DEPARTMENT OF HEALTH SERVICES 14/744 P STREET

CRAMENTO, CA 95814

July 15, 1985



To: All County Welfare Directors County Administrative Officers

Letter No. 85- 53

REESE V. KIZER (COMMUNITY PROPERTY DIVISION OF INCOME WHEN ONE SPOUSE IS IN LTC)

This is to provide you with instructions for immediate implementation of a stipulated agreement pending appeal of the subject litigation.

Background:

In 1983 legislation (AB 1667, copy attached) was enacted which required recognition of the community property division of income when one spouse is in LTC and the other spouse resides at home. if federally permissible. The law was not implemented because the Department of Health and Human Services (DHHS) had indicated that such a division conflicts with federal law.

Reese v. Kizer (Alameda Superior Court) was initiated because AB 1667 has not been implemented. On April 29, 1985 a preliminary injunction was issued ordering the Department to implement a portion of the law. The Department filed an appeal which automatically stayed the injunction. Pending the appeal decision, we have entered into a stipulated agreement with the Plaintiffs to determine the shares of cost in accordance with subdivision (a) of AB 1667, in those instances where the applicant, beneficiary or person acting on behalf of an applicant/beneficiary requests such an action.

Instructions

Advise your staff to take the following actions immediately upon request by an LTC applicant, beneficiary or person acting on behalf of an LTC applicant/beneficiary. A request shall be a written or verbal reference to any of the following:

- Reese v. Kizer
- 2. AB 1667
- Section 14005.16, Welfare and Institutions Code, or words to that effect.
- Community property division of income, or words to that 4. effect.

Counties are under no obligation to advise applicants or beneficiaries that these instructions may apply in their case. Eligibility staff should apply these instructions only upon request; in all other instances existing regulations should be applied. Eligibility staff should explain to the persons requesting consideration of the division of community income that such consideration may only be temporary pending resolution of the litigation.

A. Affected Population

The only persons affected by the agreement are persons in long-term care who:

- 1. Have spouses residing at home; and
- 2. Are in their own MFBUs in accordance with existing regulations (22, CAC, Section 50377).

B. Determination of Community Property Ownership

All unearned income received by the LTC spouse and all income (earned and unearned) received by the at-home spouse should be presumed community property income unless this presumption is rebutted by one of the spouses.

- C. Determination of the Amount of Community Property Unearned Income of the LTC Spouse Protected for the Spouse Living at Home
 - 1. Identify the community property unearned income received by the LTC spouse.
 - 2. Identify the community property income (earned and unearned) of the at-home spouse.
 - 3. Combine the amounts determined in steps 1 and 2 and divide this sum by 2.
 - 4. Compare the amount determined in step 3 to the amount of the total community property income received by the at-home spouse (step 2). If the at-home spouse's income (step 2) is equal to or greater than the amount determined in step 3, the at-home spouse's community property interest is adequately protected and no further action need be taken to implement AB 1667. However, if the income received by the at home spouse is less than the amount determined in step 3, the

All County Welfare Directors -3-County Administrative Officers

difference must be treated as income of the at-home spouse and is not to be considered when determining the long-term care spouse's share of cost.

A worksheet is attached for use in calculating the community property income protection. Also included are examples of share-of-cost calculations. Please note that the allocation provisions of Title 22, CAC, Section 50563 are applied after calculating the community property income protection.

If you have any questions please contact Ruthell Ussery of my staff at (916) 324-4970.

Sincerely,

Original signed by

Doris Z. Soderberg, Chief Medi-Cal Eligibility Branch

cc: Medi-Cal Consultants

Medi-Cal Program Consultants

Expiration Date: July 15, 1986

Assembly Bill No. 1667

CHAPTER 1031

An act to add Section 14005.16 to the Welfare and Institutions Code, relating to Medi-Cal.

[Approved by Covernor September 21, 1983, Filed with Secretary of State September 22, 1983.]

LEGISLATIVE COUNSEL'S DIGEST

AB 1667, Connelly. Medically needy persons.

Existing law provides that one of the services covered under the Medi-Cal program is care received in skilled nursing or intermediate care facilities.

Existing law provides for the medically needy category of eligibility under the Medi-Cal program, under which persons who would qualify for specified public assistance programs but for their income or resources are still eligible for Medi-Cal if they have insufficient income to pay for the cost of health care. Under this category, however, individuals may be required to pay a share of costs in order to fulfill eligibility requirements.

This bill would provide that the community property interest of a noninstitutionalized spouse in the unearned income of the other spouse shall not be considered as available income to the spouse living in a skilled nursing facility or intermediate care facility for purposes of determining Medi-Cal eligibility if the spouses are not in the same Medi-Cal budget unit.

The bill would further specify that the community property interest of the institutionalized spouse in the unearned income of the noninstitutionalized spouse would be deemed as available income to the institutionalized spouse.

The bill would further provide that any federal waivers necessary in order to implement provisions of this act shall be sought by the State Department of Health Services, but that failure to obtain any necessary waivers shall not affect implementation of any provisions for which waivers are not necessary or for which waivers are obtained.

The bill further provides that the provisions of the act shall be implemented pursuant to adoption of emergency regulations.

The people of the State of California do enact as follows:

SECTION 1. Section 14005.16 is added to the Welfare and Institutions Code, to read:

14005.16. (a) In determining the eligibility of a married individual, pursuant to Section 14005.4 or 14005.7, who resides in a skilled nursing facility or an intermediate care facility, and who is in

a Medi-Cal family budget unit separate from that of his or her spouse, the community property interest of the noninstitutionalized spouse in the unearned income of the married individual shall not be considered income available to that individual.

