

GLOSSARY

HOMELESS HOUSING AND ASSISTANCE PROGRAM (HHAP) - The HHAP provides capital grants and loans to not-for-profit corporations, charitable and religious organizations, municipalities and public corporations to acquire, construct or rehabilitate housing for persons who are not domiciled and are unable to secure adequate housing without special assistance.

HOMELESSNESS INTERVENTION PROGRAM (HIP) - The intent of the Homeless Intervention Program is to allow more flexibility in the provision of services previously provided through the Homeless Rehousing Assistance Program (HRAP) and the Homelessness Prevention Program (HPP). HIP issues grants to eligible local social services districts and/or not-for-profit corporations that provide services to single individuals and/or families who are homeless or at risk of being homeless.

HOUSING OPPORTUNITIES FOR PERSONS WITH AIDS (HOPWA) - The purpose of the HOPWA program is to provide strategies for meeting the housing and support services needs of low-income persons with AIDS and HIV-related diseases.

IMMEDIATE WAGE WITHHOLDING - Automatic deductions from income which start as soon as the agreement or order for support is established (see wage withholding).

INSTITUTIONALIZED SPOUSE - is a person who is:

- (a) in a medical institution or nursing facility and is expected to remain in such a medical institution or nursing facility for at least 30 consecutive days; or
- (b) in receipt of home and community-based waiver services, and expected to receive such services for at least 30 consecutive days; or
- (c) *receiving institutional or non-institutional services under a Program of All-Inclusive Care for the Elderly (PACE); or*
- (d) in a medical institution/nursing facility or in receipt of home and community-based waiver services, and expected to receive a combination of institutional services and home and community-based waiver services for at least 30 consecutive days;

AND

- (e) is married to a person who is not described in items (a) through (d).

JURISDICTION - Legal authority which a court has over particular persons, certain types of cases, and in a defined geographical area.

GLOSSARY

LEGAL FATHER - A man who is recognized by law as the male parent.

LEGALLY RESPONSIBLE RELATIVE (LRR) - A relative who, by law, is responsible for the support and care of another person. In New York State, spouses are responsible for each other and parents are responsible for their children under 21.

LIEN - A claim upon property to prevent sale or transfer until a debt is satisfied.

LIFE INSURANCE - A contract between the owner of a policy and an insurance company whereby the company agrees, in return for periodic premium payments, to pay a specified sum of money to the beneficiary upon the death of the insured.

LOW INCOME FAMILIES (LIF) - A category consisting of families with children, children under 21 who are not living with a caretaker relative, applying caretaker relatives (includes adult cases only) and pregnant women. Most Family Assistance recipients will meet the LIF requirements.

LUMP SUM PAYMENTS - Deferred or delayed payments such as benefit awards, bonuses, year end profit sharing, retroactive pay increases and severance pay.

MEDICAID - A program to assist low income persons in attaining and paying for medical care. Local Departments of Social Services administer the program, under the oversight of the Department of Health, Office of Medicaid Management.

MEDICAL INSTITUTIONS - Hospitals, nursing facilities, intermediate care facilities (ICFs), residential treatment facilities (RTFs), small residential units (SRUs), and room and board situations eligible for reimbursement under Title XIX of the Social Security Act.

MEDICAL SUPPORT - Any medical, dental, optical, prescription drug, health care services, or other health care benefits made available to a child through a legally responsible relative. Medical support can also be cash payments pursuant to a court order.

MEDICALLY NEEDY - An individual who is not eligible for or in receipt of SSI or LIF, but who has insufficient income and/or resources to meet the cost of his/her necessary medical and remedial care and services as determined by State standards. Such A/Rs must meet the categorical requirements for SSI or ADC.

MEDICATION GRANT PROGRAM - Section 15 of Kendra's Law authorizes the Commissioner of the Office of Mental Health (OMH) to provide grants to counties and New York City (NYC) for the Medication Grant Program (MGP). The MGP provides for medication and other services necessary to prescribe and administer medication to treat individuals with mental illness while a decision is being made on their application for Medicaid. (For additional information see 03 ADM 6.)

MEDICAID BUY-IN FOR WORKING PEOPLE WITH DISABILITIES - Sections 62-69 of Chapter 1 of the Laws of 2002 established a new Medicaid Buy-In Program to extend Medicaid coverage to working disabled applicants/recipients (A/Rs) who have net

incomes at or below 250% of the Federal Poverty Level (FPL) and non-exempt resources at or below \$10,000.

MINIMUM MONTHLY MAINTENANCE NEEDS ALLOWANCE (MMMNA) - An amount equal to \$1,500 (effective October 1, 1989) as increased annually by the same percentage as the percentage increase in the federal Consumer Price Index. (See page 238 for the current MMMNA dollar amount.)

