Section 1931(b) Program DRAFT Regulations

50491. Treatment of Property Under the Section 1931(b) Program. The property of MFBU members applying for Medi-Cal under the Section 1931(b) program shall be treated in accordance with Article 9 as amended, with the following exceptions.

(a) Whenever determining or redetermining the eligibility of an MFBU under the Section 1931(b) program, counties shall complete the form "Property Reserve Work Sheet - Section 1931(b) Program" [MC 176 P (/98) Back] and retain a copy in the case record.

(b) The following sections of Article 9 shall not apply.

50402	50420(a)	50426	50453.5	50465	50483
50412	50420.5	50427	50454.5	50467	50485
50413	50421	50428	50456	50469	50489
50416	50421.5	50441	50457	50471	50489.1
50417	50423	40449	50461	50473	50489.5
50418	50425	50453	50463	50475	50489.9

(c) Notes, mortgages, deeds of trust, installment contracts and agreements (even where real property is held as security until the purchase price has been paid) shall be considered personal property. The portion of the payments which represent interest shall be considered to be income in the month of receipt and the portion of the payments which represent principal shall be considered property.

(d) The separate and community property share of real or personal property owned by a stepparent who is not an applicant or beneficiary shall be exempt.

(e) The exclusive personal property of a child who does not receive Medi-Cal under the Section 1931 program shall be exempt when determining eligibility for the MFBU under the Section 1931 program.

(f) The total value of all real or personal property in which an MFBU member has an ownership interest, (property which is either owned separately by the MFBU member or jointly with the SSI/SSP recipient), and which is considered in determining the eligibility of the SSI/SSP recipient shall be exempt.

(g) Real and personal property, including property held in trust, transferred to a trust, and

income produced and retained by the trust, is considered to be available if a member of the MFBU has the legal right, power and authority to liquidate the property and to use the proceeds. Available property, unless otherwise exempt, shall be valued in accordance with this section and shall be included in the property reserve. Property which is not available shall not be included in the property reserve.

(1) Property, other than real property, owned jointly with someone outside of the MFBU shall be considered available in its entirety to the owner in the MFBU, unless it can be demonstrated that such property is inaccessible to the owner in the MFBU or that the source and amount of funds invested in the property or the facts around the inheritance, if it was acquired in this way, must be determined in order to arrive at the share which the applicant/beneficiary and/or his/her spouse actually owns. If the owner in the MFBU can demonstrate that he/she actually owns or has access to only a portion of the property, only the value of that portion of the property shall be included in the property reserve. The property shall be considered totally inaccessible to the owner in the MFBU if the property cannot practically be subdivided and the owner's access to the value of the property is dependent on the agreement of a joint owner who refuses to comply. Property cannot be practically subdivided if the financial value of the proportionate share would be significantly reduced by sale of only the subdivision.

(2) Personal property of a woman who is temporarily residing in a shelter for battered women and children shall be considered unavailable if:

(A) the property is jointly owned by the resident and member(s) of the former household from which the resident fled, and

(B) the resident's access to such property requires the consent of both the resident and the member(s) of the former household.

(3) Real property, not otherwise exempt, that the owner is making a good faith effort to sell shall be considered unavailable and shall not be included in the property reserve for one period per parcel of no more than nine months. If the owner elects not to sell the property at any time prior to the expiration of the nine months, the property shall no longer be considered unavailable and the net market value shall be included in the property reserve.

(A) For purposes of subsection (3) above, a good faith effort is made when, at a minimum, either:

(I) The owner lists the property for sale with a licensed real estate broker at the property's approximate fair market value and is willing to negotiate the terms of the sale with potential buyers, or

(II) The owner makes an individual effort to sell the property by doing all of the following:

(i) Advertising once a week in at least one publication of general circulation that the property is for sale.

(ii) Placing a sign on the property indicating that the property is for sale. Whenever possible, the sign shall be visible from the street.

(iii) Offering the property for sale at its approximate fair market value.

(iv) Is willing to negotiate the terms of the sale with potential buyers and respond to all reasonable inquiries about the property.

(B) For purposes of subsection (3) the fair market value of the property shall be the applicant's/beneficiary's choice of:

(I) The assessed value of the property or

(II) A valuation of the market value of the property obtained by the owner from a licensed real estate broker.

(III) In exceptional circumstances, such as when the property is located in a remote area and it is impossible or impractical to obtain a valuation, and the owner believes that the assessed value is too high or too low, the county and the owner may agree on the market value based upon other available information.

(C) The county shall inform the applicant/beneficiary at the time the property becomes unavailable that it is time-limited; and, at the end of nine months the net market value of the property shall be included in the property reserve.

(4) Personal property other than financial instruments or vehicles, which if sold or otherwise disposed of would be unlikely to produce, after the costs of sale, "any significant amount of funds" or "significant return" for the support of the MFBU, shall be considered unavailable.

(A) "Any significant amount of funds" shall be funds amounting to one-half or more of the applicable property limit for the MFBU.

(B) "Significant return" shall be any return, after estimated costs of sale or disposition, and taking into account the ownership interest of the household, that is estimated to be one-half or more of the applicable property limit for the MFBU.

(h) The property reserve shall be equal to or less than $3,000 if the MFBU includes one or two individuals, or, for other MFBU sizes, shall be equal to or less than the amounts listed in Section 50420 at sometime during the month for which Medi-Cal is requested.

(i) A home, regardless of its value, occupied by the MFBU shall be exempt.

(1) Any house, mobile home, camper, trailer, houseboat or any other dwelling whether assessed as real or personal property by the county assessor is exempt if such an item of property is occupied by the MFBU as a home (place of residence). Property shall continue to be considered the home during temporary absence for reasons such as illness, seasonal employment, visits, extreme climatic conditions, etc., provided the recipient plans to, and it appears will be able to, return to the home when such circumstances no longer exists.

(2) The exempt home may be the unit of a multiple-dwelling unit that is occupied by the MFBU as a home. A home and a separate unit adjacent to the home shall be treated as a multiple dwelling unit.

(A) The unit(s) of the multiple dwelling that is (are) not occupied by the MFBU shall be treated as property and the value must be included in the property reserve.

(I) If the owner is making a good faith effort to sell the unit(s) that is (are) not occupied as a home as described in subsection (h)(3) above, then the unit(s) shall be considered unavailable for a period of time under the conditions specified in subsection (h)(3) above.

(II) If the unit(s) that is (are) not occupied as a home cannot be sold separately, the unit(s) shall be considered unavailable.

(3) The home which was the usual home of an owner who has entered into marital separation shall be treated as follows:

(A) The usual home shall be exempt in determining an applicant's eligibility for Medi-Cal during the month of application and for three consecutive months following the month of application.

(B) The usual home shall be exempt in determining a beneficiary's eligibility

for Medi-Cal during the month of separation and for three consecutive months following the month in which the separation occurs.

(C) The applicant/beneficiary shall be informed when the exemption is granted that it is time-limited and that at the expiration of the three month period, the status of the home will be reconsidered and the net market value may be included in the property reserve.

(D) The status of the home shall be reconsidered at the end of the three month period to determine if it is exempt in accordance with subsection (e) or unavailable in accordance with subsection (h) above. If the home is no longer exempt or unavailable, the net market value shall be included in the property reserve.

(j) The net market value of real property, other than the exempt home or real property which is considered to be unavailable, shall be included in the property reserve. The net market value shall be determined by subtracting any encumbrances against the real property from its market value.

(1) The market value of real property shall be the lesser of the value established at the most recent appraisal of market value from a qualified real estate appraiser, the county assessor, recorder or tax collector.

(2) Encumbrances on real property include: mortgages, notes, deeds of trust, delinquent tax liens, court orders relating to judgements and mechanics liens, and assessments. Encumbrances may be written or oral.

(A) Evidence of written encumbrances shall be the documents which support the encumbrance.

(B) Evidence of unwritten encumbrances shall be the sworn statements of all parties, under penalty of perjury, to the following: initial and maturity date, extent of encumbrances, and value received.

(k) The net market value of nonexempt personal property [other than motor vehicles treated in accordance with subsection (l) below] shall be determined in accordance with this subsection and included in the property reserve. The net market value is determined by subtracting any encumbrances against the property, penalties for early withdrawal or costs of sale (which are deducted before the proceeds are distributed to the seller of the property) from the market value.

(1) The market value of financial instruments or funds shall be the lowest face value, lowest balance (after subtracting any income which may have been deposited) or

fair market value of the property during the month [as modified by subsection (k)(2) - (k)(4) below]. Fair market value of other personal property shall be established by any method; however, if the applicant/beneficiary disagrees with the fair market value established by the county, the applicant/beneficiary may provide another method. The county shall use the method which results in the lowest fair market value.

(2) The market value of IRAs, and available KEOGHs shall be the total fund value. Available KEOGHs are those which are established solely between MFBU members.

(3) The market value of bonds shall be the total bond value. If interest is being accrued, recorded and is available to the owner without having to liquidate the bond, then the interest accrued and recorded in the month shall be subtracted from the total bond value.

(4) The market value of stocks or mutual funds shall be the lowest price per share during the month or total fund value. If interest or dividends are accrued, recorded and are available to the owner without having to liquidate the stock or mutual fund, then the interest or dividends shall be subtracted from the lowest price per share or total fund value.

(l) Motor vehicles, including automobiles, vans, trucks, boats, mobile homes, motor homes, trailers, snowmobiles, jet skis, motorcycles, and tractors, shall be treated in accordance with the following, unless the item is exempt as a home. Whenever determining or redetermining eligibility of an MFBU and treating vehicles under this subsection, counties shall complete the form "Vehicle Determination Work Sheet for 1931 Group" [MC 196 P-V (1/98) 1931 Group] and retain it in the case record.