(b) In determining the eligibility of a married individual pursuant to Section 14005.4 or 14005.7 who resides in a skilled nursing facility or an intermediate care facility, and who is in a Medi-Cal family budget unit that does not include his or her spouse, the community property interest of the institutionalized individual in the unearned income of the noninstitutionalized spouse shall be considered income available to that individual.

SEC. 2. (a) Any provision of this act that is in conflict with any federal statute or regulation shall be inapplicable to the extent of such conflict, but the provision and the remainder of the provisions shall be imaffected to the extent no conflict exists.

(b) The State Department of Health Services shall, within 30 days of the operative date of this act, seek all federal waivers necessary to implement the provisions. The provisions for which appropriate federal waivers cannot be obtained shall not be implemented, but provisions for which waivers are either obtained or found to be unnecessary shall be unaffected by the inability to obtain federal

waivers for the other provisions.

(c) The State Director of Health Services shall, within 30 days of obtaining all necessary federal waivers, adopt regulations implementing the provisions as emergency regulations in accordance with the provisions of Chapter 3.5 (commencing with Section 11340) of Part I of Division 3 of Title 2 of the Government Code. For the purposes of Chapter 3.5 (commencing with Section 11340) of Part 1 of Division 3 of Title 2 of the Government Code, the adoption of the regulations shall be deemed to be an emergency and necessary for the immediate preservation of the public peace, health and safety, or general welfare. Notwithstanding the provisions of Chapter 3.5 (commencing with Section 11340) of Part I of Division 3 of Title 2 of the Government Code, emergency regulations adopted by the State Department of Health Services in order to implement the provisions shall not be subject to the review and approval of the Office of Administrative Law. These regulations shall become effective immediately upon filing with the Secretary of State.

(d) If any provision of this act or the application thereof to any person or circumstances is held invalid, such invalidity shall not affect other provisions or applications of the act that can be given effect without the invalid provision or application, and to this end the

provisions of this act are severable.

- 1. Community Property
 Unearned Income
 LTC Spouse

 2. Community Property
 Income At Home Spouse
 \$ ____ + \$ ___ = ___
 earned unearned

 3. Total (Add lines 1 &2)
- 4. Each Spouse's Community Interest (line 3 2)
- A. If line 2 is equal to or greater than line 4, the at-home spouse's community property interest is adequately protected.
- Al. Use the amount in line 2 plus any separate income of at-home spouse when determining SOC of at-home spouse and allocation from LTC spouse pursuant to 22 CAC Section 50563.
- A2. Use the amount in line 1 plus any earnings and separate income of LTC spouse when determining LTC SOC.
- B. If line 2 is less than line 4 the at-home spouse's community property interest is not adequately protected.
- B1. Use the amount in line 4*
 plus any separate income
 of at-home spouse when
 determining SOC of at-home
 spouse and allocation from LTC
 spouse pursuant to 22 CAC
 Section 50563.
- B2. Use the amount in line 4 plus any earnings and separate income of LTC spouse when determining LTC SOC.
- * If the at-home spouse has earnings, the earned and unearned portions of line 4 must be identified to enable the proper income deductions to be applied. (See example 2).

Example 1:

\$800 unearned income is received in the name of the LTC spouse*

\$-0- is received in the name of the at-home spouse who is not linked to a Medi-Cal program.

- 1. Community Property Unearned Income of LTC
 Spouse \$800
- 2. Community Property Income of at-home

 Spouse \$\frac{-0-}{\text{Earned}} + \frac{\text{\$} -0-}{\text{Unearned}} \frac{\text{\$} -0-}{\text{\$} -0-} \frac{\text{\$} -0-}{\text{\$}
- 3. Total \$800
- 4. Each spouse's interest \$400

^{*} entered LTC last month

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	1			(9 אוות (9)			13. Total net nonexempt income	
mainger , minus 12)	2.		b .			, 1	(7 mines 12)	1291
mbined earne or 13a and 10						-	 Total net nonexempt income rounded 	1291
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vios 15 by 2)	<u>, </u>		10 ~	4			b. MFBU members in LTC • Personal needs	
c 10 and 17	<u>) </u>		<u> </u>	J		<u>1</u>	 Upkeep of home Needs of disabled dependents 	
EMPT INCO	ME						c. Total maintenance need (25a = 25b)	35
							16. Share of cost	256
							(34 minus 35) 17. Underpayment accustment	<u> </u>
y Worker Si	çnature/Co	m.cu121	on Date	Worker Number	County	: Use	18. Adjusted Shere of Cost	
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intable earned rice 16 by 2) all countable in c 10 and 17)		530			b. MFBU members in LTC + Personal needs - Upkeep of home + Needs of disabled dependents			
EMPT INCOM	E				c. Total maintenance need (15a + 15b)	35		
					16. Share of cost	1401		

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e 12 by 2) countable I	ncome			Total income for educational purpoles Less total educational expenses	D26		NoBU members in LTC	-
l and 13)	· ····································	1		Net countable income		• Pe	rsonal needs	
the follows	ng deduction	s apply.	complete	1150000	5	• Ne	okeep of home eeds of disabled dependents	
, Part VI be tional Expe	efore comple ens es		ımn I: on 50547	700			il maintenance need (+ 13b)	
t Parent Su	pport	Secti	on 50541 on 50551	7/3	¥	14. Shar	e of cost minus 13c)	
us 1/3	or the Blind	Secti	on 50551.1 on 50551.4	4309 ros -75 -325 nd	M'		erpayment adjustment	
e for Self-S		Secti	on 50551.5			16. Adju	ested Share of Cost	
_				1	-		minus 15)	

Example 2:

\$700	Unearned	income	received	in	the	name	of	the	LTC
	spouse*								

\$400 Earned income received by at home spouse who is not linked to a Medi-Cal program.

