

9500.1233 FINANCIAL ELIGIBILITY TESTS.

Subpart 1. **Prospective eligibility.** A county agency shall determine whether the eligibility requirements that pertain to an assistance unit will be met prospectively for the payment month. To prospectively assess income, a county agency shall estimate the amount of income an assistance unit expects to receive in the payment month.

Subp. 2. **Termination and suspension of assistance when prospectively ineligible.** When an assistance unit is prospectively ineligible for general assistance for at least two consecutive months due to excess income, assistance must be terminated. When an assistance unit is prospectively ineligible for general assistance for only one month and is prospectively eligible the following month, assistance must continue. The income for the single month in which prospective ineligibility exists must be applied retrospectively as described in subpart 3, resulting in suspension for the corresponding payment month.

Subp. 3. **Retrospective eligibility.** After the first two months of program eligibility, a county agency must determine whether an assistance unit is prospectively eligible for the payment month. The county agency must then determine whether the assistance unit is retrospectively eligible by applying the gross income test for family assistance and the payment eligibility test to the income from the budget month. When either the gross income test for family assistance units or the payment eligibility test is not satisfied, assistance must be suspended when ineligibility exists for one month, or terminated when ineligibility exists for more than one month.

Subp. 4. [Repealed, 32 SR 1437]

Subp. 5. **Payment eligibility test.** Each assistance unit must pass a test of payment eligibility prospectively and retrospectively for each program month that the unit is otherwise eligible.

A. Assistance units which do not contain a member of a family must use the income determined in parts 9500.1223 to 9500.1226 to determine payment eligibility.

B. The county agency must apply the assistance unit's countable income against the assistance unit's standard. If the income is equal to or greater than the standard, the assistance unit must be denied assistance or assistance must be terminated.

Statutory Authority: *MS s 14.388; 256D.01; 256D.04; 256D.051; 256D.06; 256D.08; 256D.09; 256D.111*

History: *15 SR 1842; 32 SR 1437*

Published Electronically: *October 16, 2013*