(1) The entire value of any licensed vehicle (or an unlicensed vehicle used as a home or owned by a tribal member of an Indian reservation which does not require vehicles of tribal members to be licensed) shall be exempt if the vehicle meets any of the following conditions.

(A) The vehicle is for the purpose of producing income over 50 percent of the time the vehicle is in use, such as, but not limited to, a taxi, moving truck or fishing boat.

(B) The vehicle annually produces income, even if used only on a seasonal basis.

(C) The vehicle is necessary for long-distance travel, other than daily commuting, that is essential to the employment of an MFBU member; for

example, the vehicle of a traveling sales person or a migrant farm worker moving from job to job.

(D) The exemptions in subsections (A) through (C) above, shall apply when the vehicle is not is use because of temporary unemployment.

(E) The vehicle was previously used by a self-employed MFBU member for farming but is no longer used over 50 percent of the time in farming because the MFBU member has terminated his/her self-employment. This exemption shall be limited to no more than one year from the date self-employment terminated.

(F) The vehicle is used as the home and, therefore, exempt under subsection (j) above.

(G) The vehicle is necessary to transport a disabled individual living in the home (as long as the home is not a boarding house or other licensed residence or facility, unless the disabled individual is the applicant/beneficiary or an ineligible member of the MFBU) regardless of the purpose of such transportation.

(I) If the disability of the individual is not evident to the eligibility worker, verification shall be required.

(II) If verification is required, the individual shall be required to provide a statement from a physician certifying that the individual is disabled. The disability may be temporary or permanent.

(III) There shall be a limit of one vehicle per disabled individual living in the home.

(IV) The vehicle need not have special equipment or be used primarily by or for the transportation of the disabled individual. However, a vehicle shall be considered necessary for the transportation of the disabled individual if the vehicle is specially equipped to meet the specific needs of the disabled person or if the vehicle is a special type of vehicle that makes it possible to transport the disabled person.

(H) The vehicle is used to carry fuel for heating or water for home use, when such transported fuel or water is the primary source of fuel or water for the MFBU.

(2) All nonexempt licensed and unlicensed vehicles shall individually be evaluated for estimated fair market value.

(A) The estimated fair market value of two or more vehicles shall not be added together to reach a total fair market value in excess of the current vehicle exclusion limit.

(B) The estimated fair market value of automobiles, trucks and vans may be determined in accordance with the methodology which utilizes the DMV License Fee Rate tables described in Section 50461 or by the value of those vehicles as listed in publications written for the purpose of providing guidance to automobile dealers and loan companies, customarily referred to as "blue books". If a blue book is used the county shall insure that the blue book used to determine the value of vehicles has been updated within the last six months.

(I) The county shall assign the wholesale value to vehicles. If the term "wholesale value" is not used in a particular blue book, the county shall assign the listed value which is comparable to the wholesale value.

(II) The county shall not increase the basic value of a vehicle by the value of low mileage or other factors such as optional equipment or special equipment for the handicapped.

(III) If a new vehicle is not yet listed in the blue book, the county shall determine the wholesale value through some other means, such as contacting a car dealer which sells that make of vehicle and asking how much the dealership would offer the household for the car.

(IV) To determine the most appropriate value of a vehicle, the county shall obtain from the owner or the vehicle's registration card, the vehicle's year, make, model, and number of doors. If the information for these four items is incomplete, the county shall use the lowest blue book value listed to the extent that the vehicle has been identified.

(C) If a vehicle is no longer listed in the blue book, the owner's estimate of the value of the vehicle shall be accepted, unless the county has reason to believe the estimate is incorrect. In that case, and if it appears that the vehicle's value will affect eligibility, the owner shall obtain an appraisal or produce other evidence of its value, such as a tax assessment or a newspaper advertisement which indicates the amount for which like

vehicles are being sold.

(D) If the vehicle is in less than average condition, due to body damage or inoperability or the owner alleges that the blue book value does not apply to the vehicle, he/she shall be given the opportunity to obtain verification of the true value from a reliable source.

(E) Verification of the value of licensed antique, custom made, or classic vehicles shall be required if the county is unable to make an accurate appraisal.

(3) Counties shall individually determine the excess fair market value of nonexempt licensed vehicles by subtracting $4650 from the estimated fair market value determined in subsection (2) above.

(4) All nonexempt licensed or unlicensed vehicles shall individually be evaluated for equity value. Equity value shall be determined by subtracting any encumbrance against the vehicle from the estimated fair market value determined in subsection (2) above.

(5) Counties shall select the lesser of the excess fair market value determined in subsection (3) above or the equity value determined in subsection (4) above for each vehicle and include the amount determined to be the least in the property reserve, except as modified by subsection 6 below.

(6) Of the vehicles with equity values determined to be the least amount in subsection (5) above, the county shall subtract $1500 from the one vehicle with the greatest equity value and include that amount in the property reserve.

(m) The following items of personal property shall be exempt.

(1) Personal items and household goods to furnish and equip a home, including but not limited to jewelry, cameras, camcorders, tools and power tools, musical instruments, recreational equipment, cellphones, bicycles, computers, televisions, stereos, hobby items and collections shall be exempt.

(2) Personal property, to the extent that it is directly related to the maintenance or use of a vehicle exempt under subsections (m) (1) (A), (B) or (D) above, shall be exempt.

(3) Stock in a water company not appurtenant to the land in the amount necessary for agricultural purposes shall be exempt.

(4) Loans shall be exempt when there is a written agreement signed and dated by the lender and the MFBU member as parties to the agreement that clearly specifies:

(A) the obligation of the MFBU member to repay the loan; and

(B) a repayment plan which provides for installments of specified amounts that continue on a regular basis until the loan is fully repaid.

(5) The cash surrender value of life insurance policies shall be exempt.

(6) The cash value of KEOGH plans which involve a contractual relationship with individuals who are not MFBU members, pension plans or pension funds shall be exempt.

(7) Real and personal property purchased with funds received under Title I or Title II of the Economic Opportunity Act when such funds were excluded from consideration as income or property. This exclusion does not extend to income or profits from such property.

(8) Personal property (except cash, nonbusiness financial institution accounts and other nonbusiness financial instruments where cash is available upon demand) which annually produces any income shall be exempt, even if only used on a seasonal basis. The full value of deeds of trust, promissory notes, mortgages, installment contracts or agreements shall be exempt if interest income is being produced.

(9) Personal property which is essential to the employment or self-employment of a MFBU member shall be exempt.

(A) Property may be, but is not limited to, tools of a tradesman or equipment of a farmer.

(B) Property of a business, such as funds in a checking or savings account, whether maintained exclusively for business purposes or commingled with nonexempt funds, shall be exempt.

(C) Counties shall accept the statement of the applicant/beneficiary whether the property, including financial reserves, are essential to the employment or self-employment of the individual and are necessary to produce either current or future income.

(I) If an allegation is made that some or all of the funds contained in a personal account are those of the business of a self-employed

MFBU member, then verification must be provided to demonstrate that some or all of the funds in the account are receipts of the business and verification must be provided that business expenses have been paid out of that account as well.

(D) When an MFBU member ceases to be self-employed in farming, property which was essential to this self-employment will continue to be exempt for a period of one year from the date of termination.

(10) Tools of trade, equipment and materials including stocks and inventories which will assist the MFBU member to implement and continue his/her approved plan of employment.

(A) The county shall determine if the items will assist the individual in his/her approved plan of employment.

(B) An approved plan of employment shall be the county's determination that:

(I) The MFBU member has training, education, or background in the chosen occupation; and

(II) There are no insurmountable physical barriers which render the individual incapable of returning to his/her chosen occupation.

(11) Any cash savings and interest accumulated pursuant to the Independent Living Program (ILP) written transitional independent living plan and retained by a child who is 16 years of age or older and is participating in the ILP. There is no limit to the amount that may be retained under this subsection.

(12) A Native American's interest in land held in trust by the United States Government is exempt.

(n) In addition to those payments that are exempt under Article 9 as amended, the following payments shall also be considered exempt.

(1) The amount of retroactive corrective aid is exempt for only the month of receipt and the following calendar month.

(2) Lump-sum retroactive SSI/SSP payments shall be exempt.

(3) Any federal, state or local Earned Income Tax Credit (EITC) payment received by any MFBU member shall be exempt for 12 months, provided an MFBU member was participating in the Section 1931(b) program at the time of receipt of the

EITC and provided the MFBU member participates continuously during that 12-month period. Continuous participation includes breaks in participation of one month or less due to administrative reasons, such as delayed recertifications or missing or late status reports.

(A) If the pay stub does not indicate an EITC advance payment was received, no further verification is required.

(B) If the amount of the EITC advance payment is not clear from viewing the paystub, the county shall obtain clarification from the individual and contact the employer if necessary to obtain the amount.

(4) Income of students and self-employed individuals which is retained beyond the month of receipt shall be considered exempt property for the period of time over which the payment has been averaged for income purposes.

(5) Relocation assistance or real property acquisition benefits paid by a public agency to an individual who has been relocated as a result of a program of area redevelopment, urban renewal, freeway construction or any other public development, involving demolition or condemnation of existing house.

(6) Payments for lost, stolen, damaged, or destroyed property shall be exempt for the month of receipt and the month following the month of receipt.

(7) Payments made under PL 100-383, Section 105(f)(2), to U.S. citizens and permanent resident aliens of Japanese ancestry who were interned during World War II or their survivors; and payments received as restitution made to Aleut residents of the Pribilof and Aleutian Islands as a result of being relocated by the United States government and for injustices suffered while under United States control during World War II shall be exempt.

