

Income

10.1 DEFINITIONS 1

10.2 INTRODUCTION 8

10.3 CHART OF INCOME SOURCES 10

 A. ACE 11

 B. ADOPTION ASSISTANCE 11

 C. ADULT FAMILY CARE PROVIDER INCOME 11

 D. ADVANCE PAY 11

 E. AGENT ORANGE PAYMENT PROGRAM 11

 F. AGRICULTURAL STABILIZATION AND CONSERVATION PROGRAMS . 11

 G. ALASKAN NATIVE CLAIMS SETTLEMENT ACT PAYMENTS 11

 H. ALLOTMENTS DIVERTED FROM: 11

 1. Military 11

 2. Job Corps 11

 I. AMERICORPS 12

 J. ANNUITY PAYMENTS 13

 K. BASIC ALLOWANCE FOR HOUSING 13

 L. CASH CONTRIBUTIONS FROM: 14

 1. Individuals 14

 2. Charitable Organizations 14

 M. CHILD SUPPORT 15

 1. Current 15

 2. Arrearages 16

 N. CHORE SERVICE PROVIDER INCOME 16

 O. COMMISSIONS 16

Income

P. COMMUNITY DEVELOPMENT BLOCK GRANTS AND LOANS 16

Q. DAY CARE AND OTHER CARE PROVIDER INCOME 16

R. DEATH INSURANCE BENEFITS 17

S. DEPOSITS INTO A BANK ACCOUNT 17

T. DISABILITY BENEFITS FROM EMPLOYER 17

U. DISASTER ASSISTANCE 17

V. DIVIDENDS 17

W. DOMESTIC VOLUNTEER ACT OF 1973 18

X. DRS FUNDS 18

Y. EITC 19

Z. EDUCATIONAL INCOME 19

AA. EMERGENCY ASSISTANCE FROM DHHR 19

BB. EMERGENCY CHILD CARE PROVIDER INCOME 20

CC. EMPLOYMENT 20

DD. ENERGY ASSISTANCE PAYMENTS OTHER THAN LIEAP 24

EE. FACTOR XIII OR IX BLOOD PRODUCTS LITIGATION 24

FF. FHA; FmHA 24

GG. FOOD STAMPS 24

HH. FOSTER CARE PAYMENTS 25

II. FOSTER GRANDPARENTS PROGRAM 25

JJ. GUARDIANSHIP PAYMENTS 25

KK. GSYP 25

Income

LL. HEMOPHILIA/AIDS SETTLEMENTS AND FUNDS 26

 1. Factor XIII Or IX Blood Products Litigation 26

 2. Ricky Ray Funds 26

 3. Walker v. Bayer Settlements 26

MM. HUD 27

NN. INCOME PROTECTION INSURANCE PROCEEDS 27

OO. INCOME TAX REFUNDS 27

PP. INDEPENDENT LIVING SUBSIDY 27

QQ. INDIAN SETTLEMENT INCOME 28

RR. IN-KIND PAYMENTS 28

SS. INSURANCE PROCEEDS 28

TT. INTEREST INCOME 29

UU. JOB CORPS 29

VV. LIEAP 29

WW. LOANS 30

XX. MEDICAL INSURANCE REIMBURSEMENTS 31

YY. NAZI PERSECUTION VICTIMS PAYMENTS 32

ZZ. OLDER AMERICANS ACT 32

AAA. PENSIONS 32

BBB. PERSONAL CARE PROVIDER INCOME 32

CCC. PERSONAL INJURY AWARDS 32

DDD. RAILROAD RETIREMENT 32

EEE. RENTER'S INSURANCE PROCEEDS 32

FFF. REIMBURSEMENTS 32 a

Income

GGG. RELOCATION PAYMENTS 32 a

HHH. RENT AND/OR UTILITY SUPPLEMENTS 32 a

III. RENTAL INCOME 32 b

JJJ. REPLACEMENT OF PROPERTY BENEFITS 33

KKK. RETIREMENT BENEFITS 33

LLL. RICKY RAY FUNDS 33

MMM. RSDI 33

NNN. ROOMER/BOARDER PROVIDER INCOME 33

OOO. ROYALTIES 33

