

GLOSSARY

AFFIDAVIT – A written statement of facts made voluntarily and under oath.

AID TO DEPENDENT CHILDREN (ADC) – Also known as Aid to Families with Dependent Children (AFDC). It is the pre-TANF federally funded entitlement program which provided cash assistance to eligible needy families that include a minor child deprived of parental support or care because of the death, incapacity, continued absence of either parent, or the unemployment/underemployment of the parent who is the principal wage earner; and the caretaker relative of such child. This program was replaced by the Family Assistance program. Medicaid continues to have ties to AFDC. Medicaid eligibility under the Low Income Families program can be no more restrictive than eligibility under AFDC as it existed on 7/16/96. Medicaid also includes a group of individuals who meet the categorical requirements of AFDC but exceed the financial standards of AFDC.

AID TO DEPENDENT CHILDREN (ADC) - RELATED - A medically needy category for children and their caretaker relatives.

ALIEN - An alien is a person who was not born in this country and who is not a naturalized citizen.

APPLICATION - An action by which a person indicates, in writing on the State-prescribed form, his/her desire either to receive assistance and/or care or to have his/her eligibility considered by a local social services official.

ASSESSMENT - A review by the local social services district of the total countable resources of a couple, and/or the income of a couple and family members as of the date of the request for assessment or at the time of application for Medicaid. This includes the review and documentation of the total value of the couple's countable resources, a determination of the community spouse resource allowance, community spouse monthly income allowance, and/or family member allowance(s), and the methods of computing these allowances.

ASSET - Includes all income and resources.

BLINDNESS - The total lack of vision or residual vision being no better than 20/200 or less in the better eye with a corrective lens or restriction of the visual fields or other factors which affect the usefulness of vision.

BUDGETING - The process which is used to determine the value of a client's income and resources and whether or not they are below the allowable exemption levels.

BURIAL TRUSTS - Irrevocable pre-need funeral agreements with a funeral director or other entity to meet the expenses associated with burial for Medicaid applicants/recipients. The agreement can include burial spaces as well as the services of the funeral director. Burial spaces are conventional gravesites, crypts, vaults, mausoleums, caskets, urns or other repositories which are customarily and traditionally used for the remains of the deceased persons, plus the cost of opening and closing a grave.

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CASH VALUE OF LIFE INSURANCE - Amount which the insurer will pay upon cancellation of the policy before death or maturity. This value usually increases with the age of the policy.

CHILD - For Medicaid purposes a person under the age of 21 unless otherwise specified.

CHILD ASSISTANCE PROGRAM (CAP) – The CAP program, originally a demonstration program, is now available in any social services district that requests to participate in the program and receives Office of Temporary and Disability Assistance (OTDA) approval. The CAP program provides a cash benefit and supportive services program designed to foster the federal and State welfare reform goals of work and self-sufficiency. Some of the key program features are an intensive case management component, an enhanced earnings disregard and potential Transitional Medicaid eligibility, and an eligibility threshold designed to reduce recidivism.

CHILD SUPPORT – The legal obligation of a non-custodial parent to contribute to the economic maintenance of his/her child; the payments under that obligation.

CHILD SUPPORT ENFORCEMENT - Obtaining payment of a child support or medical support obligation through administrative or judicial means.

CHRONIC CARE BUDGETING - A budgeting procedure used for individuals who are in permanent absence status. Chronic care budgeting begins on the first day of the calendar month following the month in which the A/R is determined to be in permanent absence status.

CITIZEN - A person who was born in the United States or who has been naturalized.

COMMUNITY SPOUSE - A person who is the spouse of an institutionalized person, and who is residing in the community and not expected to receive home and community-based services provided pursuant to a waiver under Section 1915(c) of the Social Security Act for at least 30 consecutive days.

COMMUNITY SPOUSE MONTHLY INCOME ALLOWANCE - The amount by which the minimum monthly maintenance needs allowance for the community spouse exceeds the otherwise available monthly income of the community spouse, unless a greater amount is established pursuant to a fair hearing or a court order for support of the community spouse.

COMPREHENSIVE MEDICAID CASE MANAGEMENT - A process which assists selected Medicaid eligible individuals to access necessary medical, social, psychosocial, educational, financial and other services in accordance with goals contained in a written case management plan mutually agreed upon by the case manager and the client. State initiatives are: AIDS Institute Case Management; Office of Mental Health Supportive Case Management and Intensive Case Management; Office of Mental Retardation and Developmental Disabilities Case Management; Early Intervention Case Management; and School Supportive Health Services Program Case Management. Local Initiatives: Teen Age

GLOSSARY

CONTIGUOUS PROPERTY - Land adjoining the homestead, which is not an integral part of the homestead and can be separately, liquidated.

CONTINUOUS PERIOD OF INSTITUTIONALIZATION - At least 30 consecutive days of care in a medical institution and/or nursing facility, or at least 30 consecutive days of receipt of home and community-based waiver services or a combination of institutional and home and community-based waiver services for at least 30 consecutive days. A continuous period is presumed to cease upon discharge from the medical institution/facility or discontinuance of home and community-based waiver services unless the individual returns to care within 30 days or there is adequate medical documentation that s/he will return to care within 30 days.