(8) Disaster and emergency assistance payments pursuant to the Disaster Relief Act of 1974 [as amended by PL 100-707, Section 105(i)], provided by federal, state, or local governments or disaster assistance organizations shall be exempt.

(9) Payments received from the Agent Orange Settlement Fund or any other fund established to settle liability claims by veterans or survivors of deceased veterans concerning Agent Orange under the Agent Orange Compensation Act of 1989 (PL 101-201, PL 101-239, and PL 101-329, Section 10405).

(10) Payments received under the Radiation Exposure Compensation Act shall be exempt pursuant to the Radiation Exposure Compensation Act of 1990 [PL 101-426, Section 6(h)(2)].

(11) Payments to victims of Nazi persecution shall be exempt pursuant to PL 103-286, Section 1.

(12) Allowances, earnings and payments to individuals in programs qualified under the Job Training Partnership Act of 1982 (PL 97-300) shall be exempt with the following exception. Earnings from the JTPA on-the-job training program shall be exempt if the JTPA participant is under 19 years of age and under parental control of an adult MFBU member [PL 97-300, Section 142(b) and PL 99-198]. Earnings from all other on-the-job training programs shall not be exempt.

(13) Payments or allowances made under any federal laws, except benefits under a state program funded under Part A of Title IV of the Social Security Act, for the purpose of energy assistance, such as the Low Income Home Energy Assistance Act (LIHEAA), or from Housing and Urban Development (HUD) or the Farmers Home Administration (FmHA) programs shall be exempt. One-time assistance payments or allowances under federal or state laws for weatherization or emergency repair or replacement of heating or cooling devices are exempt.

(14) Financial assistance provided under any of the following shall be exempt:

(A) A program funded in whole or in part under Title IV of the Higher Education Act (PL 102-325).

(B) Bureau of Indian Affairs student Assistance program (PL 102-325).

(C) Title XIII, Indian Higher Education Programs, Tribal Development Student Assistance Revolving Loan Program (Tribal Development Student Assistance Act).

(D) To the extent the financial assistance provided under the Carl D. Perkins Vocational and Applied Technology Education Act Amendments of 1990 (20 U.S.C., Section 2301-2466d) is used or earmarked for future use to meet attendance costs for a student attending school on at least a half-time basis, as defined by the institution. Attendance costs are defined as tuition, fees, rental or purchase of required equipment, materials, supplies, books, transportation, dependent care and miscellaneous personal education expenses.

(15) Allowances, earnings, and payments made under Title I of the National and Community Service Act (NCSA) of 1990 shall be exempt (PL 101-610, Section 177(d)]. The NCSA includes programs under the Serve America, American Conservation and Youth Corps, and National and Community Service subtitles.

(A) Earnings of individuals, except dependent household members under 19 years of age participating in on-the-job training under Title I programs shall not be exempt, consistent with the provisions of subsection (m)(12) above.

(B) Examples of programs under Title I of the NCSA include: the Higher Education Service-Learning Program; the AmeriCorps umbrella program, including the National Civilian Community Corps and the Summer for Safety programs; and the School-to-Work Opportunities Program.

(16) Allowances paid under PL 104-204 to children of Vietnam Veterans who are born with spina bifida shall be exempt.

(17) Payments made from any fund established pursuant to the settlement in the case of Susan Walker v. Bayer Corporation (N.D. Ill.) shall be exempt.

(18) Austrian social insurance payments based, in whole or in part, on wage credits granted under Paragraphs 500-506 of the Austrian General Social Insurance Act are exempt to the extent they are kept identifiable. Austrian social insurance payments which are not based on wage credits granted under Paragraphs 500-506 are included in the property reserve in the month following the month of receipt.

(19) Court-ordered reimbursements made to Quilling v. Belshè class members shall be exempt property in the month of receipt and for three calendar following the month of receipt. The applicant/beneficiary shall provide any verification sufficient to establish that the payment or remaining funds are the result of a claim filed under Quilling v. Belshè. If verification is not available the county shall contact the Department of Alcohol and Drug Programs to verify the applicant's/beneficiary's statement that a Quilling reimbursement was made, and the date and amount of the reimbursement.

(o) In addition to the those payments that are exempt under Article 9 as amended, the following payments to Native Americans shall also be exempt. Counties shall exempt payments under whichever subsection provides the greatest advantage to the MFBU.

(1) Distributions from a Native corporation established pursuant to the Alaskan Native Claims Settlement Act paid to an MFBU, individual Native or descendent of a Native shall be exempt. Distributions include cash (including cash dividends on stock received from a Native corporation) to the extent it does not exceed $2,000 total per person per anum, stock, a partnership interest, land or interest in land, and interest in a settlement trust.

(2) Any funds distributed on a per capita basis or held in trust for members of any

Native American tribe under Public Law (PL) 92-254 or PL 94-540 shall be exempt.

(3) Funds of Native American tribes including interest earned from investment income derived from and initial purchases made with such funds when the funds have been:

(A) Distributed by the Secretary of the Interior on a per capita basis; or

(B) Held in trust by the Secretary of the Interior; or

(C) Individually owned trusts or restricted lands.

(4) Funds or assets of, or payments to Native American tribal members or Alaska Natives shall be excluded as property if specifically exempt by any other federal law. These exemptions include, but are not limited to:

(A) Payments received under the Alaska Native Claims Settlement Act (PL 92-203, Section 29 and PL 100-23, Section 15 or the Sac and Fox Indian claims agreement (PL 94-189, Section 8);

(B) Payments received by Indian tribal members under PL 94-114, Section 6, regarding submarginal land held in trust by the United States. The following tribes may benefit from this provision.

(I) The Bad River Band of the Lake Superior Tribe of Chippewa Indians of Wisconsin;

(II) Blackfeet Tribe;

(III) Cherokee Nation of Oklahoma;

(IV) Cheyenne River Sioux Tribe;

(V) Crow Creek Sioux Tribe;

(VI) Lower Brule Sioux Tribe;

(VII) Devils Lake Sioux Tribe;

(VIII) Fort Belknap Indian Community;

(IX) Assiniboine and Sioux Tribes;

(X) Lac Corte Oreilles Bank of Lake Superior Chippewa Indians;

(XI) Keweenaw Bay Indian Community;

(XII) Minnesota Chippewa Tribe;

(XIII) Navajo Tribe;

(XIV) Oglala Sioux Tribe;

(XV) Rosebud Sioux Tribe;

(XVI) Shoshone-Bannock Tribe; and the

(XVII) Standing Rock Sioux Tribe.

(C) Payments received from the disposition of funds to the Grand River Bank of Ottawa Indians shall be exempt pursuant to PL 94-540.

(D) Payments received by the Confederated Tribes and Bands of the Yakima Indian Nation and the Apache Tribe of the Mescalaro Reservation from the Indian Claims Commission (PL 95-433, Section 2) shall be exempt.

(E) Payments made to the Passamaquoddy Tribe, the Penobscot Nation, or the Houlton Band of Maliseet, or any Indian household or member thereof, pursuant to the Maine Indian Claims Settlement Act of 1980 shall be exempt pursuant to PL 96-420, Section 9(c).

(F) Payments of relocation assistance to members of the Navajo and Hopi Tribes shall be exempt pursuant to PL 93-531, Section 22.

(G) Funds that meet the criteria in subsection (I) below shall be exempt.

(I) The funds were appropriated to satisfy judgements of the Indian Claims Commission or Claims Court pursuant to PL 93-134, PL 97-458 and PL 98-64 which are any of the following:

(i) Distributed on a per capita basis, not exceeding $2,000, or held in trust according to an approved plan.

(ii) As of January 12, 1983, were to be distributed on a per capita basis, up to $2,000, or held in trust according to a plan approved by Congress prior to January 12, 1983.

(iii) Were distributed according to a plan approved by Congress after December 31, 1981, but prior to January 12, 1983, and any purchases made with such funds; or

(iv) Are per capita payments, not exceeding $2,000 from funds which are held in trust by the Secretary of the Interior (trust fund distribution).

(II) For purposes of subsection (G), the $2,000 limit on per capita shares applies to each payment made to each household member.

(III) Purchases made with payments described in subsection (G) which were distributed between January 1, 1982 and January 12, 1983 shall be exempt property to the extent exempt funds were used to make such purchases.

(H) Interest of individual Indians in trust or restricted lands shall be exempt property only, and any income from such interests shall be countable property in the month following the month of receipt pursuant to PL 93-134, PL 97-458 and PL 103-66, Section 13736.

(I) For purposes of subsection (H), interests include the individual's right to, or legal share of, the trust or restricted land and any resulting income.

(II) For purposes of this section, the exemption applies to each individual MFBU member who holds an interest or legal share.

(I) Assistance received under the Indian Child Welfare Act child and family service grant programs on or near reservations (PL 95-608). These programs include, but are not limited to: family assistance, day care, after school care, respite care, recreational activities, home improvement, employment of domestic relations and child welfare personnel, and education and training.

(J) Payments made to the following: Turtle Mountain Band of Chippewas, Arizona (PL 97-403); Blackfeet, Grosventre, Assiniboine tribes, Montana, and the Papago Tribe, Arizona (PL 97-408); Red Lake Band of Chippewa Indians (PL 98-123, Section 3); White Earth Band of Chippewa Indians, Minnesota, pursuant to the White Earth Reservation Land Settlement Act of 1985 (PL 99-264, Section 16); and Saginaw Chippewa Indian Tribe of Michigan [(PL 99-346, Section 6(b)(2)].