- 1. Community Property Unearned Income \$700 of LTC Spouse
- 2. Community Property Income of at \$400 home Spouse \$\frac{400}{Earned} + \frac{5}{Unearned}\$
- 3. Total \$1100
- 4. Each Spouse's Interest \$550**

^{*} entered LTC last month

^{**} at-home spouse's interest consists of \$400 earned and \$150 unearned

JUA HUN/SPECIAL DEDUC	TION WORKSHE	ET	County Use Date This Form Effective				
S-Xan No	2.		Case Number	Number in MFBU			
HILDREN WITH SEPARATE INC.		TY EXCLUDED					
laintenance need for MFBU plus e	xcluded child(ren)	s					
laintenance need for MFBU		\$					
xcluded child(ren)'s share of main ine 1 minus line 2)	tenance need	s					
et nonexempt income of excluded	f child(ren)	s					
llocation to excluded child(ren) ine 3 minus line 4)		\$					
nter above amount on MC 176 M,	column III, line 5						
					·		
•			III. ALLOCATION FROM LTC SPOUSE AND/OR CHILDS	_	PERSON TO		
II/SSP OR IHSS RECIPIENT(S) I	N FAMILY-INCON	1E AVAILABLE/	Maintenance need for spous (other than excluded children		\$ 509		
/SSP appropriate payment level rus IHSS authorization for IHSS			Total countable income of spouse and/or nonexcluded children	s 475			
rtual SSI/SSP payment r IHSS payment)	s		 Total allocations/deductions spouse and/or nonexcluded children 	s of S			
It nonexempt income used to termine grant (or IHSS) ne 1 minus line 2)			4. Total net nonexempt incom nonexcluded children (line 2 5. Unmet needs of spouse and)	2 minus line 3)	s-75		
loss unearned income of SSI/SSP IHSS recipient (other than			(line 1 minus line 5) 6. Total countable income of	or nonexcluded children	\$ 34		
I/SSP unearned income ductions and exemptions	s		person in LTC or board and 7. Health insurance for person	in			
rt nonexempt unearned income ne 4 minus line 5)	s		B. Total net nonexempt incom	•	. ==		
oss earned income of SSI/SSP IHSS recipient	s		board and care (line 6 minus	s line /)	1111111111		
I/SSP earned income deductions dexemptions	\$		10. Maintenance need for person	n in s	` ////////////////////////////////////		
t nonexempt earned income ne 7 minus fine 8)	s		11. Total amount needed for m. (add lines 9 and 10)		s 35		
tal net nonexempt income Id lines 6 and 9)		5	- 12- Amount available for alloca children (line 8 minus line 1		s FI		
ine 10 is greater than line 3, the come available to the MFBU and it on MC 176 M, column I or II, Ii	s entered here		13. Allocation to spouse and/or (line 5 or line 12, whichever		s 24		
e 10 is less than line 3, the diffication to the SSI/SSP or IHSS rentered here and on MC 176 M. c.	erence is the accipient and	\$	A For share of cost determination of the ABD person or the spouse of the ABD person, enter above amount on MC 176 M, Column III, line 3 B For share of cost determination of spouse and/or children at home, enter above amount on MC 176 M, column II, line 4				
y Worker Signature			Worker Number	Date of Computa	tion		

