

**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 AFDC Medicaid 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 AFDC Medicaid 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 during the 8-month period of the \$30 Disregard, even if the client was not a recipient during one of the 4 prior months.

**EXAMPLE:** A client begins working in January. He receives the \$30 + 1/3 Disregard for the earnings he received in January, February, March and April. The case is closed effective June because the client is no longer eligible without the application of the \$30 + 1/3 Disregard. His hours are reduced in November and he reapplies for AFDC Medicaid. He is eligible for the \$30 Disregard for the earnings received in November and December.

When a client does not receive AFDC Medicaid during the 8-month period of the \$30 Disregard, it is not intended that he must be a non-recipient for 20 months (8 months of \$30 Disregard, plus 12 months of non-receipt of AFDC Medicaid) in order to qualify again for the \$30 + 1/3 Disregard.

**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 AFDC Medicaid for 12 consecutive months. In June of the following year, he reapplies for AFDC 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 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 AG member or sanctioned parent must pay for dependent child or incapacitated adult care to accept or continue employment or training, a deduction **is** allowed. The amount **is allowed as** paid, up to the maximum amounts shown below **for each dependent**. The maximum amounts are based on the age of the dependent. The dependent **is not required to be in the AFDC Medicaid AG, Income Group, or Needs Group to allow the deduction**.

## AGE OF DEPENDENT      MAXIMUM MONTHLY DEDUCTION

Under Age 2	\$200
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Age 2 or Over	\$175
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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.

The remainder, after the \$50 disregard, is counted when determining eligibility, even when redirected for WV WORKS.

## C. DETERMINING ELIGIBILITY

**NOTE:** The income of a sanctioned person, who would otherwise be required to be included in the AG, is counted in determining the amount of income available to the AG. However, the needs of the sanctioned person are not considered in any step of the eligibility determination process.

## 1. Determining Eligibility - 185% Of Need Test

The AG is ineligible in any month that its non-excluded gross monthly income exceeds 185% of the Standard of Need. The test is applied as follows:

Step 1: Add together the total non-excluded gross earned income, the gross profit from self-employment and the non-excluded gross unearned income of the AG and any sanctioned person(s).