(K) Per capita and interest payments made to members of the Assiniboine Tribe of the Fort Belknap Indian Community and the Fort Peck Indian Reservation, Montana (PL 98-124, Section 5).

(L) Funds paid to heirs of deceased Native American under the Old Age Assistance Claims Settlement Act, except for per capita share exceeding $2,000 (PL 98-500, Section 8).

(M) Funds distributed per capita of held in trust for the Chippewas of Lake Superior and the Chippewas of the Mississippi [PL 99-146, Section 6(b) and PL 99-377].

(O) Funds, assets or income from the trust fund established pursuant to the Puyallup Tribe of Indians Settlement Act of 1989 [PL 101-41, Sections 10(b) and (c)].

(P) Payments made to the Seminole Nation of Oklahoma, the Seminole Tribe of Florida, the Miccosukee Tribe of Indians of Florida and the independent Seminole Indians of Florida to satisfy the judgments of the Indians Claims Commission, except for per capita payments exceeding $2,000 (PL 101-277).

(Q) Payments, funds, distributions or income under the Seneca Nation Settlement Act of 1990 [PL 101-503, Section 8(b)].

(p) Exempt funds, that are otherwise exempt for a limited period of time, shall be exempt for an unlimited period of time when kept in a separate account and not commingled with other nonexempt funds.

(q) Funds which are to be apportioned over time shall be exempt property for the period of time over which they have been prorated as nonexempt income if the funds have been commingled with other nonexempt funds.

State of California—Health and Human Services Agency

Department of Health Services

PROPERTY RESERVE WORK SHEET

Name _____ Case Number _____ Month _____

I. NONEXEMPT OTHER REAL PROPERTY (ORP)

A. Determine market value and encumbrances of ORP on reverse, and list in 1 and 2. Note: If ORP owned jointly with persons not in MFBU, list only the share of market value and encumbrances of persons in MFBU.

1. Market Value per Section 50412	$
2. Encumbrances per Section 50413	$
3. Net Market Value (line 1 minus line 2)	$
4. Life Estate (determine value per Section 50442 and procedure 9A)	$
5. Net Market Value of notes, mortgages, deeds of trust from sale of real property owned by MFBU member	$
6. Total net ORP (add lines 3, 4, and 5) Enter in Column I, line C1	$

B. INCOME FROM NONEXEMPT ORP

1. Rental Income ☐ Monthly ☐ Yearly, if yes, $_____ ÷ 12	$
2. Upkeep and Repair	
a. $_____ x .15	
Line B1 $	
b. + $4.17 $ 4.17	
c. Line a + b $	
d. Actual upkeep and repair $	
e. Greater of line 2c or 2d	$
3. Interest ☐ Monthly ☐ Yearly, if yes, $_____ ÷ 12	$
4. Taxes and Assessments ☐ Monthly ☐ Yearly, if yes, $_____ ÷ 12	$
5. Utilities ☐ Monthly ☐ Yearly, if yes, $_____ ÷ 12	$
6. Insurance ☐ Monthly ☐ Yearly, if yes, $_____ ÷ 12	$
7. Total expenses (add lines 2e through 6)	$
8. Net rental income (line 1 minus line 7) Enter on MC 176 M Column I or II)	$
9. Income from ORP other than rental income (Section 50508) (Enter on MC 176 M, Column I or II)	$
10. Total income from ORP (line 8 plus line 9)	$

C. UTILIZATION—NONEXEMPT ORP

1. Total Net Market Value of ORP (from Col. 1, line A6)	$
2. 6% per year utilization requirement	$ X.005
3. Income needed $	
4. a. Is B10 greater than C3? Yes ☐ No ☐ If yes, utilization met. If no, recompute rental income with actual upkeep and repair, if lower.	
b. Is B10 now greater than or equal to C3? Yes ☐ No ☐ If yes, utilization met.	
c. If still no, is utilization period implemented? Yes ☐ No ☐	
5. Exemption: If 4a, b, or c is yes, enter lesser of $6,000 or line C1. Otherwise, enter Ø.	$

II. PROPERTY RESERVE: USE REVERSE TO ITEMIZE OR TO PROVIDE DETAILS

1. Excess value ORP	
a. Enter from Col. I, line C1	
b. Enter from Col. I, line C5	
c. Line 1a—1b	$
2. Notes, mortgages, deeds of trust NOT from the sale of real property owned by MFBU member	$
3. Liquid assets [money, checking/savings accounts, stocks, bonds, etc. (other than for business)]	$
4. CSV of nonexempt life insurance	$
5. Burial plots, vaults, or crypts not for family use and not exempt as ORP	$
6. Value of designated burial funds in excess of $1,500	$
7. Nonbusiness vehicles, boats, vans, or trailers; other than one exempt for transportation	

Item	Market Value e.g., DMV license fee x 50 or appraised value	Encumbrance	
			$
			$
			$

8. Jewelry, not exempt and valued over $100	$
9. Other countable property	$
10. Subtotal property reserve (add lines 1 through 9)	$
11. Long-term care insurance exemption (benefits paid)	–$
12. Community spouse resource allowance	–$
13. Total property reserve (line 10 minus 11 and 12)	$
14. Number of persons in MFBU _____ Property limit for MFBU	$

15. Is line 14 greater than line 13?
☐ Yes—property eligible
☐ No—excess property—ineligible
Explain property requirements.
* If "NO," complete Sneede Screening below

III. SNEEDE: PROPERTY SCREENING

If excess property and MFBU includes child(ren) complete the following:

DOES THE MFBU INCLUDE:	YES	NO
1. A stepparent with property?	☐	☐
2. An unmarried couple with mutual child(ren)?	☐	☐
3. A child with own nonexempt property?	☐	☐
4. A nonparent caretaker relative in the same MFBU with the child(ren) for whom care is provided and the caretaker wants Medi-Cal?	☐	☐

* If "NO" to all of the above, stop here.
* If "YES" to any of the above and:
(1) the MFBU includes a parent, complete MC175-2, MC175-3P, and MC175-4.
(2) the MFBU does *not* include a parent, complete MC175-3P and MC175-4.

Eligibility Worker Signature	Worker Number	Computation Date	County Use

PROPERTY RESERVE WORK SHEET—SECTION 1931(b) PROGRAM

Name _____ Case Number _____ Month _____

A. NONEXEMPT OTHER REAL PROPERTY (ORP)

Determine market value and encumbrances of nonexempt ORP in county use section and list in 1 and 2. Note: If nonexempt ORP owned jointly with persons not in the MFBU, list only the share of market value and encumbrances of persons in the MFBU.

1. Market Value per Section 50412	$
2. Encumbrances per Section 50413	– $
3. Net Market Value (line 1 minus line 2)	$
4. Life Estate (determine value per Section 50442 and procedure 9A)	$
5. Total net nonexempt ORP (add lines 3 and 4). Enter in B.1.	$

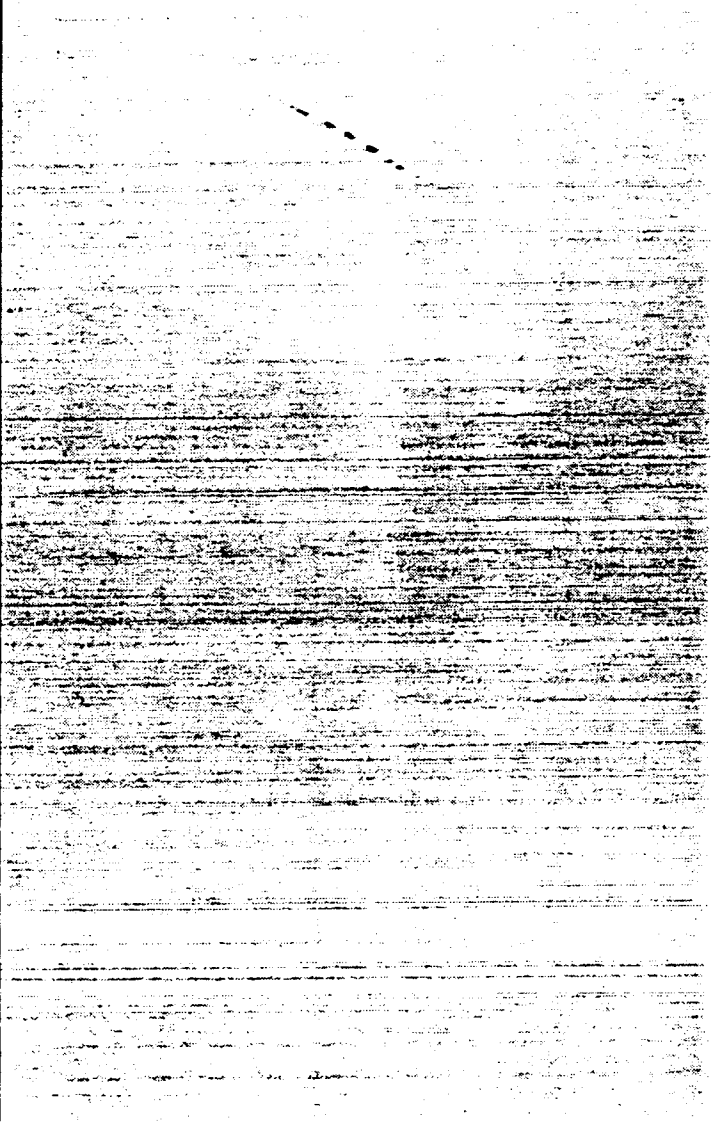
B. PROPERTY RESERVE

1. Total net nonexempt ORP from A.5.	$
2. Notes, mortgages, deeds of trust owned by MFBU member and not producing income	$
3. Nonbusiness liquid assets (money, checking/ savings, stocks, bonds)	$
4. IRAs and accessible KEOGHs	$
5. Burial plots, vaults, or crypts (not for family use)	$
6. Excess revocable designated burial funds (over $1500)	$
7. Nonexempt vehicles, boats, vans, trailers, etc. (list items and amounts from MC 176 P-V)	$
	$
	$
	$
8. Other countable property (list items)	$
	$
	$
	$
9. Subtotal property reserve (add lines 1 through 8)	$
10. Long-term care insurance exemption (benefits paid)	– $
11. Total property reserve (line 9 minus line 10)	$
12. Property limit for MFBU Number of persons in MFBU _____	$

13. Is line 12 greater than line 11?

- ☐ Yes—property eligible
- ☐ No—property ineligible (see below)
  - ☐ Did you explain spenddown options to ensure the ability to get TMC later?
  - ☐ Did you do the *Sneede* Screen? (See other side.)
  - ☐ If not eligible for the Section 1931(b) program, determine eligibility for the AFDC-MN program.