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w Applicati			•		Change [] !	Remostrive	Flic	☐ Correction	Effe	ctive Engipility D	ate for this	Probet
	Number			1	onenge o	16 IL CACTIVE	CHS.		1 1010.		Yr.	
	Serial No.	MFBU	Fers.	<u> </u> 	Name – First Mic	dole, L es t	1.	Birthdate Mc. Day Yi	Sex	(1) Social Sec (2) Realth Insu or Rejiroad R	rance Claim	No Cabe
				1.	-TG 500	CUEC				(2)		
					•	-				(1)		
									i i	(1)	• • • • • • •	<u></u>
										(2) (1)		
		 	<u> </u>						1	(2) (1)		1
<u> </u>		1		<u> </u>					<u> </u>	(2)		· · · · · · · · · · · · · · · · · · ·
					_					(2)		
							ł			(2)	• • • • • •	
ome of MFBL id, or disabled ant (except P.	d plus inco	ome of s	-		II. Income of (except PA	MFBU meml or other PA		isted in 1.	III, Sha	ere of cost compu	tation	
NEXEMPT U	NEARNE	D INCO	ME		A. NONEXEN	APT UNEAR	NED IN	OME :	1. Cour	rable income from	n i. 18	111 0
	a. ABD-	MN		Parent	1. Social Secur	מו	T		2.Cou <i>r</i>	stable income from	n 11/11	460
cial Security	148	30			Z. Net Income Property	1rom			3. Tota	l countable eligibl me (add 1 and 2)	lity	4/2
it income am Property					2. Other-item	2€				TIONS ADDED B	ACK FOR	LTC SOC
ner	<u>: </u>									income peductio)
·m: 2e	1				4.					r income deduction		
2!	1									1 deductions apple	o bask	
cuctions	<u> </u>				5. Total unearr	er income				4 and 5) I countable incom		
			<u> </u>		(acc 1 throu					3 and 6)	i c	4/2
mainear minus 6)	ě.		Þ.		6. Deductions				ALLOC	ATIONS AND DE	DUCTION	s
mbined unea		1 27	6		7. Countable ti (5 minus 6)	nearned inc.				ation from LTC/E		
y income oer	cuction	-520			B. NONEXEMP	TEARNED	INCOME		5. Aliac	ne (176W, Part III stion to excluded	 	<u>~_</u>
untable unea		Jan Jan	16	/*)	E. Net €≥med In					ren (176W, Part I) ne to cerermine P		
NEXEMPT E		NCOME	<u> </u>	<u>* * *</u>	(MC 175W, F	nı≱ble	11/1		Eligit 11 Healt	n Insurance		
pss Earned	i .				income (add		1					
:ome	2. —	<u> </u>	b .		Alimony pair	<u> </u>				allocations/deduc 8 through 11)	tions	2
ductions			:		11. Total counta (9 minus 10					net nonexempt i	ncome	1 2 2 2
mæinder minus 12)	٤.		Þ.						(7 m)	nus 12)		14/15
mbined earne classing 13									14. Total	i net nonexempt i: ped	೧೭೦೯೧€	
5 earner inc.	dequetion	1						•	15. Main	tenance need	. <u></u>	_!
meinoer									z, MFBI No.	U mempers nat in	LTC]
untable earne		-			7			•		U members in LT		+
vice 16 by 2) (a) countable d 10 and 17)	inc.	14	/(2						• Pers	sonal needs keep of home os of bisebled de:		
EMPT INCO		<u></u>	-		_			:		maintenance nee		
									(15a	+ 250)		
								- !	26. Share (24 m	e of cost ninus 15)		443
	 <u>-</u> -				l Wo⊶er Nu	maer 1.5	Sounty U.	S.P.		rpsyment adjusto	ven:	
(y Worker S)	gnature/C	.៩៣១១ខែ	; • O D	UEIE			,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,	,		sted Share of Cast		
•									(17 m	ninus 18)		

applying as aged, bli of spouse or parent D INCOME MN b. Spouse or Parent	A. NONEXEMPT UNEARNED		Sex (1) Social Security No. and (2) Health Insurance Claim No. Oth Cover (1) (2) (2) (1) (2) (2) (1) (2) (2) (1) (2) (2) (1) (2) (2) (3) (4)			
of spouse or par DINCOME MN b. Spouse or Parent	nd. II. Income of MFBU members nent (except PA or other PA) A. NONEXEMPT UNEARNED		(1) (2) (1) (2) (1) (2) (1) (2) (1) (2) (1) (2) (1) (2) (1) (2) (1) (2)			
of spouse or par DINCOME MN b. Spouse or Parent	nd. II. Income of MFBU members nent (except PA or other PA) A. NONEXEMPT UNEARNED		(1) (2) (1) (2) (1) (2) (1) (2) (1) (2) (1) (2) (1) (2)			
of spouse or par DINCOME MN b. Spouse or Parent	A. NONEXEMPT UNEARNED		(1) (2) (1) (2) (1) (2) (1) (2) (1) (2)			
of spouse or par DINCOME MN b. Spouse or Parent	A. NONEXEMPT UNEARNED		(1) (2) (1) (2) (1) (2) (1) (2) (1) (2)			
of spouse or par DINCOME MN b. Spouse or Parent	A. NONEXEMPT UNEARNED		(1) (2) (1) (2) (2) (3) (2)			
of spouse or par DINCOME MN b. Spouse or Parent	A. NONEXEMPT UNEARNED		(2) (1) (2) (2) (1) (2)			
of spouse or par DINCOME MN b. Spouse or Parent	A. NONEXEMPT UNEARNED		(2) (1) (2)			
of spouse or par DINCOME MN b. Spouse or Parent	A. NONEXEMPT UNEARNED		(1)(2)			
of spouse or par DINCOME MN b. Spouse or Parent	A. NONEXEMPT UNEARNED					
MN b. Spouse or Parent		INCOME				
Parent	1. OASDI	INCOME	1. Countable Income from I 14			
			2. Countable Income from 11 9			
	2. Net Income from Property		Income allocated from LTC/B&C person to family members at			
	3. Other-Itemize		4. Combined Countable Income			
			(edd 1, 2, and 3) ALLOCATIONS AND DEDUCTIONS			
	4,		5: Allocation to excluded			
	5. Total unearned income		children (176W, Part I)			
<u> بر ا</u>	(add 1 thru 4)		6. Income to determine PA Eligibility			
5 557 -520	B. NONEXEMPT EARNED INC	OME	7. Health Insurance			
-520	6. Total Net Earned Income (MC 176W, Part IV, Line 11.)		8.			
1507	C. TOTAL COUNTABLE INCO	ME				
COME	7. Subtotal ladd 5 and 6)		9.			
b.	8. Child Support/Alimony Paid		10. Total allocations/deductions			
	9. Total Countable Income		(edd 5 through 9)			
	(7 minus 8) NOTE:		(4 minus 10) 50°			
	If there is income from which Ec	Jucational	12. Total net nonexempt Income rounded			
	Expenses are deducted (Sectional Colors of Colors and Colors of Co	unt on line 3 or 4.	73. Walittenance need			
	Total income for educational p	urpose	a. MFBU members not in LTC No.			
1.0-	Less total educational expenses		b. MFBU members in LTC			
	Net countable income		Personal needs Upkeep of home			
ons apply, complete pleting Column 1:			Needs of disabled dependents C. Total maintenance need			
Section 50547			(13a + 13b) 14. Share of cost			
Section 50551	1		(12 minus 13c)			
d Section 50551.	.4		15. Underpayment adjustment			
Section Subbit.	٠.		16. Adjusted Share of Cost (14 minus 15)			
	•		1 112			
		•				
		•				
	Section 50547 Section 50547 Section 50541 Section 50551 Section 50551 d Section 50551	Section 50547 Section 50541 Section 50551 Section 50551.1	Section 50547 Section 50541 Section 50551 Section 50551.1 d Section 50551.4			

