

POLICY	HOW POLICY IS MORE LIBERAL	GROUPS TO WHICH POLICY IS APPLIED
<p><b>Disregard of State Catastrophe Funds.</b> Disregard Minnesota I-35 Catastrophe Relief Fund payments.</p>	<p>AFDC and SSI have no similar disregard.</p>	<p>Eligibility Groups under the following sections of the Act: 1902(a)(10)(A)(i)(III) 1902(a)(10)(A)(i)(IV) 1902(a)(10)(A)(i)(VI) 1902(a)(10)(A)(i)(VII) 1902(f) 1902(a)(10)(A)(ii) (I) 1902(a)(10)(A)(ii)(IV) 1902(a)(10)(A)(ii) (VIII) 1902(a)(10)(A)(ii) (IX) 1902(a)(10)(A)(ii) (X) 1902(a)(10)(A)(ii) (XI) 1902(a)(10)(A)(ii) (XIV) 1902(a)(10)(A)(ii) (XV) QMB, SLMB &amp; QI under 1902(a)(10)(E) and 1905(p). Medically needy groups under §1902(a)(10)(C).</p>
<p><b>Disregard under Court Order:</b> Disregard payments to class members under the federal court order in <i>Jensen et al v. Minnesota Department of Human Services, CN 09-1775 (DWF/FLN)</i>.</p>	<p>AFDC and SSI have no similar disregard.</p>	<p><u>Eligibility Groups under the following sections of the Act:</u> <u>1902(a)(10)(A)(i)(III)</u> <u>1902(a)(10)(A)(i)(IV)</u> <u>1902(a)(10)(A)(i)(VI)</u> <u>1902(a)(10)(A)(i)(VII)</u> <u>1902(f)</u> <u>1902(a)(10)(A)(ii) (I)</u> <u>1902(a)(10)(A)(ii)(IV)</u> <u>1902(a)(10)(A)(ii) (VIII)</u> <u>1902(a)(10)(A)(ii) (IX)</u> <u>1902(a)(10)(A)(ii) (X)</u> <u>1902(a)(10)(A)(ii) (XI)</u> <u>1902(a)(10)(A)(ii) (XIV)</u> <u>1902(a)(10)(A)(ii) (XV)</u> <u>QMB, SLMB &amp; QI under 1902(a)(10)(E) and 1905(p).</u> <u>Medically needy groups under §1902(a)(10)(C).</u></p>

STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT  
State: MINNESOTA  
MORE LIBERAL METHODS OF TREATING RESOURCES  
UNDER §1902(r)(2) OF THE ACT

POLICY	HOW POLICY IS MORE LIBERAL	GROUPS TO WHICH POLICY IS APPLIED
<p><b>Disregard under Court Order: Disregard payments to class members under the federal court order in Jensen et al v. Minnesota Department of Human Services, CN 09-1775 (DWF/FLM).</b></p>	<p><u>AFDC and SSI have no similar disregard.</u></p>	<p><u>Eligibility Groups under the following sections of the Act:</u>  <u>1902(a)(10)(A)(i)(III)</u>  <u>1902(f)</u>  <u>1902(a)(10)(A)(ii) (I)</u>  <u>1902(a)(10)(A)(ii) (IV)</u>  <u>1902(a)(10)(A)(ii)(V)</u>  <u>1902(a)(10)(A)(ii) (VIII)</u>  <u>1902(a)(10)(A)(ii) (IX)</u>  <u>1902(a)(10)(A)(ii) (X)</u>  <u>1902(a)(10)(A)(ii) (XI)</u>  <u>1902(a)(10)(A)(ii) (XV)</u>  <u>QMB, SLMB &amp; OI under 1902(a)(10)(E) and 1905(p)</u>  <u>Medically needy groups under §1902(a)(10)(C).</u></p>

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STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT  
State: Minnesota

VARIATIONS FROM THE BASIC PERSONAL NEEDS ALLOWANCE

For individuals with greater need, the following allowances are provided:

(I) 5% of gross monthly income to a maximum of \$100 for reimbursement of guardianship or conservatorship services.

(ii) for disabled individuals receiving employment wages under an individual plan of rehabilitation, the following are deducted from gross earned income:

- (a) \$80 special personal allowance
- (b) Actual FICA withheld
- (c) Actual transportation expenses
- (d) Actual employment expenses such as tools and uniforms
- (e) Actual state and federal taxes withheld (only when the person is not exempt from withholding)

(iii) Income garnished for child support under a court order, up to a maximum of \$250 per month but only to the extent that the amount garnished is not deducted as a monthly allowance for children under Item B(4)(a), on page 5 of Attachment 2.6-A.