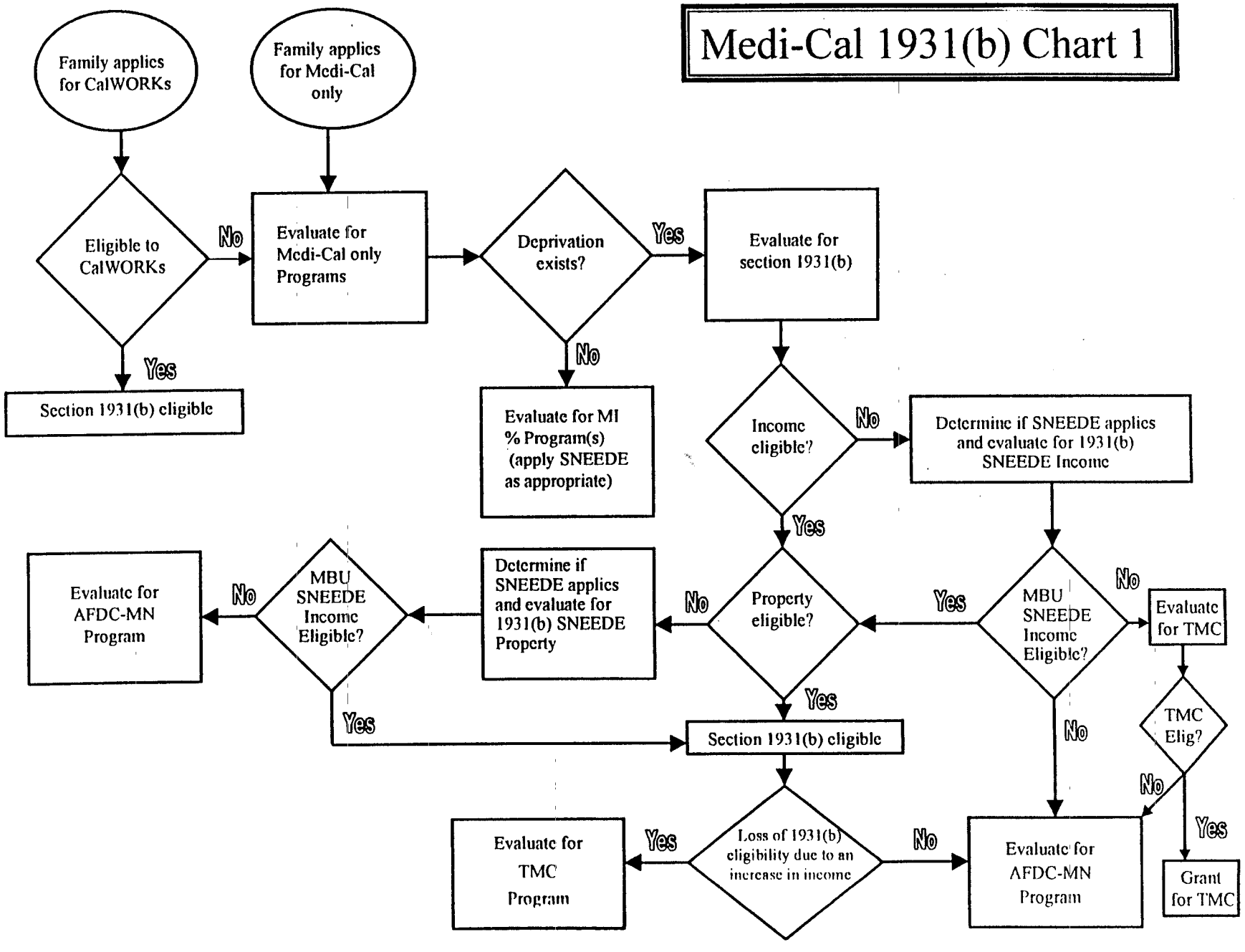
COUNTY USE SECTION



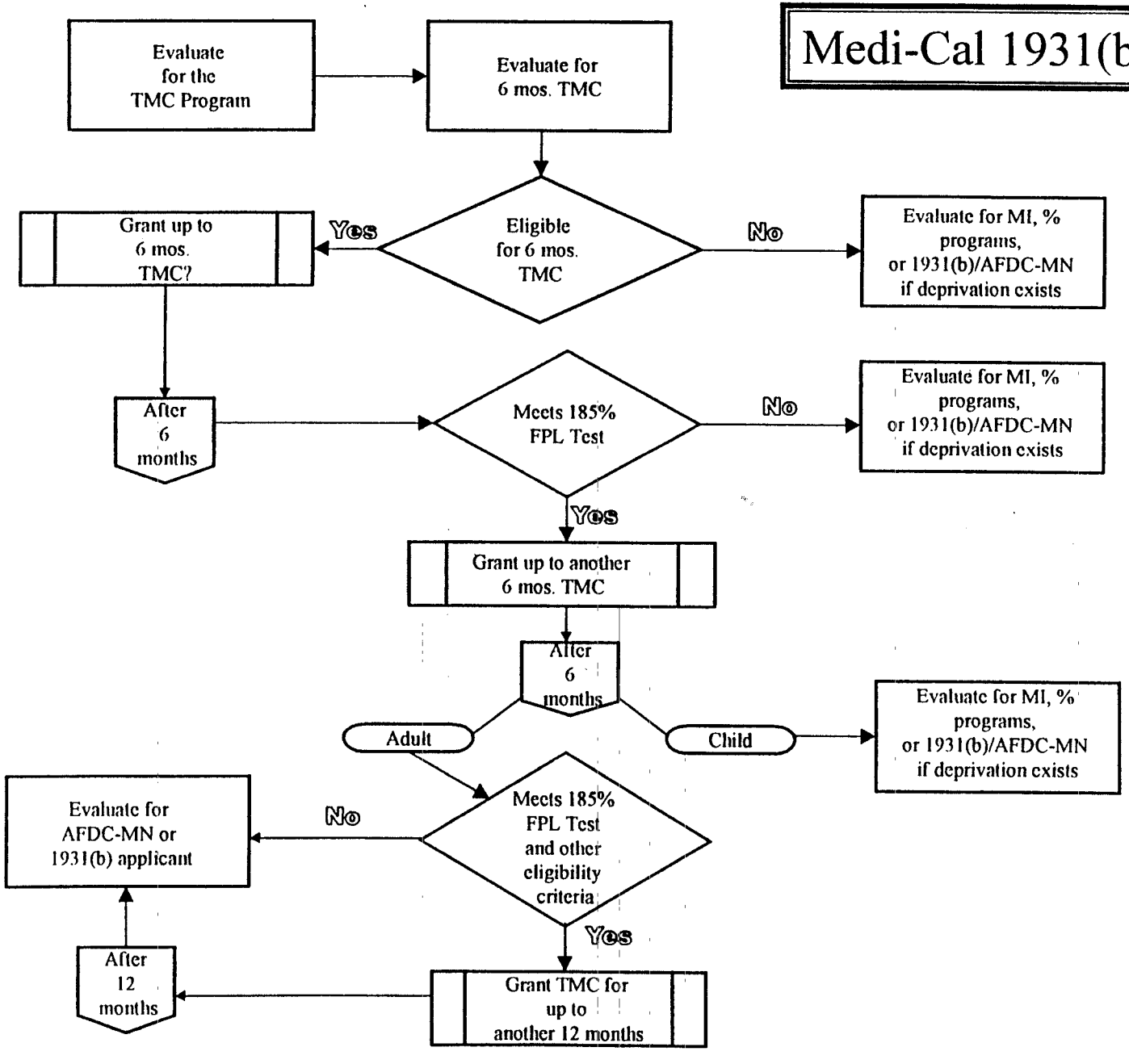
VEHICLE DETERMINATION WORK SHEET FOR 1931 GROUP