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ame			Case Number				
= Sxan	10 3		Case vounde	Number In MFBL	,		
HILDREN WITH SEPARATE IN DM THE MFBU NO.	COME OR PROPE	RTY EXCLUDED					
aintenance need for MFBU plus (excluded child(ren)	s					
aintenance need for MFBU	·	\$					
ccluded child(ren)'s share of maining 1 minus line 2)	ntenance need	s					
et nonexempt income of exclude	d child(ren)	s					
liocation to excluded child(ren) ne 3 minus line 4)		s					
nter above amount on MC 176 M.	, column 111, line 5						
					a a		
,							
• .							
			III. ALLOCATION FROM LTC C SPOUSE AND/OR CHILDRE		PERSON TO		
I/SSP OR IHSS RECIPIENT(S) I	N FAMILY-INCO	ME AVAILABLE/	Maintenance need for spouse; tother than excluded children		\$500		
.LOCATED 'SSP appropriate payment level	<u> </u>	Y////////	Total countable income of spouse and/or nonexcluded				
us IHSS authorization for IHSS ly)	\$		children 3. Total allocations/deductions of spouse and/or nonexcluded	s 507			
tual SSI/SSP payment (IHSS payment)	s		children	\$			
t nonexempt income used to termine grant (or IHSS) to 1 minus line 2)		s	4. Total net nonexempt income nonexcluded children (line 2 r 5. Unmet needs of spouse and/or	ninus line 3) 👉	s 50/7		
oss unearned income of SSI/SSP IHSS recipient (other than nt or IHSS payment)	s		(line 1 minus line 5) 6. Total countable income of person in LTC or board and co	are \$ 4/9.0			
I/SSP unearned income fuctions and exemptions	s		7. Health insurance for person in				
t nonexempt unearned income re 4 minus line 5)	s		8. Total net nonexempt income	*	s 480		
oss earned income of SSI/SSP IHSS recipient	s		board and care (line 6 minus) 9.	s s	s 780		
/SSP earned income deductions lexemptions	s		Maintenance need for person LTC or board and care	in s 25			
: nonexempt earned income e 7 minus line 8)	s		11. Total amount needed for mair (add lines 9 and 10)		s 25		
al net nonexempt income d lines 6 and 9)		s	12. Amount available for allocation children (fine 8 minus line 11)		s 4415		
ne 10 is greater than line 3, the one available to the MFBU and	is entered here		13. Allocation to spouse and/or d	hildren	s 2		
on MC 176 M, column 1 or 11, 1 olent income available"		\$	A For share of cost determination	on of the ABD person or	the spouse of the		
e 10 is less than line 3, the difference is the cation to the SSI/SSP or IHSS recipient and itered here and on MC 176 M, column III, line 6.		s	ABD person, enter above amo B For share of cost determination enter above amount on MC 17	on of spouse and/or chile			
/ Worker Signature				Date of Computat	tion		

Example 4:

1.

\$700	Unearned income is received in the spouse*	name of the LTC
\$865	Gross earned income is received from spouse's employment**	om at-home
\$120	Unearned income is received by the year old disabled child.	couple's 17
	The entire family wants Medi-Cal.	
Community	Property Unearned Income	\$700

