
Deeming means counting the income, and assets if applicable, of one person as available in determining the eligibility of another person.

MinnesotaCare:

No provisions. Consider the countable income of all household members. See §0911.05 (Excluded Income) for information on what types of income to exclude.

MA:

Deeming requirements are not the same as household composition rules. People may be included in another person's household without having their income and assets counted toward the other person's eligibility. Determine household size and countable income and assets separately for each person.

The information about counting income and assets in this section may not apply to people on an MA waiver program. See §0907.23 (MA Waiver Programs).

When the following people live with an MA applicant or enrollee, consider their income and assets available:

- < The person's spouse unless it is the month the client has entered a long term care facility or begins receiving home care services covered through elderly waiver (EW). When a client is NOT divorced but is legally separated from his/her spouse and continues to live in the same household, consider the spouse's income and assets available to the client.

- < The client's natural or adoptive parent, if the client is under 21 and not emancipated. When the father or alleged father of a child is not married to the child's mother, deem the father's income to the child only if paternity has been established AND the father lives with the child. Paternity has been established when adjudicated by a court or when the father has signed a Declaration of Parentage or Recognition of Parentage form (DHS 3159). See DECLARATION OF PARENTAGE (DOP) in §0902.07 (Glossary: Client...) and RECOGNITION OF PARENTAGE (ROP) in §0902.33 (Glossary: Quality...).

NOTE:

Although parents' assets are considered available to children, there is no asset limit for children under 21. See §0909.03 (Exemptions from Asset Limits).

Do not count:

- < Parents' income as available to children from birth through the end of the month of the child's first birthday if the child qualifies as an auto newborn. See §0907.19.05.03 (MA Basis: Auto Newborn).
- < The income of parents of blind or disabled children ages 18 to 21.
- < Stepparents' income as available to a stepchild.
- < Parent's income as available to children of any age who receive SSI.
- < Parent's income as available to children eligible under TEFRA.
- < Children's income or assets as available to parents.

GAMC:

Count the income and assets of a person's spouse when the spouse lives with the client.

MA/GAMC HOUSEHOLD SIZE AND DEEMING EXAMPLES:

EXAMPLE:

Kelly, age 30, lives with her husband Jason, age 33, her daughter from a previous marriage, Allie, age 8, and Jason's son from a previous marriage, Garrett, age 10. Kelly is pregnant and expecting a medically verified single birth. Each household member has a household size of 5. Kelly and Jason both have employment income, and Kelly receives child support for Allie. Garrett has no income. Only Kelly and Jason have assets.

Deem income and assets as follows:

Kelly: Count her own and Jason's income. Jason: Count his own and Kelly's income and assets.

Allie: Count Kelly's income and Allie's child support.

Garrett: Count Jason's income.

Unborn child: The child will be eligible as an auto newborn if Kelly is on MA at the time of the birth. If the family requests continued MA after the child turns 1, you would count Kelly and Jason's income.

EXAMPLE:

Megan, age 18, lives with her mother, Sue, her father, Larry, her 15-year-old sister Laura, and her 2-year-old son Trevor. Megan has a household size of 5: Megan, parents, sibling, and her own minor child. Megan's parents each have a household size of 4: Larry, Sue, Megan, and Laura. Laura has a household size of 4: Laura, Larry, Sue, and Megan. Trevor has a household size of 2: Trevor and Megan.

Deem income and assets as follows:

Megan: Count Sue, Larry, and Megan's income.
Sue: Count Sue and Larry's income and assets.
Larry: Count Larry and Sue's income and assets.
Laura: Count Sue, Larry, and Laura's income.
Trevor: Count Megan and Trevor's income.