Case name			Case number
DIRECTIONS	**VEHICLE NUMBER ONE**	**VEHICLE NUMBER TWO**	**VEHICLE NUMBER THREE**
List all vehicles owned by anyone in the MFBU. **NOTE:** Complete additional work sheets if more than three vehicles.	Make _____ Model _____ Year _____	Make _____ Model _____ Year _____	Make _____ Model _____ Year _____
STEP ONE—Only Licensed Vehicles and Unlicensed Vehicles on Indian Reservation Which Do Not Require Licensing. For All Other Vehicles, Go to Step Two.			
A vehicle used for any reason listed below is exempt. 1. On the job or for income producing purposes even if only on a seasonal basis or temporarily unemployed. 2. Long distance travel essential to individual's employment, e.g., traveling sales, migrant farm worker moving from job to job. 3. Home (only one vehicle per household). 4. Transportation of disabled individual living in the home. 5. Transportation of primary fuel/water for the home.			
Is vehicle exempt? If yes, list reason and **STOP**. If **NO**, go to Step Two.	☐ Yes ☐ No Reason: _____	☐ Yes ☐ No Reason: _____	☐ Yes ☐ No Reason: _____
STEP TWO—Only Vehicles Not Exempt In Step One			
A. Enter estimate of Fair Market Value (FMV).	FMV $_____	FMV $_____	FMV $_____
B. Licensed Only—*If Unlicensed, Go to Step Two (C).* Enter excess FMV (estimate of FMV minus $4,650). If ***zero***, then exempt, **STOP**. If not zero, go to Step Two (C).	– 4,650 Excess FMV $_____	– 4,650 Excess FMV $_____	– 4,650 Excess FMV $_____
C. All Remaining Vehicles—Enter encumbrance (amount owed).	Amount owed $_____	Amount owed $_____	Amount owed $_____
D. Determine equity value (EV) of vehicle (FMV of vehicle from Step Two (A) minus encumbrance in Step Two (C)).	EV $_____	EV $_____	EV $_____
STEP THREE—Countable Vehicle Value			
A. Compare Step Two (B) and Step Two (D). Enter the ***lesser value.***	***Check One*** ☐ Excess FMV $ _____ ***or*** ☐ EV $ _____	***Check One*** ☐ Excess FMV $ _____ ***or*** ☐ EV $ _____	***Check One*** ☐ Excess FMV $ _____ ***or*** ☐ EV $ _____
B. Enter $1,500 in the column under the one vehicle with the highest ***equity value***. If excess FMV is the lesser amount, enter zero. Enter zero in all columns where $1,500 is not entered.	– $ _____	– $ _____	– $ _____
C. Subtract Step Three (B) from Step Three (A) and enter result. If **zero**, then car is exempt. If not zero, then enter amount on Property Reserve Work Sheet (MC 176 P (Back) 1931).	– $ _____	– $ _____	– $ _____

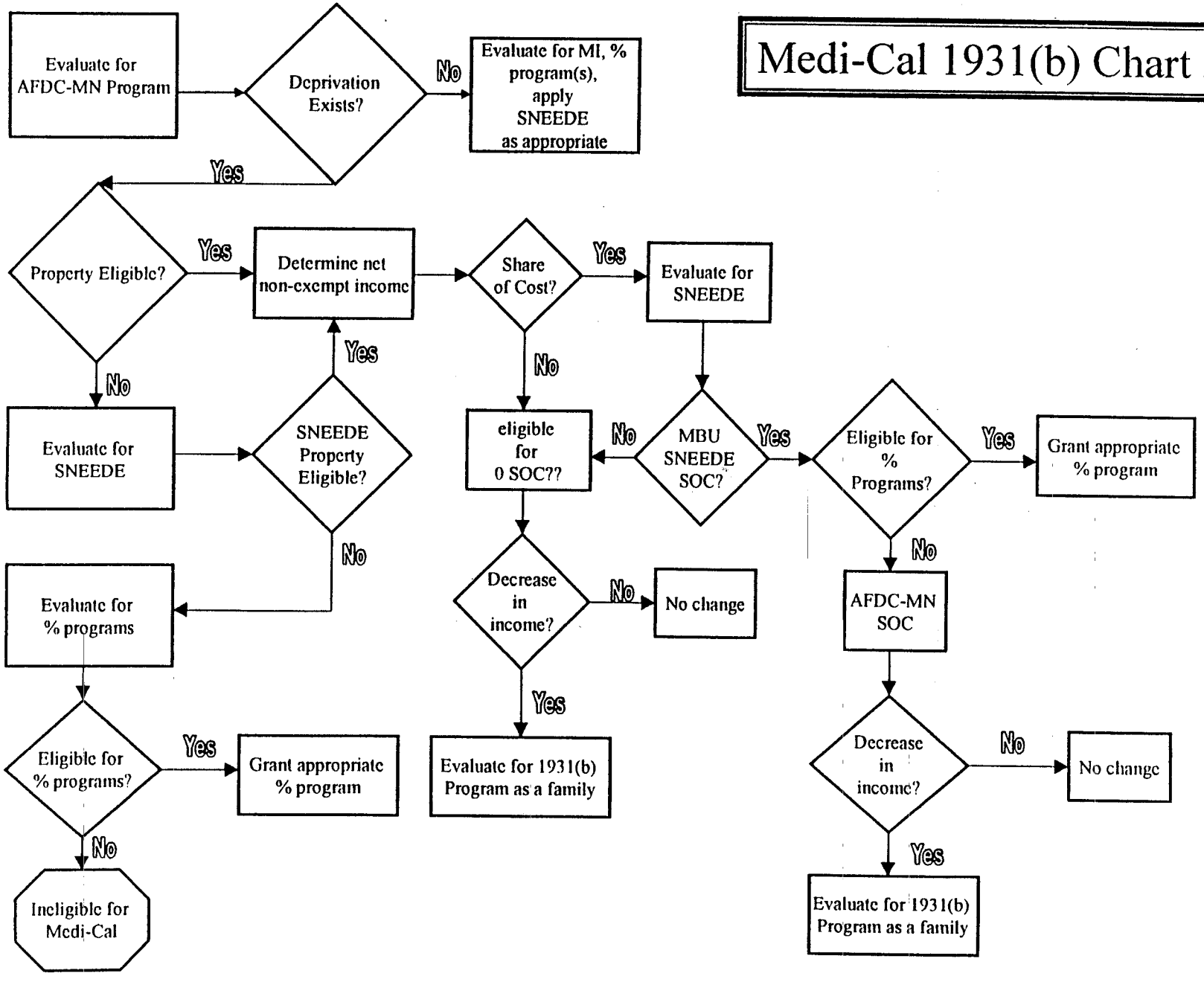
Medi-Cal 1931(b) Chart 1



Medi-Cal 1931(b) Chart 2



Medi-Cal 1931(b) Chart 3



SECTION 1931(b) SNEEDE V. KIZER NET NONEXEMPT INCOME DETERMINATION AND MINI BUDGET UNIT (MBU) DETERMINATION

Example #4 - Applicant

Case name	County district	County use
Case number	Effective date Month	Year

INSTRUCTIONS

* **Child/spousal support payments received:** Child support is income to the child, not to the parent or caretaker relative.

Divide the $50 per month child/spousal support deduction by the number of persons for whom the income is intended. Any unused remainder will be prorated among the remaining persons who still have support payments to apply against the deduction.

** **Unearned in-kind income:** Prorate the unearned in-kind income among the persons who receive the income. Example: Medi-Cal Family Budget Unit (MFBU) of four receives free housing. Use in-kind income for four and each person receives one-fourth of the in-kind income. Add an unborn's share of in-kind income to the pregnant woman's share. If the pregnant woman is Public Assistance (PA)/Other PA and not in the MFBU, give the unborn's share to the father of the unborn if he is in the MFBU.

NOTE: If any of the following deductions apply, complete MC 176W, part VI, before completing Sections A or B.

Educational Expenses, Section 50547 Student Deduction, Section 50551

PART 1

ENTER NAME OF EACH MFBU MEMBER (Do not list unborns.)	Name: mother	Name: Father	Name: Child #1	Name: Child #2	Name:
Person Type	☐ Parent A or ☐ Caretaker relative	☐ Parent B or ☐ Caretaker relative	☐ Child	☐ Child	☐ Child
A. NONEXEMPT DISABILITY RELATED INCOME					
1. State Disability Insurance (SDI)					
2. Private Disability Insurance Benefits		200			
3. Temporary Workers Compensation (TWC)					
4. Temporary Disability Indemnity (TDI)					
5. Social Security Disability Insurance (SSDI)				400	
6. Total (add line 1 through line 5)					
7. Subtract $240 (If entire $240 deduction is not used, enter remainder in Section C, line 17.) N/A					
8. Countable disability-related income (enter on line 24)		200		400	
B. NONEXEMPT UNEARNED INCOME					
9. Net income from property					
10. *Net child/spousal support received					
11. **In-kind income					
12. Income available from PA or other PA (MC 175-6, line A.4)					
13. Social Security nondisability payments					
14.					
15. Total (add line 9 through line 14); enter on line 24.					