2.	Community Property Income	\$865
	of at-home Spouse \$ 865 + -0- earned unearned	

- 3. Total \$1565
- 4. Each Spouse's Interest \$782.50

of LTC Spouse

** This spouse is AFDC-MN on the basis of the incapacitated parent deprivation for the disabled child.

^{*} entered LTC last month

EXO	unale	4			County District County	Use
	1.	ermination	☐ Change ☐ Retroactive Eli	g. 🗆 Correction	Effective Eligibility Date for this	Budget
Stare N	·				1 100. Yr.	
1	rial No. MFBU	Fers. No.	Name - First Middle, Last	Einhdate Mo. Day	(2) Health Insurance Cities	n No i Other
		し	IC spouse		(1)	
					(1)	
					(1) (2) (1)	• • • •
					(2)	
					(2)	
_ †			<u>.</u> -	<u> </u>	(2)	• • • •
					(2)	• • • •
	members applyi plus income of s or other PA)		II. Income of MFBU members (except PA or other PA)	not listed in L	III. Share of cost computation	
NEXEMPT UN	EARNED INCO	ME	A. NONEXEMPT UNEARNES	INCOME	1. Countable income from 1, 18	680
	z. ABD-MN	b. Shouse or Parent	1. Social Security		2. Countable income from 15, 11	
ocial Security	700		2. Net Income from Property		3. Total countable eligibility income (add 1 and 2)	6=0
m Property	·		3. Other-Hemize		DEDUCTIONS ADDED BACK FOR	
her— mile			·		4. AED income deductions +520 (e.g., any income deduction).)
			4.		5. Other income deductions	
iel os 2 thre 4)					6.Total peductions added back (add 4 and 5)	
redetions			E. Total unearned income (add 1 through 4)		7. Total countable income ladd 3 and 6)	
mainoer minus 6)	ē.	b .	6. Deputions		ALLOCATIONS AND DEDUCTION	\$
imp)ned unearf id 72 and 75)	مسر necinc.	700	7. Countable unearned inc. (5 minus 6)		8. Allocation from LTC/B&C Income (176W, Part III)	154
y income beau	uction -\$20		B. NONEXEMPT EARNED INC	OME	5. Allocation to excluded children (276W, Part I)	
זזג≙חט ¢כגדתט. צשתות \$) ברדם.	9) <u>\</u>	<u> </u>	E. Net earned Income (MC 175W, Fart IV, Line 11)		10. Income to petermine PA Eligibility	
NEXEMPT EA	RNED INCOM		9. Subtotal countable income (add 7 and 8)		11. Health Insurance	
cas Earnes :come	2.	5.	16. Child Support/ Alimony Daid.		12. Total allocations/deductions	124
coctions			11. Total countable income (9 minus 10)		[200 E through 22] 	
mainoer minus 12)	٤.	b.			(7 minus 12)	1550
ದಾವು ೧೯೮ ಕರ್ನಾಕರ ೮ 23a ಕರ್ನ 13t	o)	<u> </u>			14. Total het nonexempt income rounded	Sic
S earnes inc. c					15. Maintenance need	
meinoer minus (35)					2. MFBU members not in LTC No.	
untable earned vice 16 by 2)		<i>(</i>) -	_		b. MFBU members in LTC • Personal needs	
ial countable (d 30 and 37)	3	1-6.			* Upkeep of home * Needs of disabled dependents	
EMPT INCOM	ńΕ				c. Total maintenance need (15a + 25b)	25
					3.6. Share of cost (3.4 minus 3.5)	
		die.	Labor of booters - Con-	ty Use	17. Underdayiment adjustment	
ih Moi∗€. Eiê	nature/Comisula	etion Date	Worker Number Coun	1, 056) † c	<u> </u>

w Applica	tion Re	aha:	ermination	☐ Change ☐ Retroactive Elig			Effe	ective Eligibility Date for this E	Budget :
			1	Change Li Retroactive Elig	3. U C	orrection	INIC	1,	
	e Number Serial No. IM	FBU	Pers.	Name – First, Middle, Last	}	irthdate Day Y	r. Sex	(1) Social Security No. an (2) Health Insurance Claim or Railroad Retirement No.	No. Other
Λ.			9-	Lowe from	1		- 	(1) (2)	o. Coverage
<u> </u>						<u> </u>	_	(1)	
1			<u> </u>					(2)	
						·		(2)	
								(2)	
								[2]	
								(1)	- • •
								(2)	
me of MFB fisabled plant pt PA or or	us income o	oplyi of sp	ng as aged, blin couse or pare	d. 11. Income of MFBU members no ne (except PA or other PA)	ot listed in	Ι,	III, Shi	ere of cost computation	
EXEMPT	NEARNED I	NCC	ME	A. NONEXEMPT UNEARNED	NCOME		1. Cou	ntable Income from 1 14	500
	a. ABD-MN	V	 Spouse or Parent 	1. DASDI		٠,	2. Cou	ntable Income from II 9	
DI	12.0			2. Net Income from Property			pers	rné allocated from LTC/B&C on to family members at e (176W, Part III)	134
ncome Property				3. Other-Itemize			4. Com	bined Countable Income	124
r–Itemize								1, 2, and 3) ATIONS AND DEDUCTIONS	1 10-1
				4.				cation to excluded	
1 thru 4)				5. Total uncarned income (add 1 thru 4)	<u></u>			iren (176W, Part I) me to determine PA	
	ned income		20	B. NONEXEMPT EARNED INC	OME			bility th Insurance	
income ded	luction	-S		6. Total Net Earned Income (MC 176W, Fart IV, Line 11.)	<u></u>		7. 11681	Di Hisdishee	
table unear	ned Income		100	C. TOTAL COUNTABLE INCOM	/IE		8.		
EXEMPT E	ARNED INCO	OME		7. Subtotal ladd 5 and 6)			9.		
Earned	a.		D. 8165	8. Child Support/Alimony Paid				l allocations/deductions	<u> </u>
nined earner	d Income	<u> </u>		9. Total Countable Income (7 minus 8)	1911.	∵ 44.	11. Tota	5 through 9) I net nonexempt Income	17-211
arned inc.		 	65	NOTE:				inus 10) I net nonexempt Income	1001
inder (10 r	ninus 11)	1	300	If there is income from which Edu Expenses are deducted (Section		7), show	roun		1624
able earne		-	<u> </u>	calculations here. Enter net amou-				tenance need U members not in	
e 12 by 2)		-	<u> 400 </u>	Total income for educational pu	rpose			No.	654
countable land 13)	Income		<u> 500</u>	Less total educational expenses Net countable income				U members in LTC rsonal needs	
the follow	ing deductions refore complet	s app	oly, complete				• Ne	okeep of home eds of disabled dependents Il maintenance need	1 7 7 7
tional Exp	enses	S	ection 50547			,	(13a	+ 136)	1621
it Parent Si ht Deducti		S	ection 50541 ection 50551					e of cost ninus 13c)	一金
	for the Blind	S	ection 50551.1 ection 50551.4			İ	15. Und	erpayment adjustment	
e for Self-		S	ection 50551.5					isted Share of Cost minus 15)	
pt Income			<u> </u>						
						•			

