$142	\$284
\$426	\$106	\$141	\$283
\$425	\$106	\$141	\$283
\$424	\$106	\$141	\$282
\$423	\$105	\$140	\$281
\$422	\$105	\$140	\$281
\$421	\$105	\$140	\$280
\$420	\$105	\$139	\$279
\$419	\$104	\$139	\$279
\$418	\$104	\$139	\$278
\$417	\$104	\$138	\$277
\$416	\$104	\$138	\$277
\$415	\$103	\$138	\$276
\$414	\$103	\$137	\$275
\$413	\$103	\$137	\$275
\$412	\$103	\$137	\$274
\$411	\$102	\$136	\$273

WEST VIRGINIA WORKS REDUCTION SCHEDULES

Amount	25% Reduction	1/3 Reduction	2/3 Reduction
\$372	\$93	\$123	\$247
\$371	\$92	\$123	\$247
\$370	\$92	\$123	\$246
\$369	\$92	\$122	\$245
\$368	\$92	\$122	\$245
\$367	\$91	\$122	\$244
\$366	\$91	\$121	\$243
\$365	\$91	\$121	\$243
\$364	\$91	\$121	\$242
\$363	\$90	\$120	\$241
\$362	\$90	\$120	\$241
\$361	\$90	\$120	\$240
\$360	\$90	\$119	\$239
\$359	\$89	\$119	\$239
\$358	\$89	\$119	\$238
\$357	\$89	\$118	\$237
\$356	\$89	\$118	\$237
\$355	\$88	\$118	\$236
\$354	\$88	\$117	\$235
\$353	\$88	\$117	\$235
\$352	\$88	\$117	\$234
\$351	\$87	\$116	\$233
\$350	\$87	\$116	\$233
\$349	\$87	\$116	\$232
\$348	\$87	\$115	\$231
\$347	\$86	\$115	\$231
\$346	\$86	\$115	\$230
\$345	\$86	\$114	\$229
\$344	\$86	\$114	\$229
\$343	\$85	\$114	\$228
\$342	\$85	\$113	\$227
\$341	\$85	\$113	\$227
\$340	\$85	\$113	\$226
\$339	\$84	\$112	\$225
\$338	\$84	\$112	\$225
\$337	\$84	\$112	\$224
\$336	\$84	\$111	\$223
\$335	\$83	\$111	\$223

WEST VIRGINIA WORKS REDUCTION SCHEDULES

Amount	25% Reduction	1/3 Reduction	2/3 Reduction
\$296	\$74	\$98	\$197
\$295	\$73	\$98	\$196
\$294	\$73	\$97	\$195
\$293	\$73	\$97	\$195
\$292	\$73	\$97	\$194
\$291	\$72	\$96	\$193
\$290	\$72	\$96	\$193
\$289	\$72	\$96	\$192
\$288	\$72	\$95	\$191
\$287	\$71	\$95	\$191
\$286	\$71	\$95	\$190
\$285	\$71	\$94	\$189
\$284	\$71	\$94	\$189
\$283	\$70	\$94	\$188
\$282	\$70	\$93	\$187
\$281	\$70	\$93	\$187
\$280	\$70	\$93	\$186
\$279	\$69	\$92	\$185
\$278	\$69	\$92	\$185
\$277	\$69	\$92	\$184
\$276	\$69	\$91	\$183
\$275	\$68	\$91	\$183
\$274	\$68	\$91	\$182
\$273	\$68	\$90	\$181
\$272	\$68	\$90	\$181
\$271	\$67	\$90	\$180
\$270	\$67	\$89	\$179
\$269	\$67	\$89	\$179
\$268	\$67	\$89	\$178
\$267	\$66	\$88	\$177
\$266	\$66	\$88	\$177
\$265	\$66	\$88	\$176
\$264	\$66	\$87	\$175
\$263	\$65	\$87	\$175
\$262	\$65	\$87	\$174
\$261	\$65	\$86	\$173
\$260	\$65	\$86	\$173
\$259	\$64	\$86	\$172

WEST VIRGINIA WORKS REDUCTION SCHEDULES

Amount	25% Reduction	1/3 Reduction	2/3 Reduction
\$220	\$55	\$73	\$146
\$219	\$54	\$72	\$145
\$218	\$54	\$72	\$145
\$217	\$54	\$72	\$144
\$216	\$54	\$71	\$143
\$215	\$53	\$71	\$143
\$214	\$53	\$71	\$142
\$213	\$53	\$70	\$141
\$212	\$53	\$70	\$141
\$211	\$52	\$70	\$140
\$210	\$52	\$69	\$139
\$209	\$52	\$69	\$139
\$208	\$52	\$69	\$138
\$207	\$51	\$68	\$137
\$206	\$51	\$68	\$137
\$205	\$51	\$68	\$136
\$204	\$51	\$67	\$135
\$203	\$50	\$67	\$135
\$202	\$50	\$67	\$134
\$201	\$50	\$66	\$133
\$200	\$50	\$66	\$133
\$199	\$49	\$66	\$132
\$198	\$49	\$65	\$131
\$197	\$49	\$65	\$131
\$196	\$49	\$65	\$130
\$195	\$48	\$64	\$129
\$194	\$48	\$64	\$129
\$193	\$48	\$64	\$128
\$192	\$48	\$63	\$127
\$191	\$47	\$63	\$127
\$190	\$47	\$63	\$126
\$189	\$47	\$62	\$125
\$188	\$47	\$62	\$125
\$187	\$46	\$62	\$124
\$186	\$46	\$61	\$123
\$185	\$46	\$61	\$123
\$184	\$46	\$61	\$122
\$183	\$45	\$60	\$121