Enter computation for child/spousal support and/or earned in-kind income

C. NONEXEMPT EARNED INCOME	Name	Name	Name	Name	Name
16. Nonexempt earned income	800		300		
17. $240 or remainder from Section A, line 7 (whichever is less)					

C. NONEXEMPT EARNED INCOME (Continued)					
18. Remainder (line 16 minus line 17) N/A					
19. 50 percent earned income deduction (one-half of line 18) N/A					
$90 Work Expense Deduction	90		90		
20. Child care deduction					
21. Other deductions (EAS 44-113)					
22. Total net nonexempt earned income (line 18 minus lines 19, 20, and 21) (enter on line 25)	710		210		
D. TOTAL COUNTABLE INCOME					
23. Countable disability-related income (from line 8)		200		400	
24. Countable unearned income (from line 15)					
25. Countable earned income (from line 22)	710		210		
26. Income allocated from LTC/B&C person to family members at home (from MC 176W, Part B or from MC 175-7, line C.2)					
27. Total countable income (add lines 23, 24, 25, and 26)	710	200	210	400	
E. OTHER DEDUCTIONS					
28. Court-ordered child support/alimony					
29. Income to determine PA eligibility (MC 175-6, line B.3 or B.4)					
30. Other:					
31. Total deductions (add lines 28 through 30)					
32. Total net countable income (line 27 minus line 31) Enter this on MC 175-4 if no parent in MFBU. If parent in MFBU, continue.	710	200	210	400	
33. Parent's total net nonexempt income less in-kind income and income from PA/other PA, LTC, or B&C spouse (line 32 minus lines 11, 12, and 26)	710	200			
F. PARENTAL/SPOUSAL ALLOCATION COMPUTATION (Skip if no parent in MFBU)					
P/S NEEDS ALLOCATION AMOUNT	$381 ~~$370~~	$381 ~~$370~~			
34. Parent's net countable income less P/S allocation (line 33 minus ~~$370~~ $381; if negative, enter $0)	329	0			
35. Number of persons for whom Parent A is responsible (MC175-2, Section A) DO NOT COUNT PARENT A	3				
36. Number of persons for whom Parent B is responsible (MC 175-2, Section B) DO NOT COUNT PARENT B		3			
37. Child's natural/adoptive parent—check A, B, or both (see MC 175-2)			☑ A ☑ B	☑ A ☑ B	☐ A ☐ B
38. Parent A's allocation to spouse (if any) and natural/adopted children (divide Parent A's line 34 by line 35—enter in each applicable box) Do not enter under Parent B if unmarried.		109.67	109.67	109.67	
39. Parent B's allocation to spouse (if any) and natural/adopted children (divide Parent B's line 34 by line 36—enter in each applicable box) Do not enter under Parent A if unmarried.					
40. Enter child's net countable income (from line 32)			210	400	
41. Child's total net nonexempt income (add lines 38, 39, and 40); enter on MC 175-4			319.67	519.67	
42. Parent's total net nonexempt income (the lesser of ~~$370~~ $381 or the amount on line ~~32~~ 33; plus line 38 or line 39)	381	309.67			

PART 2

SECTION 1931(b) MBU DETERMINATION—PROPERTY AND MINIMUM BASIC STANDARD OF ADEQUATE CARE (MBSAC)

☑ 1931 MBSAC TEST ☐ 1931 PROPERTY DETERMINATION

INSTRUCTIONS:

1. Include unborn in the mother's mini budget unit (MBU) and property limit MBSAC level unless mother is married and only her separate children want Medi-Cal. If pregnant woman is PA/Other PA, include the unborn in the spouse's or father's MBU.
2. Do not include an excluded child.
3. Do not list MBU members in more than one MBU.
4. If any MBU has excess property, check to see if Medi-Cal linkage still exists for other family members.
5. Property determinations: enter the allocation for each spouse from MC 324, line 29.
6. Enter each person's net nonexempt income from line 41 or 42.

MBU NUMBER 1

Person name/number	Net Nonexempt ☐ Property ☑ Income
1. Child #1	319.67
2.	
3.	
4.	
5.	
6.	
TOTAL	319.67
MBU's ☐ Property Limit ☑ MBSAC	259

(Check one)
☐ Excess Property—FAIL
☑ Income Ineligibility at or exceeds MBSAC—Property Eligible—FAIL
☐ Income Eligible—below MBSAC—Property Eligible—PASS

MBU NUMBER 2

Person name/number	Net Nonexempt ☐ Property ☑ Income
1. Child #2	519.67
2.	
3.	
4.	
5.	
6.	
TOTAL	519.67
MBU's ☐ Property Limit ☑ MBSAC	259

(Check one)
☐ Excess Property—FAIL
☑ Income Ineligibility at or exceeds MBSAC—Property Eligible—FAIL
☐ Income Eligible—below MBSAC—Property Eligible—PASS

MBU NUMBER 3

Person name/number	Net Nonexempt ☐ Property ☐ Income
1. Mother	381
2. Father	309.67
3.	
4.	
5.	
6.	
TOTAL	690.67
MBU's ☐ Property Limit ☑ MBSAC	624

(Check one)
☐ Excess Property—FAIL
☑ Income Ineligibility at or exceeds MBSAC—Property Eligible—FAIL
☐ Income Eligible—below MBSAC—Property Eligible—PASS

MBU NUMBER _____

Person name/number	Net Nonexempt ☐ Property ☐ Income
1.	
2.	
3.	
4.	
5.	
6.	
TOTAL	
MBU's ☐ Property Limit ☐ MBSAC	

(Check one)
☐ Excess Property—FAIL
☐ Income Ineligibility at or exceeds MBSAC—Property Eligible—FAIL
☐ Income Eligible—below MBSAC—Property Eligible—PASS

PART 2 (Continued)

MBU NUMBER _____

Person name/number	Net Nonexempt ☐ Property ☐ Income
1.	
2.	
3.	
4.	
5.	
6.	
TOTAL	
MBU's ☐ Property Limit ☐ MBSAC	

(Check one)
☐ Excess Property—FAIL
☐ Income Ineligibility at or exceeds MBSAC—Property Eligible—FAIL
☐ Income Eligible—below MBSAC—Property Eligible—PASS

MBU NUMBER _____

Person name/number	Net Nonexempt ☐ Property ☐ Income
1.	
2.	
3.	
4.	
5.	
6.	
TOTAL	
MBU's ☐ Property Limit ☐ MBSAC	

(Check one)
☐ Excess Property—FAIL
☐ Income Ineligibility at or exceeds MBSAC—Property Eligible—FAIL
☐ Income Eligible—below MBSAC—Property Eligible—PASS

MBU NUMBER _____

Person name/number	Net Nonexempt ☐ Property ☐ Income
1.	
2.	
3.	
4.	
5.	
6.	
TOTAL	
MBU's ☐ Property Limit ☐ MBSAC	

(Check one)
☐ Excess Property—FAIL
☐ Income Ineligibility at or exceeds MBSAC—Property Eligible—FAIL
☐ Income Eligible—below MBSAC—Property Eligible—PASS

MBU NUMBER _____

Person name/number	Net Nonexempt ☐ Property ☐ Income
1.	
2.	
3.	
4.	
5.	
6.	
TOTAL	
MBU's ☐ Property Limit ☐ MBSAC	

(Check one)
☐ Excess Property—FAIL
☐ Income Ineligibility at or exceeds MBSAC—Property Eligible—FAIL
☐ Income Eligible—below MBSAC—Property Eligible—PASS

SECTION 1931(b)
SNEEDE V. KIZER
PROPERTY WORK SHEET

Case name	County district	County use
Case number	**Effective date**	
	Month	Year

INSTRUCTIONS

- List all nonexempt property from MC 176P-1931.
- If property is owned by more than one person, equally divide the net market value by the number of owners unless evidence is provided to rebut the division.
- Joint bank accounts: If available to anyone in the MFBU, do not count the money in a joint account against the MFBU more than once. Equally prorate the bank account among the owners in the MFBU (subject to rebuttal).
- Stepparent property is exempt.

I. ALLOCATION FROM SPOUSE/PARENT

A. For a married couple, enter their total community property in Column II. Enter each spouse's separate property in Column III.

B. For an unmarried couple or a single parent, enter their separate property in Column III; leave Column II blank.

LIST EXEMPT PROPERTY AND NAME OF OWNER	I. LIST ONLY THE PARENT'S NONEXEMPT PROPERTY	II. COMMUNITY PROPERTY	III. SEPARATE PROPERTY	
			Parent A	Parent B
	1. Nonexempt Other Real Property			
	2. Checking			
	3. Savings			
	4. Other			
	5. Cash			
	6. Nonexempt Vehicle			
	7. Other			
	8.			
	9.			
	10.			
	11. Subtotal Net Nonexempt Property	$	$	$
	12. Enter each spouse's share of community property (divide line 11, Column II, by 2)		$	$
	13. Parent's total net nonexempt property (add lines 11 and 12)			
	14. Number of persons for whom each parent is responsible (see totals on MC 175-2)			
	15. Allocation to each person for whom parent is responsible (divide line 13 by line 14)		(A) $ Enter on line 27.	(B) $ Enter on line 28.

II. ALLOCATION FROM SPOUSE TO SPOUSE (Skip if MFBU does not contain a married couple.)

16. Enter line 15A in both boxes.	$	$
17. Enter line 15B in both boxes.	$	$
18. Total (add lines 16 and 17). This is each spouse's total share of their net nonexempt property. (Enter this amount on MC 175-4 in the married couple's mini budget unit.)	$	$

III. NET NONEXEMPT PROPERTY FOR CHILDREN OR NONPARENT CARETAKER RELATIVE (Do not list unborns.)

Name of child or caretaker relative	1.	2.	3.	4.	5.
Child's natural/adoptive parent—see Section I (circle A or B or both)	A B	A B	A B	A B	A B
List only the child's or caretaker relative's property					
19. Checking	$	$	$	$	$
20. Savings					
21. Nonexempt vehicle					
22. Nonexempt ORP					
23. Other					
24.					
25.					
26. TOTAL					
27. Allocation from Parent A*					
28. Allocation from Parent B*					
29. Net nonexempt property (add lines 26, 27, and 28) enter on MC 175-3I.2, Part 2.					

Name of child or caretaker relative (continued)	6.	7.	8.	9.	10.
Child's natural/adoptive parent—see Section I (circle A or B or both)	A B	A B	A B	A B	A B
List only the child's or caretaker relative's property					
19. Checking	$	$	$	$	$
20. Savings					
21. Nonexempt vehicle					
22. Nonexempt ORP					
23. Other					
24.					
25.					
26. TOTAL					
27. Allocation from Parent A*					
28. Allocation from Parent B*					
29. Net nonexempt property (add lines 26, 27, and 28) enter on MC 175-3I.2, Part 2.					