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EXOLON	26 4		Case Number	Number in MFBU	,	
HILDREN WITH SEPARATE IN OM THE MFBU NO.	COME OR PROPE	RTY EXCLUDED				
faintenance need for MFBU plus	excluded child(ren)	s				
laintenance need for MFBU		s				
xcluded child(ren)'s share of mair ine 1 minus line 2)	itenance need	s	*			
et nonexempt income of exclude	d child(ren)	\$				
llocation to excluded child(ren) ine 3 minus line 4)		s				
nter above amount on MC 176 M,	column III, line 5					
			III. ALLOCATION FROM LTC O SPOUSE AND/OR CHILDRE		FERSON TO	
II/SSP OR IHSS RECIPIENT(S) I	N FAMILY-INCOM	ME AVAILABLE/	Maintenance need for spouse a (other than excluded children)		\$ 634	
LLOCATED /SSP appropriate payment level		V///////	Total countable income of spouse and/or nonexcluded	s 500		
.us IHSS authorization for IHSS aly)	s		Children Total allocations/deductions of spouse and/or nonexcluded			
:tual SSI/SSP payment r IHSS payment)	\$		children 4. Total net nonexempt income (\$ of spause and/or	<u> </u>	
it nonexempt income used to termine grant (or IHSS) ne 1 minus line 2)		s	nonexcluded children (line 2 n 5. Unmet needs of spouse and/or	ninus line 3) .	s 500	
oss unearned income of SSI/SSP IHSS recipient (other than int or IHSS payment)	s		(line 1 minus line 5) 6. Total countable income of person in LTC or board and ca	re \$ 700		
I/SSP unearned income ductions and exemptions	s		Health insurance for person in LTC or board and care			
t nonexempt uncarned income ne 4 minus line 5)	s		Total net nonexempt income of board and care (line 6 minus lines)		s 700	
ass earned income of SSI/SSP IHSS recipient	s		9.	s		
I/SSP earned income deductions dexemptions	s		10. Maintenance need for person i LTC or board and care	s 35		
t nonexempt earned income le 7 minus line 8)	s		11. Total amount needed for main (add lines 9 and 10)	ntenance	s 35	
tal net nonexempt income d lines 6 and 9)		s	12. Amount available for allocation thildren (line 8 minus line 11)		: 665	
one 10 is greater than line 3, the ome available to the MFBU and i on MC 176 M, column for H, II	s entered here		13. Allocation to spouse and/or ch (line 5 or line 12, whichever is	less)	\$ 134	
plent income available" ne 10 is less than line 3, the diff cation to the SSI/SSP or IHSS in ntered here and on MC 176 M, c	ecipient and	\$	A For share of cost determination of the ABD person or the spouse of ABD person, enter above amount on MC 176 M, Column III, line 3 B For share of cost determination of spouse and/or children at home, enter above amount on MC 176 M, column II, line 4			
y Worker Signature			Worker Number	Date of Computa	II OT.	

Example 5:

\$600	Unearned	income	is	received	in	the	name	of	the	LTC
	spouse*									

\$600 Unearned income is received in the name of the spouse at home the spouse states that \$200 of this amount is separate income received from an inheritance; only LTC spouse wants Medi-Cal.

- 1. Community Property Unearned Income \$600 of LTC Spouse
- 2. Community Property Income \$400

