

- Provided through a service company to assist the household member and / or
- Required by a doctor for adequate medical care at home.
- Medically necessary care that is provided daily
- The primary reason the attendant resides with the household member

Documentation from a health care provider is required.

Example:

In order to receive adequate medical care to live at home, _____ requires daily medical care services. The recommended frequency or amount of medical care required is _____ (number of hours, level of care, etc).

Foster Care

Households may choose foster family members as household members or not, whichever is the most beneficial:

- Count foster care payments in household income and include the person(s) in foster care as household members.
- Exclude foster care payments from household income and exclude the person(s) in foster care as household members.

Relative Custody Assistance

- The child is counted as a household member.
- Do not count income received from the RCA program.
- Include any other unearned income the household may receive from other sources in support of the child, such as; MFIP, Supplemental Security Income, Veteran's Benefits and Social Security.

Income Definition and Determination

Income is defined according to the Department of Health and Human Services *Update of the Estimated State Median Income for Four Person Families*. Income means a household's gross cash receipts, before taxes. Certain kinds of money the household receives are not, by their nature, income. Both income inclusions and income exclusions are described below.

Households must provide verification of all members' incomes for the eligibility period. DOC developed forms must be used for households claiming zero income. Follow-up with households with very low income is an A16 activity.

The standard used to determine maximum eligible income for most household sizes is state median income guidelines, issued annually by the federal Department of Health and Human Services. The income guidelines equal 50 percent of the Minnesota state median income. 110% of the federal poverty guideline becomes the standard when it is greater than 50 percent of the state median income for a particular household size.

Eligibility is based on household income using the following criteria:

- Gross payments for the 3 complete calendar months prior to signing the application for most earned and unearned income.
- The previous year's profit divided by 4 for self-employment and certain regular annual payments.

2012 Maximum Energy Assistance Program Income Guidelines

2012 Maximum Energy Assistance Program Income Guidelines						
Based on 50% SMI or 110%* of federal poverty guidelines, whichever is greater						
Household Size	Annual Income	3 month Maximum Guidelines		Household Size	Annual Income	3 month Maximum Guidelines
1	\$22,386	\$5,596		11	\$63,283	\$15,820
2	\$29,274	\$7,318		12	\$64,574	\$16,143
3	\$36,162	\$9,040		13	\$65,866	\$16,466
4	\$43,050	\$10,762		14	\$67,157	\$16,789
5	\$49,937	\$12,484		15*	\$70,807	\$17,701
6	\$56,825	\$14,206		16*	\$75,009	\$18,752
7	\$58,117	\$14,529		17*	\$79,211	\$19,802
8	\$59,408	\$14,852		18*	\$83,413	\$20,853
9	\$60,700	\$15,175		19*	\$87,615	\$21,903
10	\$61,991	\$15,497		20*	\$91,817	\$22,954

Income Inclusions and Exclusions

Income Types	Definition	Count	
		YES	NO
Adoption Assistance			✓
Assistance Payments	DWP, General Assistance, RSDI/SSI/MSA, MFIP.	✓	
Business Income	Income from a business less business expenses	✓	
Capital Gains or Losses	For Self-Employment only – see IRS Form 4797	✓	
Child Support	Payments received by household		✓
Consumer Support Grant (CSG) Program	CSG is not income. The entire grant amount is earmarked to purchase specific services. (Payments to those who provide services are income).		✓
Contract for Deed	Count annual interest payment divided by 4.	✓	
Dividends, Interest and Royalties	If over \$50 per quarter or \$200 a year. If payments are made annual or regularly but not monthly, use the 12-month total divided by four. If monthly, use the last three months.	✓	
Disability, Short- and Long-Term	Count only reimbursement for wages and not reimbursement for out of pocket medical costs.	✓	
Draw-down on assets	Includes reverse mortgages		✓
Earned Income including Wages, Salaries, Commissions, Bonuses, Profit Sharing, Tips, Vacation pay; Severance pay; Sick Leave; Royalties and Honoraria which result from the client's work or service.	Count all gross earned income received in 3 months	✓	