* Enter an allocation from Section I, line 15, only if this is the child's natural/adoptive parent. Leave blank if caretaker relative household.

Eligibility Worker Signature	Worker number	Date of computation

COMPLETE MC 175-4 NEXT

SECTION 1931(b) SNEEDE V. KIZER NET NONEXEMPT INCOME DETERMINATION AND MINI BUDGET UNIT (MBU) DETERMINATION

Case name	County district	County use
Case number	Effective date Month	Year

INSTRUCTIONS

* **Child/spousal support payments received:** Child support is income to the child, not to the parent or caretaker relative.

Divide the $50 per month child/spousal support deduction by the number of persons for whom the income is intended. Any unused remainder will be prorated among the remaining persons who still have support payments to apply against the deduction.

** **Unearned in-kind income:** Prorate the unearned in-kind income among the persons who receive the income. Example: Medi-Cal Family Budget Unit (MFBU) of four receives free housing. Use in-kind income for four and each person receives one-fourth of the in-kind income. Add an unborn's share of in-kind income to the pregnant woman's share. If the pregnant woman is Public Assistance (PA)/Other PA and not in the MFBU, give the unborn's share to the father of the unborn if he is in the MFBU.

NOTE: If any of the following deductions apply, complete MC 176W, part VI, before completing Sections A or B.

Educational Expenses, Section 50547 Student Deduction, Section 50551

PART 1

ENTER NAME OF EACH MFBU MEMBER (Do not list unborns.)	Name	Name	Name	Name	Name
Person Type	☐ Parent A *or* ☐ Caretaker relative	☐ Parent B *or* ☐ Caretaker relative	☐ Child	☐ Child	☐ Child
A. NONEXEMPT DISABILITY RELATED INCOME					
1. State Disability Insurance (SDI)					
2. Private Disability Insurance Benefits					
3. Temporary Workers Compensation (TWC)					
4. Temporary Disability Indemnity (TDI)					
5. Social Security Disability Insurance (SSDI)					
6. Total (add line 1 through line 5)					
7. Subtract $240 (If entire $240 deduction is not used, enter remainder in Section C, line 17.)					
8. Countable disability-related income (enter on line 24)					
B. NONEXEMPT UNEARNED INCOME					
9. Net income from property					
10. *Net child/spousal support received					
11. **In-kind income					
12. Income available from PA or other PA (MC 175-6, line A.4)					
13. Social Security nondisability payments					
14.					
15. Total (add line 9 through line 14); enter on line 24.					

Enter computation for child/spousal support and/or earned in-kind income

C. NONEXEMPT EARNED INCOME	Name	Name	Name	Name	Name
16. Nonexempt earned income					
17. $240 or remainder from Section A, line 7 (whichever is less)					

C. NONEXEMPT EARNED INCOME (Continued)					
18. Remainder (line 16 minus line 17)					
19. 50 percent earned income deduction (one-half of line 18)					
20. Child care deduction					
21. Other deductions (EAS 44-113)					
22. Total net nonexempt earned income (line 18 minus lines 19, 20, and 21) (enter on line 25)					
D. TOTAL COUNTABLE INCOME					
23. Countable disability-related income (from line 8)					
24. Countable unearned income (from line 15)					
25. Countable earned income (from line 22)					
26. Income allocated from LTC/B&C person to family members at home (from MC 176W, Part B or from MC 175-7, line C.2)					
27. Total countable income (add lines 23, 24, 25, and 26)					
E. OTHER DEDUCTIONS					
28. Court-ordered child support/alimony					
29. Income to determine PA eligibility (MC 175-6, line B.3 or B.4)					
30. Other:					
31. Total deductions (add lines 28 through 30)					
32. Total net countable income (line 27 minus line 31) Enter this on MC 175-4 if no parent in MFBU. If parent in MFBU, continue.					
33. Parent's total net nonexempt income less in-kind income and income from PA/other PA, LTC, or B&C spouse (line 32 minus lines 11, 12, and 26)					
F. PARENTAL/SPOUSAL ALLOCATION COMPUTATION (Skip if no parent in MFBU.)					
P/S NEEDS ALLOCATION AMOUNT	$370	$370			
34. Parent's net countable income less P/S allocation (line 33 minus $370; if negative, enter $0)					
35. Number of persons for whom Parent A is responsible (MC175-2, Section A) DO NOT COUNT PARENT A					
36. Number of persons for whom Parent B is responsible (MC 175-2, Section B) DO NOT COUNT PARENT B					
37. Child's natural/adoptive parent—check A, B, or both (see MC 175-2)			☐ A ☐ B	☐ A ☐ B	☐ A ☐ B
38. Parent A's allocation to spouse (if any) and natural/adopted children (divide Parent A's line 34 by line 35—enter in each applicable box) Do not enter under Parent B if unmarried.					
39. Parent B's allocation to spouse (if any) and natural/adopted children (divide Parent B's line 34 by line 36—enter in each applicable box) Do not enter under Parent A if unmarried.					
40. Enter child's net countable income (from line 32)					
41. Child's total net nonexempt income (add lines 38, 39, and 40); enter on MC 175-4					
42. Parent's total net nonexempt income (the lesser of $370 or the amount on line 32, plus line 38 or line 39)					

PART 2

SECTION 1931(b) MBU DETERMINATION—PROPERTY AND MINIMUM BASIC STANDARD OF ADEQUATE CARE (MBSAC)

☐ 1931 MBSAC TEST ☐ 1931 PROPERTY DETERMINATION

INSTRUCTIONS:

1. Include unborn in the mother's mini budget unit (MBU) and property limit MBSAC level unless mother is married and only her separate children want Medi-Cal. If pregnant woman is PA/Other PA, include the unborn in the spouse's or father's MBU.
2. Do not include an excluded child.
3. Do not list MBU members in more than one MBU.
4. If any MBU has excess property, check to see if Medi-Cal linkage still exists for other family members.
5. Property determinations: enter the allocation for each spouse from MC 324, line 29.
6. Enter each person's net nonexempt income from line 41 or 42.

MBU NUMBER _____

Person name/number	Net Nonexempt ☐ Property ☐ Income
1.	
2.	
3.	
4.	
5.	
6.	
TOTAL	
MBU's ☐ Property Limit ☐ MBSAC	

(Check one)
☐ Excess Property—FAIL
☐ Income Ineligibility at or exceeds MBSAC—Property Eligible—FAIL
☐ Income Eligible—below MBSAC—Property Eligible—PASS

MBU NUMBER _____

Person name/number	Net Nonexempt ☐ Property ☐ Income
1.	
2.	
3.	
4.	
5.	
6.	
TOTAL	
MBU's ☐ Property Limit ☐ MBSAC	

(Check one)
☐ Excess Property—FAIL
☐ Income Ineligibility at or exceeds MBSAC—Property Eligible—FAIL
☐ Income Eligible—below MBSAC—Property Eligible—PASS

MBU NUMBER _____

Person name/number	Net Nonexempt ☐ Property ☐ Income
1.	
2.	
3.	
4.	
5.	
6.	
TOTAL	
MBU's ☐ Property Limit ☐ MBSAC	

(Check one)
☐ Excess Property—FAIL
☐ Income Ineligibility at or exceeds MBSAC—Property Eligible—FAIL
☐ Income Eligible—below MBSAC—Property Eligible—PASS

MBU NUMBER _____

Person name/number	Net Nonexempt ☐ Property ☐ Income
1.	
2.	
3.	
4.	
5.	
6.	
TOTAL	
MBU's ☐ Property Limit ☐ MBSAC	

(Check one)
☐ Excess Property—FAIL
☐ Income Ineligibility at or exceeds MBSAC—Property Eligible—FAIL
☐ Income Eligible—below MBSAC—Property Eligible—PASS

PART 2 (Continued)

MBU NUMBER _____

Person name/number	Net Nonexempt ☐ Property ☐ Income
1.	
2.	
3.	
4.	
5.	
6.	
TOTAL	
MBU's ☐ Property Limit ☐ MBSAC	

(Check one)
☐ Excess Property—FAIL
☐ Income Ineligibility at or exceeds MBSAC—Property Eligible—FAIL
☐ Income Eligible—below MBSAC—Property Eligible—PASS

MBU NUMBER _____

Person name/number	Net Nonexempt ☐ Property ☐ Income
1.	
2.	
3.	
4.	
5.	
6.	
TOTAL	
MBU's ☐ Property Limit ☐ MBSAC	

(Check one)
☐ Excess Property—FAIL
☐ Income Ineligibility at or exceeds MBSAC—Property Eligible—FAIL
☐ Income Eligible—below MBSAC—Property Eligible—PASS

MBU NUMBER _____

Person name/number	Net Nonexempt ☐ Property ☐ Income
1.	
2.	
3.	
4.	
5.	
6.	
TOTAL	
MBU's ☐ Property Limit ☐ MBSAC	

(Check one)
☐ Excess Property—FAIL
☐ Income Ineligibility at or exceeds MBSAC—Property Eligible—FAIL
☐ Income Eligible—below MBSAC—Property Eligible—PASS

MBU NUMBER _____

Person name/number	Net Nonexempt ☐ Property ☐ Income
1.	
2.	
3.	
4.	
5.	
6.	
TOTAL	
MBU's ☐ Property Limit ☐ MBSAC	

(Check one)
☐ Excess Property—FAIL
☐ Income Ineligibility at or exceeds MBSAC—Property Eligible—FAIL
☐ Income Eligible—below MBSAC—Property Eligible—PASS