

### **10A NCAC 23E .0208 CALCULATING INCOME**

- (a) Income that is actually available and the client or someone acting in his or her behalf has the legal authority to make available for support and maintenance shall be counted as income.
- (b) Only income actually available or predicted by the county department of social services to be available to the budget unit for the certification period, as defined in 10A NCAC 23A .0102, for which eligibility is being determined shall be counted as income.
- (c) For aged, blind, and disabled cases allowable disregards from income shall be based on Title XVI of the Social Security Act.
- (d) Deductions subtracted after allowable disregards shall be:
- (1) Incapacitated adult care not to exceed one hundred and seventy-five dollars (\$175.00) per adult for Family and Children's medically needy cases.
  - (2) Child care not to exceed one hundred and seventy-five dollars (\$175.00) per child over two years of age or two hundred dollars (\$200.00) per child under two years of age for Family and Children's medically needy cases.
  - (3) A standard deduction of ninety dollars (\$90.00) from the total earned income of each budget unit member for Family and Children's medically needy cases.
  - (4) For aged, blind, and disabled cases allowable deductions from income are based on Title XVI of the Social Security Act.
- (e) Except for M-PW, as defined in 10A NCAC 23A .0102, the monthly amount of wages, income, and deductions shall be calculated by converting the amount received by frequency into a monthly amount as follows:
- (1) If received weekly, multiply by 4.3.
  - (2) If received bi-weekly, multiply by 2.15.
  - (3) If received semi-monthly, multiply by 2.
  - (4) If received monthly, use the monthly gross.
  - (5) If salaried, and contract renewed annually, divide annual income by 12.
- (f) For M-PW cases, the budget unit's actual income for the calendar month of eligibility shall be verified by the county department of social services.

*History Note: Authority G.S. 108A-25(b); 108A-54; 108.54.1B; 42 C.F.R. 435.121; 42 C.F.R. 435.401; 42 C.F.R. 435.603; 42 C.F.R. 435.831; 45 C.F.R. 435.845; 45 C.F.R. 233.20; 45 C.F.R. 233.51; Eff. September 1, 1984; Amended Eff. January 1, 1995; August 1, 1990; March 1, 1986; Temporary Amendment Eff. August 22, 1996; Amended Eff. August 1, 1998; Transferred from 10A NCAC 21B .0404 Eff. May 1, 2012; Readopted Eff. June 1, 2019.*