

The following individuals are required to be included:

- All otherwise eligible dependent children and their otherwise eligible parent(s) who are living in the same household must be included in the AG. Parent is defined as a natural or adoptive parent. See Chapter 15 for the definition of a dependent child.
- All otherwise eligible blood-related or adoptive siblings who are living in the same household must be included in the same AG. Stepbrothers and stepsisters are not blood-related and, therefore, are not included in the AG.
- All otherwise eligible adoptive siblings who receive federal, state or local adoption assistance, when the AFDC/U check amount would remain the same or increase. See item 3 for income calculations.

**NOTE:** When an individual is required to be in two or more AGs, the AGs must be combined.

When an individual, not related as a parent, a dependent minor child or a minor sibling to a member of an AFDC Medicaid AG, lives in the household and applies for Medicaid, eligibility is determined separately.

## 2. Who May Choose To Be Included

The following individuals may choose to be included:

- One caretaker relative, other than natural or adoptive parents, can choose to be either included or excluded from the AG. If included, his non-excluded income and assets must be considered.

**NOTE: A caretaker relative who is not a natural or adoptive parent cannot be included in the AG when a parent lives in the home.**

- The caretaker relative, who is otherwise eligible, when the only dependent child(ren) in the home receives federal, State or local foster care, adoption assistance payments or SSI. The needs and income of the child are not considered when determining the amount of the benefit. The relative is treated like a parent, except that he may choose to be excluded at any time.

There are no restrictions on the number of times the individual may choose to be included or excluded.

### 3. Who Cannot Be Included

The following situations result in ineligibility for the individual who meets at least one of the following criteria. However, when all members of the AG meet any of the criteria listed below the entire case is ineligible. In addition, when all otherwise-eligible children meet any of the criteria listed below, except receipt of SSI, foster care or adoption assistance, the entire case is ineligible.

- Parents and siblings who are SSI recipients. The caretaker relative may receive AFDC Medicaid when there are no children in the AG, if the children are ineligible for AFDC Medicaid only because they are SSI recipients.
- Parents and siblings who are aliens and are ineligible because they have been sponsored by a private or public agency or organization or because of deeming income from sponsor to alien.
- Parents and siblings who are aliens and are ineligible because they do not meet the citizenship and alienage requirements.
- A child who is a recipient of federal, state or local foster care maintenance payments.
- A child of a minor parent, when the minor parent is a recipient of federal foster care payments.
- A child who is a recipient of federal, state or local adoption assistance, unless the exclusion of the child reduces the amount of payment the AG would have received.

When the child is included in the AG, any portion of the adoption assistance which meets any of the following criteria is excluded:

- The adoption assistance is for a different purpose than the AFDC/U check would have been, i.e., vocational rehabilitation; or
- The adoption assistance is for goods or services not included in the State's Standard of Need, i.e., money for special training or for medical care not provided for recipients of AFDC Medicaid; or
- The adoption assistance makes up the difference between the State's payment standard and the Standard of Need.

The decision regarding care and control must be made on a case-by-case basis. If the Worker cannot make a decision using the above criteria, the Supervisor makes the decision.

A minor parent (mp) is treated as a dependent child in the AG when:

- An application is made by a caretaker relative who has care and control of both the mp and her child.
- An application is made for the mp only by a caretaker relative who has care and control of the mp.

**NOTE:** The mp who lives with a spouse cannot be considered a dependent child.

**NOTE:** When the mp is a dependent child, she must be included on the AG with her dependent blood-related siblings who are otherwise eligible.

The mp is treated as the caretaker relative anytime she has care and control of her own child.

**NOTE:** When the mp and the legal father of the child live together, it is assumed that they are the caretakers of their child. When the **mp** has more than one child and all of the children do not have the same father, the mp is assumed to be the caretaker of all the children as long as the legal father of one child lives in the home. However, when the mp lives with a spouse who is not the legal father of the child, or any of the children, it is not assumed that the mp is the caretaker of the child.

When an individual in the home, other than the mp, has care and control of the mp's child and applies for AFDC Medicaid for the child, the mp who lives in the home must be included in the AG because she is the parent of the child, not because she is the caretaker relative. In this situation, the mp is considered to be the non-caretaker parent. The individual who has care and control of the mp's child is the caretaker relative of the child.

**NOTE:** The mp must be treated the same for the Income Group and for the AG, i.e., when the mp is treated as a dependent child in the AG, the mp's own income is treated as that of a child. When the mp is treated as a caretaker relative or a non-caretaker parent, the income is treated as that of an adult.

**B. THE INCOME GROUP (IG)**

The non-excluded income of all AG members is counted.

The non-excluded income of the following individuals must be counted when determining eligibility, but not when determining need:

- The sanctioned individual or ineligible / illegal alien
- The legal stepparent
- The spouse of a non-parent caretaker relative, when the non-parent caretaker is included in the AG
- The Major Parent who lives with a minor parent, when the minor parent is a caretaker relative or a non-caretaker parent

See Chapter 10 to determine how the income is counted.

**C. THE NEEDS GROUP (NG)**

Countable income is compared to the income limits for the number of persons in the AG to determine eligibility and the amount of the benefit.

**D. EXAMPLES OF AG COMPOSITION**

**EXAMPLE:** Household consists of Ms. A and her two dependent children. All are included in the AG.

**EXAMPLE:** Same as previous example, except that one child receives \$200 VA benefits each month. All are included in the AG, and \$200 is counted as income.

**EXAMPLE:** Household consists of Ms. B and her two nephews who are blood-related siblings. Both children are included. Mrs. B can choose to be either included or excluded. If she is included, her income is counted.

**EXAMPLE:** Household consists of Mr. and Mrs. C, their two children, and her child from a previous marriage. Mr. C is employed full-time. Therefore, he and his children are not eligible to be included because there is no deprivation factor. The AG consists of Mrs. C and her child. Mr. C's income is deemed to the AG according to instructions in Chapter 10. In addition, Mr. C's assets are considered when determining eligibility, since Mrs. C is included in the AG. See Chapter 11.