

10A NCAC 01C .0204 DETERMINING ABILITY TO PAY

- (a) Ability to pay will be determined by the interviewer who uses guidelines developed by the Secretary of the Department of Human Resources.
- (b) Guidelines should be as guides and not firm policy.
- (c) Many cases reveal that there are hardship or extraneous conditions not covered by the guidelines. There are also cases where there are considerable non-income producing real property or low-income producing personal assets.
- (d) Guidelines should be reviewed periodically.
- (e) Guidelines and policies are developed for each type of institution and guidelines take into consideration income, assets both real and personal, the number and ages of dependents, whether or not the dependents are attending college, and financial obligations. Also much consideration is given to the length of stay in the institution.

History Note: Authority G.S. 143-118(d);
Eff. February 1, 1976;
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. April 23,
2017.