Income Types	Definition	Count	
		YES	NO
Earned income for minors or K-12 students	This is never counted		✓
Earned Income Credit	This is never counted. Sometimes an EIC Advance will be on a payroll check. It should not be added into the gross, but sometimes it is. Deduct it from the gross when determining eligible income.		✓
Employer paid fringe benefits, including the employer portion of cafeteria benefits			✓
Food or rent received instead of wages			✓
Gambling or wagers			✓
Gifts (cash) - Irregular	Cash gifts are irregular if it is not possible to anticipate receiving it.		✓
Gifts (cash) - Regular	Provide regular support for the family.	✓	
Income passed through to creditors	Such as: Forced sales.		✓
Indian per capita judgment payments			✓
In-kind income			✓
Interest on Pre-Paid Burial Accounts	Interest earned on pre-paid burial accounts is not income for the Energy Assistance Program.		✓
Irregular Income	Resulting from occasional work such as income from lawn mowing or snow shoveling.		✓
Job-related expenses for non-self-employed	Deduct job-related expenses from gross income for employed individual who pays business expenses comparable to self-employment, such as a sales person, truck driver, or cab driver.		✓
Jury duty pay		✓	
Loans	Includes cash draw downs on credit cards.		✓
Lump sum payments -- Regular	Consider the annual payment divided by four.	✓	
Lump sum payments -- Non-recurring			✓
Minnesota Supplemental Aid (MSA) Special Needs Payments	These payments are for medically necessary prescribed diets, guardian or conservator fees, necessary nonrecurring home repairs, etc.		✓
Military or Ministerial Housing Allowance			✓
Military pay	When a household member is deployed, that person remains a household member. Only the income that is made available to the household should be counted as income. Housing allowance is not considered income.	✓	
Military Combat Zone pay			✓

Income Types	Definition	Count	
		YES	NO
Overpayments	Income received in error during any of the previous three months, which the household member is responsible to repay.		✓
Payments on behalf of the household	Must provide regular support for the family.	✓	
Program Participation income	Title V of the Older Americans Act: Experience Works, Senior Health Aides, Senior Companions. Domestic Volunteer Service Act: VISTA, AmeriCorps, UYA, Urban Crime Prevention Program, RSVP, Foster Grandparent Program, Senior Health Aides, Senior Companions, ACE.		✓
Refunds and Reimbursements	For example: repayment for job related expenses such as mileage or uniforms; for medical expenses; income tax refunds or rebates.		✓
Relative Custody Assistance Payments	Do not count income received from the RCA program.		✓
Rental Income	Consider rental to be a business. Rental income is rent collected minus expenses. Use income tax return or Self-Employment Income Worksheet: Cash Accounting Method. Determine equivalent 3-month income.	✓	
Retirement Income: Including 401s, 403Bs, Annuities, IRAs, Pensions And Other Retirement Plans And Accounts	Count "retirement payments" generally received at age 59½ or older. Do not count early withdrawals. If payments are not received monthly or quarterly, determine the 3-month average income.	✓	
Section 8 Mortgage Payments	These payments may be cash payments to the household or regular payments on behalf of the household.		✓
Social Security Benefits	Net amount of the check (gross amount minus amount deducted for Medicare and Medicare Part D). Count for all household members (even minors and students).	✓	
Social Security non-recurring lump sum payments	Do not include one-time lump sum Social Security payments as income.		✓
Spousal support or alimony	Payments received by the household	✓	
Strike Benefits		✓	
Student Income (Grants)			✓
Student Income (Loans)			✓
Student Income (Work Study)			✓

Income Types	Definition	Count	
		YES	NO
Training allowances	From federal and state employment programs, only the portion that pays or reimburses for living expenses unless excluded by law.	✓	
Tribal per capita payments from casinos	If annual or regular lump sum payments, total for the past 12 months then divided by four. If monthly, use the last three months.	✓	
Tribal Judgment Funds above \$2,000	Only annual payments above \$2,000. This income is rare in Minnesota and is related to land acquisitions.	✓	
Trust Disbursements	If payments are made annual or regularly but not monthly, use the 12-month total divided by four. If monthly, use the last three months.	✓	
Trust Disbursements for Special Needs (also known as Special Needs Trusts)	If payments are made regularly but not monthly, use the 12-month total divided by four. If made monthly, use the last three months. Count payments and distributions for regular support and income. Exclude payments and distributions for special needs/medical expenses from income.	✓	
Unemployment Insurance	See the Unemployment Insurance Income Documentation section later in this chapter for details on documenting Unemployment Insurance income.	✓	
Veteran's Benefits		✓	
Worker's Compensation		✓	

List of excluded types of income

By law, the following cannot be considered income:

- Agriculture Nutrition Act of 1949 Section 416: Value of federally donated food acquired through price support operations for school lunch or other distribution to needy people.
- Child Nutrition Act of 1966. The value of assistance to children under this Act.
- Conveyance of Submarginal Lands to Indians: The value of land taken from and later added back to Indian reservations must not be considered income.
- Domestic Volunteer Service Act of 1973 (P.L.93113): Income paid to participants. Title I: Volunteers in Service to America (VISTA), Americorps, University Year for Action (UYA), Urban Crime Prevention Program. Title II: Retired Senior Volunteer Program (RSVP), Foster Grandparent Program, Older Americans Community Service Program (Senior Health Aides, Senior Companions). Title III: Service Corps of Retired Executives (ACE).