PPP. RSVP 33

QQQ. SALE OF PROPERTY 34

RRR. SCORE 34

SSS. SICK BENEFITS FROM EMPLOYER 34

TTT. SOCIAL SECURITY PAYMENTS 34

UUU. SPOUSAL SUPPORT OR ALIMONY 34

VVV. SSI 35

WWW. STRIKE BENEFITS 36

XXX. TANF PAYMENTS 37

YYY. THIRD-PARTY PAYMENTS 38

ZZZ. TITLE XIX MEDICAID WAIVER PAYMENTS 38 a

AAAA. TRUST ACCOUNT DISBURSEMENTS 38 a

BBBB. UCI 39

Income

CCCC. UNIFORM GIFTS TO MINORS ACT 39

DDDD. UNSTATED INCOME 39

EEEE. UNIVERSITY YEAR OF ACTION 39

FFFF. URBAN CRIME PREVENTION PROGRAM 39

GGGG. U.S. ACTION AGENCY 39

HHHH. U.S. SAVINGS BONDS 39

IIII. VACATION PAY 39

JJJJ. VETERAN'S COMPENSATION OR PENSION 40

KKKK. VICTIM COMPENSATION PAYMENTS 41

LLLL. VISTA AND AMERICORPS VISTA 41

MMMM. WALKER v. BAYER SETTLEMENTS 42

NNNN. WIA 42

OOOO. WIC 42

PPPP. WINNINGS 42

QQQQ. WORKERS' COMPENSATION 42

RRRR. WV LOCAL HOUSING AUTHORITIES 43

SSSS. WV WORKS 43

TTTT. YOUTHBUILD PROGRAM 44

10.4 FOOD STAMP PROGRAM 45

A. BUDGETING METHOD 45

B. INCOME DISREGARDS AND DEDUCTIONS 58

Income

1.	Earned Income Disregard	59
2.	Standard Deduction	59
3.	Dependent Care Deduction	59
4.	Child Support Deduction	60
5.	Homeless Shelter Standard Deduction	61
6.	Medical Expenses	62
	a. Allowable Expenses	62
	b. Consideration of Medical Bills	64
	c. Medical Deduction for Residents of Group Living Facilities ..	67
	d. Categorically Eligible, Retroactive SSI Approvals	67
7.	Shelter/Utility Deduction	67
	a. Shelter Costs	68
	b. Actual Utility Costs	70
	c. Standard Utility Allowance (SUA)	71
	d. Categorically Eligible, Retroactive SSI Approvals	75
C.	DETERMINING ELIGIBILITY AND BENEFIT LEVEL	76
	1. Determining Eligibility	76
	2. Determining Countable Income	76
	3. Determining The Amount Of The Benefit	78
D.	SPECIAL SITUATIONS	78
	1. Categorical Eligibility	78
	2. Expedited Service	79
	3. Destitute AG's	79
	4. Income From Self-Employment	80
	a. Determining Gross Income	81
	b. Determining Gross Profit	82
	5. Migrant Farm Laborers With Seasonal Employment	86
	6. Annual Contract Employment	87
	7. Educational Income	87
	8. Deeming	90
	a. Deeming From Disqualified Individuals	90
	b. Failure To Comply With Public Assistance Requirements ..	93
	9. Strikers	96
	10. Irregular Income	99
	11. Lump Sum Payments	99
	12. Withheld Income	100
	13. Funds Diverted To A PASS	100
	14. Unstated Income	100
	15. Spenddown	100
	16. Unavailable Income	101
	17. Income Received For A Non-Income Group Member	101