MODIFICATION PETITION - A formal written application to a court requesting a change in an existing child support order.

MONEY JUDGMENT - A court order requiring a non-custodial parent to pay a sum of child support to the custodial parent.

MORTGAGE - A pledge of a particular property for the payment of a debt or the performance of some other obligation within a prescribed time period.

NYS PARTNERSHIP PLAN - New York State has been granted a time-limited waiver pursuant to Section 1115 of the Social Security Act that provides federal matching funds for most eligibles, regardless of the category under which they receive Medicaid.

NON-CUSTODIAL PARENT - The parent who does not live with or have physical custody of the child but is legally responsible for providing financial and medical support.

NURSING FACILITY - A facility that holds a current operating certificate issued by the State Health Department and meets the federal requirements for extended care facilities under Title XVIII of the Social Security Act and those for a nursing home under Title XIX of the Social Security Act.

ORDER – Legal direction of a magistrate, judge or properly empowered administrative officer.

ORDER OF FILIATION - A court order stating that a certain man is the father of a certain child.

OTHERWISE AVAILABLE INCOME - Income that is available to a community spouse or family member. In determining otherwise available income the following deductions, if applicable, are made: actual incapacitated adult/child care expenses, court-ordered support payments and health insurance premiums. In addition, German, Austrian and Netherlands reparation payments are disregarded in determining the otherwise available income of a community spouse or family member.

PACE - Program of All Inclusive Care for the Elderly - Institutional or non-institutional services provided under a PACE demonstration waiver program (as defined in Section 1934 of the Federal Social Security Act) or under a PACE program under section 1934 or 1894 of the Federal Social Security Act.

PARENT - A child's: birth father or birth mother; adoptive father or adoptive mother; or putative father who has acknowledged paternity.

PARENT LOCATOR SERVICE - A computerized information service which the child support enforcement program uses to locate non-custodial parents through State and federal records for the purpose of establishing paternity and establishing and enforcing child support.

PATERNITY - Legal determination of fatherhood.

PATERNITY HEARING - A proceeding to examine the facts regarding legal fatherhood for a child.

PATERNITY PETITION - A formal written application to a court requesting judicial action to determine legal fatherhood of a specific man for a specific child.

PERMANENT ABSENCE STATUS - When an individual is not expected to return home, or the individual is an institutionalized spouse. Permanent absence status will be presumed to exist for persons who are not institutionalized spouses if:

- (a) a person enters a nursing or intermediate care facility;
- (b) a person is initially admitted to acute care in a hospital and is then transferred to an alternate level of care, pending placement in a nursing facility; or
- (c) a person remains in acute care in a hospital for more than six calendar months.

Adequate medical evidence may overcome these presumptions.

PERMANENT RESIDENCE UNDER COLOR OF LAW (PRUCOL) - The term PRUCOL describes certain aliens who were residing in the United States with the knowledge and permission of the Immigration and Naturalization Services and whose departure that agency did not contemplate enforcing.

PERSONAL NEEDS ALLOWANCE (PNA) - PNA is the amount that is set aside to meet the personal needs for persons who: are residing in a medical institution and are in permanent absence status; or have community spouses and are in receipt of home and community-based waiver services.

PETITION - A formal written application to a court requesting judicial action on a particular matter.

PETITIONER - One who files a petition.

PRE-ADD ALLOWANCE - The monthly Public Assistance allowance that is intended to cover the costs of food, clothing, incidentals and utility bills.

PRENATAL CARE ASSISTANCE PROGRAM (PCAP) - A program providing comprehensive prenatal care to low income pregnant women. PCAP is funded through Medicaid.

PRESUMPTION OF PATERNITY - A rule of law under which evidence of a man's paternity (e.g., voluntary acknowledgment, genetic test results) creates a presumption that the man is the father of a child. A rebuttable presumption can be overcome by evidence that the man is not the father, but it shifts the burden of proof to the father to disprove paternity.

PRIVATE PROPRIETARY HOME FOR ADULTS - An adult care facility which is operated for compensation and profit, established for the purpose of providing long term residential care, room, board, housekeeping, and supervision to five or more adults unrelated to the operator.

PROBABILITY OF PATERNITY - The probability that the alleged father is the biological father of the child as indicated by genetic test results.

PUBLIC ASSISTANCE STANDARD OF NEED - An amount of money against which the income of an A / R is compared in order to determine eligibility for Public Assistance. It is also the medically needy exemption level when (1) the Standard of Need exceeds the medically needy exemption level and (2) determining eligibility under LIF.

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