

	GEORGIA DIVISION OF FAMILY AND CHILDREN SERVICES MEDICAID POLICY MANUAL			
	Chapter:	2400	Effective Date:	February 2020
	Policy Title:	Ownership of Income		
Policy Number:	2403	Previous Policy Update:	MT 17	

REQUIREMENTS

Income received by the Assistance Unit (AU) or Budget Group (BG) is considered in determining Medicaid eligibility.

BASIC CONSIDERATIONS

Income can be owned solely or jointly. An agent or organization acting on behalf of an A/R can also receive the income.

The source of income must be identified to determine if the income is included or excluded. Refer to [Section 2499](#), Treatment of Income in Medicaid.

All countable income of the AU or BG is applied to the income limits for the class of assistance being applied for. Refer to Chapter 2500, ABD Financial Responsibility and Budgeting, and Chapter 2650, Family Medicaid Budgeting for budgeting procedures.

Children in Placement

The benefits/support (Child Support, RSDI, SSI) of a child in care that are diverted to the county of custody as designated payee for the child's benefit and care are considered the child's. Refer to individual sources of income in Chart 2499.1, Types of Income in Medicaid, as to whether the benefit/support is included (I) or excluded (E) in the Medicaid eligibility budget.

PROCEDURES

Include all income owned solely by the A/R in determining eligibility if it is accessible to the AU or BG for daily use because the AU or BG has the legal ability to use it.

Jointly Received Income in Family Medicaid

If an AU or BG member receives income jointly with another person or a group of persons, the portion that belongs to the AU or BG member is determined as follows:

- If there is an agreement between the parties that specifies how they will divide the income, this agreement is used to determine the amount of income to consider.
- If there is no agreement, a pro rata share of the income is counted to the member whose income is being considered.

Jointly Owned Income in ABD Medicaid

When a financial instrument, such as a bank account, is owned jointly by the A/R and another individual, determine what portion of any deposit or interest represents income to the A/R.

NOTE: The A/R may rebut ownership of income. For the rebuttal process, refer to Chapter 2300, Resources.

For ABD Medicaid, use the following chart to determine the amount of income generated by a joint financial account to consider as income to the A/R:

Chart 2403.1 - Determining Income from a Joint Financial Account	
IF the account is	THEN
jointly owned by the A/R and an ineligible individual(s)	consider the amount of any interest posted as income to the A/R AND include the full amount of any deposit made by the A/R, the ineligible bank account holder or a third party as income to the A/R. EXCEPTION: Income that clearly is owned by another account holder, e.g. direct deposit RSDI, is income to the owner of said income.
jointly owned by two or more A/Rs	allocate any interest posted equally among the joint owners AND do not consider deposits made by joint holder as income to the other joint holder.

PROCEDURES (cont.)**Jointly Owned Income in ABD Medicaid (cont.)**

For ABD Medicaid, use the following chart to determine the treatment of income from a jointly held account after the A/R successfully rebuts ownership of the account:

Chart 2403.2- Determining Income from a Joint Account after the A/R Rebuts Ownership	
IF	THEN
the A/R successfully rebuts ownership of a portion of funds in a joint account	do not consider deposits made by the other account holder as income to the A/R. Charge interest to the A/R in proportions to the percentage of funds that are a resource to the A/R.
the A/R successfully rebuts ownership of all funds in a joint account	do not consider deposits made by the other account holder(s) OR interest posted to the account as income to the A/R.

SPECIAL CONSIDERATIONS**FOR ABD MEDICAID****A/R Has an Agent**

Treat income received by an agent acting on behalf of an A/R as if the A/R received the income directly.

A/R Is the Agent

Do not consider income received by an A/R in his/her capacity as an agent as income to the A/R.

Consider fees, commissions or contributions for services rendered as unearned income to an A/R acting as an agent.