Income

10.5 RESERVED FOR FUTURE USE 102

10.6 GENERAL INCOME INFORMATION FOR MEDICAID COVERAGE GROUPS . 103

A. UNCOMPENSATED TRANSFERS OF INCOME 103

B. BUDGETING METHOD 103

C. CATEGORICAL ELIGIBILITY, EXPEDITED SERVICES, DESTITUTE AG'S AND MIGRANT FARM WORKERS 117

10.7 AFDC MEDICAID (Categorically Needy, Mandatory) 118

A. BUDGETING METHOD 118

B. INCOME DISREGARDS AND DEDUCTIONS 131

1. Earned Income 131

2. Unearned Income 134

C. DETERMINING ELIGIBILITY AND BENEFIT LEVEL 134

1. Determining Eligibility - 185% Of Need Test 134

2. Determining Need - 100% Of Need Test 135

3. Determining Countable Income 136

D. SPECIAL SITUATIONS 136

1. Categorical Eligibility 136

2. Expedited Service 136

3. Destitute AG's 137

4. Self-Employment Income 137

a. Determining Gross Income 137

b. Determining Gross Profit 138

5. Migrant Farm Laborers With Seasonal Employment 140

6. Annual Contract Employment 140

7. Educational Income 141

8. Deeming 143

9. Strikers 146

10. Irregular Income 146

11. Lump Sum Payments 147

12. Withheld Income 153

13. Funds Diverted To A Pass 153

14. Unstated Income 153

Income

15. Spenddown 153

16. Unavailable Income 154

17. Income Received For A Non-Income Group Member 154

10.8 RESERVED FOR FUTURE USE 155

10.9 TRANSITIONAL MEDICAID (TM) (Categorically Needy, Mandatory) 156

A. SELF-EMPLOYMENT 156

B. ANNUAL CONTRACT EMPLOYMENT 156

C. EDUCATIONAL INCOME 156

D. DEEMING 156

E. STRIKERS 157

F. IRREGULAR INCOME 157

G. LUMP SUM PAYMENTS 157

H. WITHHELD INCOME 157

I. FUNDS DIVERTED TO A PASS 157

J. UNSTATED INCOME 157

K. SPENDDOWN 157

L. UNAVAILABLE INCOME 157

M. INCOME RECEIVED FOR A NON-INCOME GROUP MEMBER 157

**10.10 MEDICAID FOR QUALIFIED CHILDREN, REGARDLESS OF BIRTHDATE
(Categorically Needy, Mandatory - Born On Or After 10/1/83;
Optional - Born Prior to 10/1/83) 158**

A. INCOME DISREGARDS AND DEDUCTIONS 158

1. Earned Income 158

2. Unearned Income 158

3. From Remaining Income 160

Income

B. DETERMINING ELIGIBILITY 160

 1. General Rules 161

 2. Specific Steps 161

C. SPECIAL SITUATIONS 162

 1. Self-Employment 162

 2. Annual Contract Employment 163

 3. Educational Income 163

 4. Deeming 163

 5. Strikers 163

 6. Irregular Income 163

 7. Lump Sum Payments 163

 8. Withheld Income 163

 9. Funds Diverted To A PASS 163

 10. Unstated Income 164

 11. Spenddown 164

 12. Unavailable Income 164

 13. Income Received For A Non-Income Group Member 164

**10.11 MEDICAID FOR POVERTY-LEVEL PREGNANT WOMEN (Categorically
Needy, Mandatory) 165**

A. INCOME DISREGARDS AND DEDUCTIONS 165

 1. Earned Income 165

 2. Unearned Income 165

B. DETERMINING ELIGIBILITY 165

C. SPECIAL SITUATIONS 166

 1. Self-Employment 166

 2. Annual Contract Employment 166

 3. Educational Income 166

 4. Deeming 167

 5. Strikers 168

 6. Irregular Income 168

 7. Lump Sum Payments 168

 8. Withheld Income 168

 9. Funds Diverted To A PASS 168

 10. Unstated Income 168

 11. Spenddown 169

Income

12. Unavailable Income 169

13. Income Received For A Non-Income Group Member 169

10.12 MEDICAID FOR POVERTY-LEVEL CHILDREN UNDER AGE 1, AGES 1-5 AND AGES 6-18 IF BORN ON OR AFTER 10/1/83 (Categorically Needy, Mandatory) 170

