

## 7.9 ELIGIBILITY DETERMINATION GROUPS

The same policy used for Qualified and Poverty-Level children is used for WV CHIP. The policy is also included in this section.

The income of the persons in item B is added together and compared to the income limit for the number of persons in item C. If the income is equal to or less than the income limit, WV CHIP coverage is approved for the person in item A.

**NOTE:** SSI recipients, whether they are adults or children, are not included in the AG, Income Group or Needs Group.

### A. THE ASSISTANCE GROUP (AG)

#### 1. Who Must Be Included

The WV CHIP child must be included in the WV CHIP AG as an eligible recipient of WV CHIP coverage. Each WV CHIP child must be included in a separate WV CHIP AG.

#### 2. Who Cannot Be Included

No one other than the WV CHIP child may be included as an eligible recipient.

### B. THE INCOME GROUP

The income of the following individuals is used to determine the child's eligibility:

- The WV CHIP child
- The **legal** mother of the WV CHIP child, if living in the home with the child
- The legal father of the WV CHIP child, if living in the home with the child
- The legal spouse of the WV CHIP child, if living in the home with the child

**NOTE:** In a joint custody situation in which a child resides 50% of the time with each parent **throughout the year**, the income of both parents is counted for the child. In a joint custody situation in which the child spends the majority of his time with one parent, only the income of that parent is counted.

The income of all other persons, whether or not they live with the child, is excluded. This exclusion applies to the income of the child's blood-related or adopted siblings and to the income of any relative(s), other adult(s) or other child(ren) with whom the child lives.

#### C. THE NEEDS GROUP

Countable income is compared to the income limit for the total number of persons who fall into any of the following groups. The Needs Groups must include the following persons:

- The WV CHIP child
- The mother of the WV CHIP child, if living in the home with the child
- The legal father of the WV CHIP child, if living in the home with the child
- The legal spouse of the WV CHIP child, if living in the home with the child
- The child of the WV CHIP child, if living in the home.
- The WV CHIP child's blood-related or adopted siblings who are under age 19, or who, if they receive Medicaid, receive it as dependent children.
- The expected birth, or births when a multiple birth is expected, that is a blood-related sibling of the child.
- The expected birth, or births when a multiple birth is expected, when the WV CHIP child is pregnant.

**NOTE:** When the income of both parents is counted for a child who resides with each parent 50% of the time **throughout the year**, both parents are included in the child's Needs Group.