

10A NCAC 71R .0503 INCOME ELIGIBLE STATUS

- (a) Individuals other than those eligible on the basis of income maintenance status may be determined eligible on the basis of that individual's income unit's monthly gross income.
- (b) To determine income eligibility, it is necessary to determine the number of individuals who reside in the same household who are financially obligated to one another (the income unit) and the amount of the gross monthly income available to them.
- (c) The following are defined as separate income units for purposes of determining eligibility and fees.
- (1) Biological or adoptive parents and their minor children;
 - (2) A minor parent and his or her children;
 - (3) Each adult, whether related or unrelated, other than spouses;
 - (4) Children living with adults other than their biological or adoptive parents;
 - (5) Minors who are emancipated through a court proceeding, marriage or participation in the armed services.
- (d) Sources of income which shall be considered for purposes of computing family monthly gross income are:
- (1) Gross earned wages or salary (earnings received for work performed as an employee, including wages, salary, commissions, tips, piece-rate payments, and cash bonuses earned, before any deductions are made for taxes, bonds, pensions, union dues);
 - (2) Adjusted gross income from taxable self-employment income;
 - (3) Social Security benefits (includes Social Security pensions, survivors' benefits and permanent disability insurance payments);
 - (4) Dividends; interest (on savings or bonds); income from estates or trusts; royalties; adjusted gross rental income on houses, stores or other property;
 - (5) Pensions and annuities paid directly by an employer or union or through an insurance company;
 - (6) Workers' compensation for injuries incurred at work;
 - (7) Unemployment insurance benefits;
 - (8) Alimony (includes direct and indirect payments, such as rent and utility payments);
 - (9) Child support, direct or indirect;
 - (10) Pensions paid to veterans or survivors of deceased veterans;
 - (11) On-the-Job Training (OJT) payments;
 - (12) Job Training Partnership Act (JTPA) payments made to an adult;
 - (13) AmeriCorps stipend (living allowance);
 - (14) Armed Forces pay (only the amounts taxable, such as base pay);
 - (15) Work release payments;
 - (16) Cherokee Tribal Per Capita Income paid to adult family members;
 - (17) Work-study payments, if the income is from a program not administered under Title IV of the Higher Education Act or the Bureau of Indian Affairs; and
 - (18) Recurring cash contributions paid directly to the parent.
- (e) Sources of income that shall not be counted when computing family gross monthly are:
- (1) Work First Family Assistance;
 - (2) Supplemental Security Income (SSI);
 - (3) Lump sum payments (e.g. Social Security benefits, workers' compensation, alimony, veteran's benefits, HUD);
 - (4) Foster care assistance payments;
 - (5) Adoption Assistance payments;
 - (6) Payments/trust funds under the Indian Claims Commission;
 - (7) Payments from the Alaska Native Claims Settlement Act;
 - (8) Income from sale of personal assets (stocks, bonds, house, car, and insurance);
 - (9) Bank withdrawals;
 - (10) Money borrowed;
 - (11) Tax refunds;
 - (12) Gifts or contributions;
 - (13) In-kind contributions from non-legally responsible adults;
 - (14) Emergency Assistance, Low Income Energy Assistance Program, Crisis Intervention Program, General Assistance, or Progress Energy Share Program payments;
 - (15) Section VIII housing subsidy;
 - (16) Capital gains;

- (17) Value of food stamp benefits allotted under the Food Stamp Act of 1977;
- (18) Free and reduced lunch program;
- (19) Food subsidy programs;
- (20) Relocation/Acquisition Act payments;
- (21) Earnings of a dependent child under 18 years of age, unless a minor parent of a child needing child care;
- (22) Loans, grants, scholarships, money received through job training, Pell or Carl Perkins grants;
- (23) Home produce utilized for household consumption;
- (24) Volunteers in Service to America (VISTA) earnings;
- (25) Payments received as Earned Income Tax Credits or Dependent Care Credits;
- (26) All subsidized housing and housing allotments, including military housing allotments. If rent is provided directly to the landlord, it shall not be counted. If, however, the rent monies are paid to the individual, it shall be counted as income;
- (27) Money received from an employer as an employee benefit for child care; and
- (28) Work-study payments, if the income is from the College Work-Study Program administered under Title IV of the Higher Education Act or the Bureau of Indian Affairs. (Likewise, if the income from college work-study goes directly to the college, it is not counted as income.)

History Note: Authority G.S. 50-13.4; 110.129(2); 143B-153;
Eff. July 1, 1983;
Amended Eff. November 1, 2007; October 1, 1991; May 1, 1990;
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. May 20, 2017.