 of at Home Spouse \$ -0- + \$ 400

 Earned Unearned
- 3. Total \$1000
- 4. Each Spouse's Interest \$500

^{*} entered LTC last month

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					Change	Elig. (☐ Correction	Erte Mo.	ctive Eligibility Da			
Siate	Number		1				Birnhdare	Sex	(1) Social Secu	Yr.		
j 7 Digiτ S	Serial No. 1		ers. No.		Name - First Middle, Last		Mc. Day Y		(2) Health Insur or Reflroad Re	ance Claim	Ne Da	
				11	C Spouse			1	(2)		• • •	
_	İ								(1)			
								i	(1)			
i		İ							(2) (1)			
<u> </u>			-					- -	(2)			
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1	<u> </u>		<u> </u>	 				<u> </u>	(2)		•••	
<u> </u>	ļ								(1)		<u>····</u>	
or disabled) members : Eplus incon A or other l	ne of sp			II. Income of MFBU membe (except PA or other PA)	ers not l	isted in l.	111. Sh	ere of cost comput	nion		
EXEMPT U	NEARNED	INCO	ИE		A. NONEXEMPT UNEARN	EDINO	OME	i.Cour	ntable income from	1. 18	427	
	Z. AED-M	in	b. Soc Par	ouse or ent	1. Social Security			2.Cour	stable income from	U, 53	-	
el Security					2. Net income from Property			3. Total countable eligibility income (apr 1 and 2)		η	490	
Property		1			3. Other-itemize			DEDUCTIONS ADDED BACK FOR		CK FOR	LTC SOC	
r	[1		÷\$20	S20	
lae	1 1 mm: Min /	- +			4.				any income deduction income deduction			
J. J. J.	<i>j</i>							€ Teta	1 ರಕ್ಷದ್ಯವಾರ್ಥಿಕ ಕರ್ನಕ್ಷ	bask	1	
1 1 thru 4)	<u> </u>							(add 4 and 5) 7. Total countable income			6.	
actions	•				5. Total unearned income (add 1 through 4)			1	3 and 6)		2	
zinder inus E)	2 .		D.		6. Deputions			[·	ATIONS AND DE	DUCTION	S	
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Property 7-Itemize 3. Other-Itemize 4. Combined Countable Income (add 1, 2, and 3) ALLOCATIONS AND DEDUCTIONS 4. Including 1000 5: Allocation to excluded children (176W, Part 1)	100
4. Mariana 500 ALLOCATIONS AND DEDUCTIONS 4. Mariana 500 5: Allocation to excluded children (176W, Part))	
children ()/bw. Part))	
E Total upgaroed income	
1 thru 4) 6. Income to determine PA	
ned unearned income B. NONEXEMPT EARNED INCOME 7. Health insurance	
income deduction —S20 E. Total Net Earned Income IMC 176W, Part IV, Line 11.) 8.	
table unearned Income C. TOTAL COUNTABLE INCOME nus 7)	
EXEMPT EARNED INCOME 7. Subtotal (add 5 and 6) 9.	
Earned a. b. 8. Child Support/Alimony Paid 10. Total allocations/deductions (add 5 through 9)	
9. Total Countable Income 9a and 9b) 9. Total Countable Income (7 minus 8) (4 minus 10)	
arned Inc. deduction NOTE: 12. Total net nonexempt Income rounded	
inder (10 minus 11) Expenses are deducted (Section 50547), show 13. Maintenance need calculations here. Enter net amount on line 3 or 4.	
table earned income a. MFBU members not in Total income for educational number	
countable Income 3 and 13 Less total educational expenses b. MFBU members in LTC Personal needs	
the following deductions apply, complete /, Part VI before completing Column 1: C. Total maintenance need	
tional Expenses Section 50547 t Parent Support Section 50541 nt Deduction Section 50551 14. Share of cost (12 minus 13c)	
lus 1/3 Section 50551.1 Expenses for the Blind Section 50551.4 e for Self-Support Section 50551.5	
e for Self-Support Section 50551.5 15. Adjusted Share of Cost (14 minus 15)	
ipt Income	

	ON WORKSHE	ΕT	Co	unty Use	Date This Form Effective		
tame 5000	5		Cat)			
LOREN WITH SEPARATE INCO	OME OR PROPER	TY EXCLUDED	<u> </u>				
faintenance need for MFBU plus exc	studed child(ren)	5	7				
faintenance need for MFBU	\$						
xcluded child(ren)'s share of mainte line 1 minus line 2)	nance need	s					
et nonexempt income of excluded c	hild(ren)	s					
llocation to excluded child(ren) ine 3 minus line 4)		s	4				
nter above amount on MC 176 M, co	olumn III, line 5						
			111	ALLOCATION FROM LTC OR E SPOUSE AND/OR CHILDREN A		PERSON TO	
T/SSP OR THSS RECIPIENT(S) IN	FAMILY-INCOM	E AVAILABLE/	1.	Maintenance need for spouse and, (other than excluded children)	or children at home	s 509	
/SSP appropriate payment level us IHSS authorization for IHSS			2.	Total countable income of spouse and/or nonexcluded children	s 1700		
tual SSI/SSP payment IHSS payment) \$	 		3.	Total allocations/deductions of spause and/or nonexcluded children	s		
t nonexempt income used to ermine grant (or IHSS) se 1 minus line 2)				Total net nonexempt income of st nonexcluded children (line 2 minu Unmet needs of spouse and/or no	ıs line 3) 🧓	s /7/	
ass unearned income of SSI/SSP HSS recipient (other than It or IHSS payment)				(line 1 minus line 5) Total countable income of person in LTC or board and care	s		
/SSP unearned income uctions and exemptions S			7.	Health insurance for person in LTC or board and care	s		
nonexempt unearned income (4 minus line 5)	3		8.	Total net-nonexempt income of p board and care (line 6 minus line		s	
ts earned income of SSI/SSP HSS recipient S	3		9.		s		
SSP earned income deductions exemptions	·		10.	Maintenance need for person in LTC or board and care	s		
nonexempt earned income 7 minus line 8)	; ********		11.	Total amount needed for mainten (add lines 9 and 10)	ance	s	
I net nonexempt income lines 6 and 9)		\$	12.	Amount available for allocation to children (line 8 minus line 11)	spouse and/or	s	
e 10 is greater than line 3, the dif- ne available to the MFBU and is e in MC 176 M, column 1 or 11, line ent income available"	intered here	\$	13. Allocation to spouse and/or children (line 5 or line 12, whichever is less) \$				
: 10 is less than line 3, the differention to the SSI/SSP or IHSS recipred here and on MC 176 M, column	pient and	s	A For share of cost determination of the ABD person or the spouse of ABD person, enter above amount on MC 176 M, Column III, line 3 B For share of cost determination of spouse and/or children at home, enter above amount on MC 176 M, column II, line 4				
Worker Signature			Wor	ker Number	Date of Computat	ion	