WEST VIRGINIA WORKS REDUCTION SCHEDULES

Amount	25% Reduction	1/3 Reduction	2/3 Reduction
\$144	\$36	\$47	\$95
\$143	\$35	\$47	\$95
\$142	\$35	\$47	\$94
\$141	\$35	\$46	\$93
\$140	\$35	\$46	\$93
\$139	\$34	\$46	\$92
\$138	\$34	\$45	\$91
\$137	\$34	\$45	\$91
\$136	\$34	\$45	\$90
\$135	\$33	\$44	\$89
\$134	\$33	\$44	\$89
\$133	\$33	\$44	\$88
\$132	\$33	\$43	\$87
\$131	\$32	\$43	\$87
\$130	\$32	\$43	\$86
\$129	\$32	\$42	\$85
\$128	\$32	\$42	\$85
\$127	\$31	\$42	\$84
\$126	\$31	\$41	\$83
\$125	\$31	\$41	\$83
\$124	\$31	\$41	\$82
\$123	\$30	\$40	\$81
\$122	\$30	\$40	\$81
\$121	\$30	\$40	\$80
\$120	\$30	\$39	\$79
\$119	\$29	\$39	\$79
\$118	\$29	\$39	\$78
\$117	\$29	\$38	\$77
\$116	\$29	\$38	\$77
\$115	\$28	\$38	\$76
\$114	\$28	\$37	\$75
\$113	\$28	\$37	\$75
\$112	\$28	\$37	\$74
\$111	\$27	\$36	\$73
\$110	\$27	\$36	\$73
\$109	\$27	\$36	\$72
\$108	\$27	\$35	\$71
\$107	\$26	\$35	\$71

WEST VIRGINIA WORKS REDUCTION SCHEDULES

Amount	25% Reduction	1/3 Reduction	2/3 Reduction
\$68	\$17	\$22	\$45
\$67	\$16	\$22	\$44
\$66	\$16	\$21	\$43
\$65	\$16	\$21	\$43
\$64	\$16	\$21	\$42
\$63	\$15	\$20	\$41
\$62	\$15	\$20	\$41
\$61	\$15	\$20	\$40
\$60	\$15	\$19	\$39
\$59	\$14	\$19	\$39
\$58	\$14	\$19	\$38
\$57	\$14	\$18	\$37
\$56	\$14	\$18	\$37
\$55	\$13	\$18	\$36
\$54	\$13	\$17	\$35
\$53	\$13	\$17	\$35
\$52	\$13	\$17	\$34
\$51	\$12	\$16	\$33
\$50	\$12	\$16	\$33
\$49	\$12	\$16	\$32
\$48	\$12	\$15	\$31
\$47	\$11	\$15	\$31
\$46	\$11	\$15	\$30
\$45	\$11	\$14	\$29
\$44	\$11	\$14	\$29
\$43	\$10	\$14	\$28
\$42	\$10	\$13	\$27
\$41	\$10	\$13	\$27
\$40	\$10	\$13	\$26
\$39	\$9	\$12	\$25
\$38	\$9	\$12	\$25
\$37	\$9	\$12	\$24
\$36	\$9	\$11	\$23
\$35	\$8	\$11	\$23
\$34	\$8	\$11	\$22
\$33	\$8	\$10	\$21
\$32	\$8	\$10	\$21
\$31	\$7	\$10	\$20

APPENDIX G

WV WORKS EARNED INCOME DISREGARD

Earned Income	Income Disregard
\$2,327 - \$2,426	\$951
\$2,227 - \$2,326	\$911
\$2,127 - \$2,226	\$871
\$2,027 - \$2,126	\$831
\$1,927 - \$2,026	\$791
\$1,827 - \$1,926	\$751
\$1,727 - \$1,826	\$711
\$1,627 - \$1,726	\$671
\$1,527 - \$1,626	\$631
\$1,427 - \$1,526	\$591
\$1,327 - \$1,426	\$551
\$1,227 - \$1,326	\$511
\$1,127 - \$1,226	\$471
\$1,027 - \$1,126	\$431
\$927 - \$1,026	\$391
\$827 - \$926	\$351
\$727 - \$826	\$311
\$627 - \$726	\$271
\$527 - \$626	\$231
\$427 - \$526	\$191
\$327 - \$426	\$151
\$227 - \$326	\$111
\$127 - \$226	\$71
\$27 - \$126	\$31
\$ 0 - \$26	\$5