A. INCOME DISREGARDS AND DEDUCTIONS 170

1. Earned Income 170

2. Unearned Income 170

B. DETERMINING ELIGIBILITY 172

C. SPECIAL SITUATIONS 173

1. Self-Employment 173

2. Annual Contract Employment 173

3. Educational Income 173

4. Deeming 173

5. Strikers 173

6. Irregular Income 173

7. Lump Sum Payments 173

8. Withheld Income 174

9. Funds Diverted To A PASS 174

10. Unstated Income 174

11. Spenddown 174

12. Unavailable Income 174

13. Income Received For A Non-Income Group Member 174

10.13 MEDICAID FOR CONTINUOUSLY ELIGIBLE NEWBORNS (Categorically and Medically Needy, Mandatory) 175

10.14 MEDICAID FOR SSI RECIPIENTS (Categorically Needy, Mandatory) 176

10.15 MEDICAID FOR DEEMED SSI RECIPIENTS (Categorically Needy, Mandatory) 177

A. BUDGETING METHOD 177

B. INCOME DISREGARDS AND DEDUCTIONS 177

Income

C. DETERMINING ELIGIBILITY 177

 1. Method 1 177

 2. Method 2 178

D. SPECIAL SITUATIONS 179

 1. Self-Employment 179

 2. Annual Contract Employment 179

 3. Educational Income 179

 4. Deeming 179

 5. Strikers 179

 6. Irregular Income 179

 7. Lump Sum Payments 179

 8. Withheld Income 179

 9. Funds Diverted To A PASS 179

 10. Unstated Income 180

 11. Spenddown 180

 12. Unavailable Income 180

 13. Income Received For A Non-Income Group Member 180

**10.16 MEDICAID FOR QUALIFIED MEDICARE BENEFICIARY (QMB),
SPECIFIED LOW-INCOME MEDICARE BENEFICIARY (SLIMB)
AND QUALIFIED INDIVIDUALS (QI-1) (Categorically Needy, Mandatory) . . . 181**