- Food Stamp Act of 1964: The value of the coupon allotment provided to any eligible household in excess of the amount charged to that household.
- Indian per capita judgment payments made to any tribe or group whose trust relationship with the federal government has been terminated and for which legislation in effect before October 12, 1973 authorized the disposition of its judgment funds.
- Job Related Expenses for Non Self-Employed Applicants should not be counted as income.
- National School Lunch Act: The value of assistance to children under this Act.
- Non-cash federal or state benefits.
- Older Americans Volunteer Act of 1965 (P.L. 96-478): Income paid to participants in programs carried out under the Community Service Employment Program (Title V of the Older Americans Act), including Experience Works, Senior Health Aides, Senior Companions.
- Medicare/Medicaid: The value of medical expenses paid directly to a health care provider on behalf of the household.
- Medicare deductions from Social Security.
- Plan for Achieving Self Support (PASS) payments (funded through Social Security.)
- Payments received from youth incentive entitlement projects, youth community conservation and improvement projects.
- Payments made under the Radiation Exposure Compensation Act (Public Law 101-426).
- Payments made by federal Service Providers under a presidential declaration of disaster including, but not limited to, individual family grants from the Federal Emergency Management Agency (FEMA).
- Post-Secondary Child Care Grant lump sum payments paid directly to client.
- Reparation payments to Aleut people and people of Japanese ancestry under Public Law 100-383.
- Reimbursements from the Uniform Relocation Assistance and Real Property Acquisition Policy Act of 1970.
- Student grants to any undergraduate student made or insured through programs administered by the Commissioner of Education under Title V, Sec. 507 of the Higher Education Amendments of 1968. (Public Law 90-575, 883 Statute 1063)
- Subsidized Housing: The value of any assistance paid with respect to a dwelling under the U.S. Housing Act of 1937, the National Housing Act, Section 101 of the Housing and Urban Development Act of 1965, or Title V of the Housing Act of 1949.

- Title I of the Workforce Investment Act of 1998 (WIA): Supportive services to participants. Supportive services include assistance that enables people to participate in the program, e.g., transportation, health care, child care, handicapped assistance, meals, temporary shelter, counseling, and other reasonable expenses or participation in the program. Exclude all WIA-supported income received by dependent household members who are 18 years old or younger or attending school K-12.
- Tribal Judgment Funds less than \$2,000. According to Section 8 of the Indian Tribal Judgment Funds Use or Distribution Act, 25 U.S.C. § 1408, the individual interests earned from Tribal “trust or restricted lands shall not be considered a resource, and up to \$2,000 per year of income received by individual Indians that is derived from such interests shall not be considered income, in determining eligibility for assistance under the Social Security Act [42 U.S.C. 301 et seq.] or any other Federal or federally assisted program.
- Veteran’s Benefits: Vietnam Agent Orange Benefits. Benefits for the children of woman-Vietnam veterans who suffer from certain birth defects must not be considered as income or resources in determining eligibility or benefits. If a child receives a benefit from the Veteran’s Administration because of a birth defect, it is likely this benefit (P.L. 106-419).
- Veteran’s educational allowance.
- WIC Benefits: benefits from the Women, Infant and Children (WIC) nutrition program, Child Nutrition Act.

Income Verification

Qualified Eligibility

Households that have any of the following sources of income and no other income are eligible at the lowest level of income under the state median income guidelines. These households must submit proof of participation in one of the programs below, but are not required to provide income detail, such as the No Income sheet.

- Diversionary Work Program (DWP)
- General Assistance
- MFIP (Minnesota Family Investment Program).
- MSA (Minnesota Supplemental Aid)--see Exception below
- SSI (Supplemental Security Income)

In addition, households with any of the sources listed above must document their income for each source for only one month. Consider payments for the other two months to be the same as the documented month when determining eligibility.

Exceptions:

Include MSA without requiring documentation if the household receives SSI and has checked MSA on the application as a source of income.

Document MFIP benefits for the past three months:

- If the household has both MFIP and wages
- If an MFIP benefit is less than the full amount expected for the household size