

**WAC 182-512-0600 SSI-related medical—Definition of income. (1)**

Income is anything a client receives in cash or in-kind that can be used to meet his/her needs for food or shelter. Income can be earned or unearned.

(2) Some receipts are not income because they do not meet the definition of income above. Some types of receipts that are not income are:

(a) Cash or in-kind assistance from federal, state, or local government programs whose purpose is to provide medical care or services;

(b) Some in-kind payments that are not food or shelter coming from nongovernmental programs whose purposes are to provide medical care or medical services;

(c) Payments for repair or replacement of an exempt resource;

(d) Refunds or rebates for money already paid;

(e) Receipts from sale of a resource;

(f) Replacement of income already received (see 20 C.F.R. 416.1103 for a more complete list of receipts that are not income); and

(g) Receipts from extraction of exempt resources for a member of a federally recognized tribe.

(3) Earned income includes the following types of payments:

(a) Gross wages and salaries, including garnished amounts;

(b) Commissions and bonuses;

(c) Severance pay;

(d) Other special payments received because of employment;

(e) Net earnings from self-employment (WAC 182-512-0840 describes earnings exclusions);

(f) Self-employment income of tribal members unless the income is specifically exempted by treaty;

(g) Payments for services performed in a sheltered workshop or work activities center;

(h) Royalties earned by a client in connection with any publication of their work and any honoraria received for services rendered; and

(i) In-kind payments made in lieu of cash wages, including the value of food or shelter.

(4) Unearned income is all income that is not earned income. Some types of unearned income are:

(a) Annuities, pensions, and other periodic payments;

(b) Alimony and support payments;

(c) Voluntary or court-ordered child support payments, including arrears, received from a noncustodial parent for the benefit of a child are the income of the child;

(d) Dividends and interest;

(e) Royalties (except for royalties earned by a client in connection with any publication of their work and any honoraria received for services rendered which would be earned income);

(f) Capital gains;

(g) Rents;

(h) Benefits received as the result of another's death to the extent that the total amount exceeds the expenses of the deceased person's last illness and burial paid by the recipient;

(i) Gifts;

(j) Inheritances;

(k) Prizes and awards; and

(1) Amounts received by tribal members from gaming revenues with the exceptions cited in WAC 182-512-0770(3).

(5) Some items which may be withheld from income, but which the agency considers as received income are:

- (a) Federal, state, or local income taxes;
  - (b) Health or life insurance premiums;
  - (c) SMI premiums;
  - (d) Union dues;
  - (e) Penalty deductions for failure to report changes;
  - (f) Loan payments;
  - (g) Garnishments;
  - (h) Child support payments, court ordered or voluntary (WAC 182-512-0900 has an exception for deemors);
  - (i) Service fees charged on interest-bearing checking accounts;
  - (j) Inheritance taxes; and
  - (k) Guardianship fees if presence of a guardian is not a requirement for receiving the income.
- (6) Countable income, for the purposes of this chapter, means all income that is available to the client:
- (a) If it cannot be excluded; and
  - (b) After deducting all allowable disregards and deductions.

[Statutory Authority: RCW 41.05.021 and 41.05.160. WSR 19-11-050, § 182-512-0600, filed 5/10/19, effective 6/10/19. Statutory Authority: RCW 41.05.021 and Patient Protection and Affordable Care Act (Public Law 111-148), 42 C.F.R. §§ 431, 435, 457 and 45 C.F.R. § 155. WSR 14-07-059, § 182-512-0600, filed 3/14/14, effective 4/14/14. WSR 11-24-018, recodified as § 182-512-0600, filed 11/29/11, effective 12/1/11. Statutory Authority: RCW 74.08.090 and ARRA of 2009 (Recovery Act), Public Law 111-5, Section 5006(b); 42 C.F.R. 435.601, EEOICPA of 2000, Public Law 106398, Sec. 1, app., Title XXXVI (Oct. 30, 2000) (section 1 adopting as Appendix H.R. 5408), Section 3646 of the Appendix. WSR 10-15-069, § 388-475-0600, filed 7/16/10, effective 8/16/10. Statutory Authority: RCW 74.04.050, 74.08.090. WSR 04-09-004, § 388-475-0600, filed 4/7/04, effective 6/1/04.]