A. INCOME DISREGARDS AND DEDUCTIONS 181

B. DETERMINING ELIGIBILITY 181

C. SPECIAL SITUATIONS 182

 1. Self-Employment 182

 2. Annual Contract Employment 182

 3. Educational Income 182

 4. Deeming 182

 5. Strikers 182

 6. Irregular Income 182

 7. Lump Sum Payments 182

 8. Withheld Income 182

 9. Funds Diverted To A PASS 183

 10. Unstated Income 183

 11. Spenddown 183

 12. Unavailable Income 183

 13. Income Received For A Non-Income Group Member 183

Income

10.17 MEDICAID FOR QUALIFIED DISABLED WORKING INDIVIDUALS (QDWI) (Categorically Needy, Mandatory) 184

A. INCOME DISREGARDS AND DEDUCTIONS 184

B. DETERMINING ELIGIBILITY 184

C. SPECIAL SITUATIONS 184

10.18 MEDICAID FOR ILLEGAL ALIENS (Categorically Needy, Mandatory) 185

10.19 MEDICAID FOR CHILDREN WITH DISABILITIES, COMMUNITY SERVICE PROGRAM (CDCS) (Categorically Needy, Optional) 186

A. INCOME DISREGARDS AND DEDUCTIONS 186

B. DETERMINING ELIGIBILITY 186

C. SPECIAL SITUATIONS 186

 1. Self-Employment 186

 2. Annual Contract Employment 186

 3. Educational Income 186

 4. Deeming 186

 5. Strikers 186

 6. Irregular Income 187

 7. Lump Sum Payments 187

 8. Withheld Income 187

 9. Funds Diverted To A PASS 187

 10. Unstated Income 187

 11. Spenddown 187

 12. Unavailable Income 187

 13. Income Received For A Non-Income Group Member 187

10.20 MEDICAID FOR AIDS PATIENTS (Categorically Needy, Optional) 188

A. BUDGETING METHOD 188

B. INCOME DISREGARDS AND DEDUCTIONS 188

C. DETERMINING ELIGIBILITY 188

D. SPECIAL SITUATIONS 188

Income

10.21 AFDC-RELATED MEDICAID (Medically Needy, Mandatory for Children and Optional For Parents) 189

A. BUDGETING METHOD 189

B. INCOME DISREGARDS AND DEDUCTIONS 189

 1. Earned Income 189

 2. Unearned Income 190

C. DETERMINING ELIGIBILITY 191

D. SPECIAL SITUATIONS 192

 1. Self-Employment 192

 2. Annual Contract Employment 192

 3. Educational Income 192

 4. Deeming 193

 5. Strikers 197

 6. Irregular Income 197

 7. Lump Sum Payments 197

 8. Withheld Income 198

 9. Funds Diverted To A PASS 198

 10. Unstated Income 198

 11. Spenddown 198

 a. Procedures 198

 b. Whose Medical Expenses May Be Used 201

 c. Allowable Spenddown Expenses 202

 12. Unavailable Income 205

 13. Income Received For A Non-Income Group Member 205

10.22 SSI-RELATED MEDICAID (Medically Needy, Mandatory) 206

A. BUDGETING METHOD 206

B. INCOME DISREGARDS AND DEDUCTIONS 206

 1. Earned Income 206

 2. Unearned Income 208

C. DETERMINING ELIGIBILITY 209

D. SPECIAL SITUATIONS 210

Income

- 1. Self-Employment 210
- 2. Annual Contract Employment 210
- 3. Educational Income 210
- 4. Deeming 210
- 5. Strikers 216
- 6. Irregular Income 216
- 7. Lump Sum Payments 216
- 8. Withheld Income 216
 - a. From Earned Income 216
 - b. From Unearned Income 216
- 9. Funds Diverted To A PASS 216
- 10. Unstated Income 217
- 11. Spenddown 217
 - a. Procedures 217
 - b. Whose Medical Expenses May Be Used 219
 - c. Allowable Spenddown Expenses 220
- 12. Unavailable Income 223
- 13. Income Received For A Non-Income Group Member 223

- 10.23 RESERVED FOR FUTURE USE 224**

- 10.24 WV WORKS 225**
 - A. BUDGETING METHOD 225
 - B. INCOME DISREGARDS AND DEDUCTIONS 237
 - 1. Earned Income 237
 - a. Earned Income Disregard 237
 - b. Dependent Care Deduction 237
 - 2. Unearned Income 238
 - C. DETERMINING ELIGIBILITY AND BENEFIT LEVEL 239
 - 1. Determining Eligibility - 100% Of Need Test 239
 - 2. Benefit Reductions And Incentives 239
 - a. Non-AG Members or Non-Disqualified Individuals Living
With the AG - Benefit Reduction 239
 - b. AG Includes Legally Married Parent(s) - Marriage Incentive 241
 - 3. Determining Countable Income 243

Income

D. SPECIAL SITUATIONS 244

- 1. Categorical Eligibility 244
- 2. Expedited Service 244
- 3. Destitute AG,s 244
- 4. Self-Employment Income 244
 - a. Determining Gross Income 245
 - b. Determining Gross Profit 246
- 5. Migrant Farm Laborers With Seasonal Employment 248
- 6. Annual Contract Employment 248
- 7. Educational Income 249
- 8. Deeming 249
 - a. Ongoing Income 249
 - b. Lump Sum Payment 249
- 9. Strikers 249
- 10. Irregular Income 249
- 11. Lump Sum Payments 249
- 12. Withheld Income 256
- 13. Funds Diverted To A Pass 256
- 14. Unstated Income 256
- 15. Spenddown 257
- 16. Unavailable Income 257
- 17. Income Received For A Non-Income Group Member 257

APPENDIX A INCOME LIMITS A-1

APPENDIX B STANDARD DEDUCTIONS PRIOR TO 10/02 AND LIMITS FOR THE FOOD STAMP PROGRAM B-1

APPENDIX C BASIS OF COUPON ISSUANCE C-1

APPENDIX D PRORATION TABLE - FOOD STAMPS AND WV WORKS D-1

APPENDIX E PAC ELIGIBILITY - METHOD 1 AND METHOD 2 E-1

APPENDIX F WEST VIRGINIA WORKS REDUCTION SCHEDULES F-1