

**OTHER ELIGIBILITY REQUIREMENTS****FINANCIAL MAINTENANCE**

**Description:** Financial maintenance refers to the manner in which the A/R meets basic needs and non-medical expenses. The local district evaluates the completeness and consistency of the A/R's statements regarding financial circumstances.

**Policy:** If monthly housing expenses exceed 60/70 percent, as appropriate, of the A/R's monthly income, the A/R must provide further information on specific monthly living expenses and an explanation as to how the expenses are being met. If the LDSS determines that based on information provided by the A/R that there are discrepancies in the A/R's statements or other evidence the LDSS has that raises questions regarding the validity or reasonableness of the A/R's statements, further information may be required.

**NOTE:** This does not apply to A/Rs who are applying for or are in receipt of Family Planning Benefit Program or MSP only.

**References:**

SSL Sect.	366-a.4
Dept. Reg.	360-2.2 360-2.3(c)
ADM	10 OHIP/ADM-6

**Interpretation:** Local social services districts are responsible for determining what percentage of an A/R's income is being spent on housing expenses. When an A/R reports on the ACCESS NY Health Care application (DOH-4220), the DSS-2921 or the Medicaid, Family Health Plus and/or Family Planning Benefit Program Renewal (Recertification) form that his/her share of monthly housing expenses is in excess of: 70% of the A/R's gross monthly income if living in Bronx, Kings, Manhattan, Nassau, Putnam, Queens, Richmond, Suffolk and Westchester counties; or 60% if living in any other county, the LDSS must pursue further information to evaluate how he/she is meeting basic living expenses. Monthly living expenses include: cable, phone, heat, electricity, food, transportation, credit card payments etc.

**NOTE:** If an A/R is living with his/her spouse, the total of the couple's combined income is compared to the couple's housing expenses. The same rule applies for an unmarried couple who live together, if both incomes are counted in the household budget. Parent/parent's total gross monthly income shall be used for a child only application and the income of a non-applying child may also be used.

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In situations where the A/R's share of monthly housing expenses exceeds the 60/70% level, the LDSS must send the Financial Maintenance form (DOH-4443) to the A/R for completion. Failure to complete and return the form to the LDSS will result in a denial or discontinuation of benefits.

**Disposition:**

The LDSS must compare the total reported expenses on the Financial Maintenance form to the A/R's income and determine if the A/R provided a sufficient explanation of how he/she is meeting monthly living expenses. Such explanations may include that bills are not being paid, bills are being paid with a credit card, or that someone else is paying the bill. Further information may be needed to explain any discrepancies. Documentation to support the A/R's explanation of how he/she is meeting monthly living expenses cannot be required. However, if the A/R cannot explain how he/she is paying for monthly expenses, the A/R's application/renewal will be denied/discontinued for failure to provide the required information.

**NOTE:** If the LDSS has information that an SSI-related A/R had assets (income and resources) on a previous application or renewal, and the SSI-related A/R cannot document how assets (income and resources) were spent, the possibility of a transfer of assets for the purpose of qualifying for Medicaid is considered. (See **RESOURCES TRANSFER OF ASSETS**)