

**10A NCAC 45A .0204 DETERMINATION OF FAMILY SIZE**

(a) For the purpose of determining eligibility for benefits provided by any of the payment programs, a patient's family shall be defined as the patient and all individuals living in the same household with the patient who are:

- (1) parents, not including step-parents, of the patient, if the patient is unmarried and less than 18 years of age;
- (2) siblings or half-siblings of the patient, but not step-siblings, if the siblings are unmarried and less than 18 years of age;
- (3) siblings or half-siblings of the patient, but not step-siblings, if the siblings are 18 years of age or over and have no income;
- (4) the spouse of the patient; and
- (5) individuals related to the patient by blood, marriage, or adoption, if the individual has no income, and if no parent(s) or spouse of the individual lives in the same household and has income.

(b) Individuals who are students and are temporarily living away from their permanent home while attending school and using their home address as their permanent address are for the purposes of the Rule considered to be living in the household of the permanent home.

(c) An adopted child shall be considered the same as a biological child and an adoptive parent shall be considered the same as a biological parent.

(d) For the purpose of this Rule, a half-sibling is a child who has one biological parent in common with the patient. A step-sibling is the child of a step-parent who has no biological parent in common with the patient.

*History Note: Authority G.S. 130A-5(3); 130A-124; 130A-127; 130A-129; 130A-205; Eff. July 1, 1981; Amended Eff. May 1, 1987; Transferred and Recodified from 10 NCAC 4C .0204 Eff. April 4, 1990; Amended Eff. January 1, 2014; Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. January 13, 2015.*