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TITLE 470 DIVISION OF FAMILY AND CHILDREN

Proposed Rule

LSA Document #02-152

DIGEST

Amends 470 IAC 8.1-2-12 concerning the personal needs allowance amount allowed under assistance to residents in county homes income eligibility to increase the amount from \$50 to \$52 pursuant to amended state statute. Effective 30 days after filing with the secretary of state.

470 IAC 8.1-2-12

SECTION 1. 470 IAC 8.1-2-12 IS AMENDED TO READ AS FOLLOWS:

470 IAC 8.1-2-12 Income eligibility

Authority: IC 12-10-6-1; IC 12-13-2-3; IC 12-13-5-3

Affected: IC 12-10-6; IC 12-30

Sec. 12. (a) An applicant's or recipient's income eligibility for assistance to residents in county homes shall be determined by the procedures in this section.

(b) The following requirements apply to a single applicant or recipient:

- (1) Determine the applicant's or recipient's countable income under section 10 of this rule.
- (2) Subtract from the total amount determined in subdivision (1), **fifty fifty-two dollars (\$50) (\$52)** for the personal needs of the applicant or recipient.
- (3) Subtract the established board and room rate from the amount determined in subdivision (2).
- (4) If the remainder is less than zero dollars (\$0), the applicant or recipient is eligible for assistance to residents in county homes.
- (5) If the remainder is zero dollars (\$0) or more, the applicant or recipient is ineligible for assistance to residents in county homes.

(c) The following requirements apply to married applicants or recipients residing in the county home:

- (1) Determine separately each spouse's countable income under section 10 of this rule.
 - (2) Subtract from each spouse's total amount determined in subdivision (1), **fifty fifty-two dollars (\$50) (\$52)** for the spouse's personal needs.
 - (3) Subtract the established room and board rate from the amount determined in subdivision (2) for each spouse.
 - (4) If each spouse's remainder is less than zero dollars (\$0), each spouse is eligible for assistance to residents in county homes.
 - (5) If one (1) spouse is ineligible, subtract the amount of his average monthly medical expenses from his remainder determined in subdivision (3).
 - (6) Add the remainder determined in subdivision (5) to the eligible spouse's countable income in subdivision (1).
 - (7) Subtract from the total amount determined in subdivision (6), **fifty fifty-two dollars (\$50) (\$52)** for personal needs.
 - (8) Subtract the established board and room rate from the amount determined in subdivision (7).
 - (9) If the remainder is less than zero dollars (\$0), the spouse is eligible for assistance to residents in county homes.
 - (10) If the remainder is zero dollars (\$0) or more, both spouses are ineligible for assistance to residents in county homes.
- (Division of Family and Children; 470 IAC 8.1-2-12; filed Mar 1, 1984, 2:31 p.m.: 7 IR 1002, eff Apr 1, 1984; filed Sep 22, 1988, 2:30 p.m.: 12 IR 293; filed Mar 5, 1998, 9:15 a.m.: 21 IR 2385; filed Mar 13, 2000, 7:41 a.m.: 23 IR*

1993)

Notice of Public Hearing

Under IC 4-22-2-24, notice is hereby given that on November 27, 2002 at 10:30 a.m., at the Indiana Government Center-South, 402 West Washington Street, Room W451 Conference Room A, Indianapolis, Indiana the Division of Family and Children will hold a public hearing on proposed amendments concerning the personal needs allowance amount allowed under assistance to residents in county homes income eligibility to increase the amount from \$50 to \$52 pursuant to amended state statute.

If an accommodation is required to allow an individual with a disability to participate in this meeting, please contact Kevin Wild at (317) 233-2582 at least 48 hours prior to the meeting.

Copies of these rules are now on file at the Indiana Government Center-South, 402 West Washington Street, Room W451 and Legislative Services Agency, One North Capitol, Suite 325, Indianapolis, Indiana and are open for public inspection.

Howard Stevenson
General Counsel
Division of Family and Children