In addition to the basic personal needs allowance, the personal needs allowance is increased by the amount of the payment made to a class member under the federal court order *Jensen et al. v. Minnesota DHS*, to comply with the court order that the settlement amount will not affect in any way Class members eligibility for disability, benefits or otherwise jeopardize the Class members' benefits or programming.

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X The agency uses less restrictive income and/or resource methodologies than those in effect as of July 16, 1996, as follows:

<b>More Liberal Income Policy 1931</b>	<b>Replaces AFDC Policy of July 16, 1996</b>
For purposes of the gross income test, all income in excess of 185% will be disregarded.	AFDC applied gross income test of 185%.
A lump sum payment will be considered income in the month received and an asset thereafter.	AFDC counted lump sum payments as prospective income based on the AFDC cash grant.
The difference between the July 16, 1996 AFDC income standard and 100 percent of the current FPL, plus the cost of child (or incapacitated adult) care necessary for employment, plus the amount of any payments of court ordered child support, plus 17 percent of earned income for the first four months in which earnings are counted is disregarded; or the AFDC disregards in effect on July 16, 1996, whichever is to the family's advantage.	AFDC had no such disregard.
The agency disregards the difference between the 1931 income standard and 100 percent of the Federal poverty levels, adjusted annually on July 1st to reflect the levels previously published in the Federal Register for the year.	AFDC had no such disregard.
The agency disregards 17 percent of earned income for four months for applicants and recipients.	AFDC allowed a deduction for four months of 30% from earned income.
The agency excludes court-ordered settlements up to \$10,000	AFDC had no such exclusion.
The agency disregards all payments received from the Minnesota I-35 Catastrophe Relief Fund from income.	AFDC had no such disregard.
The agency disregards up to \$2000 annually in cash gifts received from tax-exempt organizations for the benefit of a child with a life-threatening illness.	AFDC had no such disregard.
<u>The agency excludes payments to class members under the federal court order in Jensen <i>et al</i> v. Minnesota Department of Human Services, CN 09-1775 (DWF/FLN).</u>	<u>AFDC had no such exclusion.</u>

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1931 More Liberal Resource Policy	Replaces AFDC Policy of July 16, 1996
The agency excludes one vehicle for each person that uses a vehicle for employment or for seeking employment.	AFDC excluded equity value of up to \$1500 for one vehicle per household
The agency excludes IRA's, 401(k) plans, 403(b) plans, Keogh plans and other individually-owned pension and retirement funds.	AFDC had no such exclusion.
The agency excludes court-ordered settlements up to \$10,000	AFDC had no such exclusion.
The agency excludes \$9,000 in property not subject to other exclusions for one person and \$19,000 not subject to other exclusions for two or more people.	AFDC had no such exclusion.
The agency excludes all assets established under the Uniform Gift to Minors Act, and the child-owned portion of an account held jointly by an adult and child.	AFDC had no such exclusion.
The agency disregards all payments received from the Minnesota I-35 Catastrophe Relief Fund from resources.	AFDC had no such disregard.
The agency excludes burial funds, burial spaces and burial space items according to policy of the Supplemental Security Income (SSI) Program under 20 CFR §416.1231 as described on page 4a of Supplement 8b.	AFDC excluded one burial plot and equity in one burial agreement of up to \$1500 for each member of the assistance unit.
<u>The agency excludes payments to class members under the federal court order in Jensen <i>et al</i> v. Minnesota Department of Human Services, CN 09-1775 (DWF/FLN).</u>	<u>AFDC had no such exclusion.</u>

\_\_\_\_\_ The agency terminates medical assistance (except for certain pregnant women and children) for individuals who fail to meet TANF work requirements.

X The agency continues to apply the following waivers of provisions of Part A of title IV in effect as of July 16, 1996, or submitted prior to August 22, 1996 and approved by the Secretary on or before July 1, 1997.

- Waiver of §§402(a)(41) and 407 of the Act, 45 CFR 233.100(a)(1) and (c)(1)(iii). A child will be considered deprived if family income is below the applicable income standard, regardless of the number of hours that the principal wage earner is employed.

[In the 7/16/96 AFDC State plan, the principal wage earner cannot be employed over 100 hours per month.]

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