COUNTABLE RESOURCES - Available resources which are not disregarded.

CUSTODIAL PARENT - Person with legal and primary custody as granted by valid agreement between the parties or by court order or decree and with whom the child lives; may be parent, other relative, or someone else.

CUSTODY ORDER - Legal determination that establishes with whom a child shall live.

DEFAULT JUDGMENT - Decision made by the court when the defendant fails to respond.

DEFAULT ORDER - A child support order issued when the non-custodial parent fails to appear in court after having received a summons.

DELINQUENT - Support not paid on time or in full.

DISABILITY - The inability to engage in any substantial gainful activity by reason of any medically determinable physical or mental impairment which can be expected to result in death or has lasted or can be expected to last for a continuous period of not less than 12 months.

DISABILITY REVIEW TEAM – Responsible to review the medical and vocational information to determine whether an individual meets the SSI definition of disabled and can be categorized as SSI-related. The State or local disability review team consists of a physician or psychological consultant, and another person who is qualified to interpret and evaluate medical reports to determine the individual's capacity to perform work activities.

DISREGARDS OF INCOME - Income that is not considered in determining eligibility for Medicaid.

DRUG AND ALCOHOL SCREENING - All adults and heads of household applying for temporary assistance are screened for drug and alcohol abuse. A positive screening results in an assessment of the individual by a certified drug/alcohol counselor. If a treatment program is indicated as a result of the assessment, the individual is referred to the

appropriate credentialed substance abuse treatment program. In Medicaid, the D/A requirements apply to the Singles/Childless Couples category and to individuals who are federally non-participating (FNP) parents.

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EARNED INCOME DISREGARDS (EID) - Earned income disregards are the allowable deductions and exclusions subtracted from the gross earnings. The resulting amount, or net income, is applied against the household's need. EIDs vary in amount and type, depending on the category of the applicant and the program applied for.

EARNED INCOME TAX CREDIT (EITC) – The EITC is a special refundable tax benefit offered by the federal government. The credit is for working families and individuals who earn low or moderate incomes. The credit has several important purposes: to reduce the tax burden on these workers, to supplement wages, and to make work more attractive than welfare.

EMERGENCY ASSISTANCE FOR ADULTS (EAA) – EAA is a Temporary Assistance program that provides financial assistance to meet emergency needs of adults who are eligible for SSI.

EMERGENCY ASSISTANCE TO FAMILIES (EAF) – EAF provides assistance for families with children to deal with crisis situations threatening the family and meet emergent needs resulting from a sudden occurrence or set of circumstances demanding immediate attention.

EMERGENCY SAFETY NET ASSISTANCE (ESNA) – ESNA is a Temporary Assistance program that provides financial assistance to meet emergency needs of adults without minor children.

EMERGENCY SHELTER GRANTS PROGRAM (ESGP) – The purpose of the ESGP is to help improve the quality and quantity of emergency shelters for the homeless, help meet the cost of operating such shelters, provide essential social services to the homeless and avoid an initial occurrence of homelessness through the provision of preventive services.

ENFORCEMENT – Obtaining payment of a child support or medical support obligation through administrative or judicial means.

ESTATE - All real and personal property and other assets passing under the terms of a valid will or by intestacy (intestacy means the deceased had not made a valid will).

EXCESS (SURPLUS) RESOURCES - Available resources that are in excess of the resource exemption level.

EXPECTED TO REMAIN - Available medical evidence/documentation indicates a reasonable expectation that a person will remain in an institution/facility, receive home and community-based waiver services or a combination of institutional and community-based waiver services for at least 30 consecutive days, even though the person may not actually receive such services for at least 30 days.

FAIR HEARING – Fair Hearing means a formal procedure provided by the Office of Administrative Hearings, upon a request made by an applicant or recipient, to determine whether an action taken or failure to act by a local district was correct.

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FAMILY ASSISTANCE (FA) – FA provides cash assistance to eligible needy families that include a minor child living with a parent(s) or caretaker relative. It is operated under the federal TANF rules. Under FA, eligible adults are limited to receiving benefits for a total of 60 months in their lifetime, including months of TANF-funded assistance granted in other states. Once this limit is reached, the adult and all members of his or her household are ineligible to receive any more FA benefits. FA recipients receive Medicaid under the categorical group Low Income Families (LIF). FA and LIF financial eligibility is generally equivalent. There is no time limit for Medicaid.

FAMILY MEMBER - A minor child, dependent child, dependent parent or dependent sibling of the institutionalized spouse or community spouse. The family member must be residing with the community spouse and have over 50% of his/her maintenance needs met by the community spouse and/or the institutionalized spouse.

FAMILY MEMBER ALLOWANCE (FMA) FOR EACH FAMILY MEMBER - An amount equal to one-third of the amount by which the applicable percent of one-twelfth of the annual federal poverty line for a family of two exceeds the amount of the family member's otherwise available income. (See page 238 for the current maximum family allowance per family member.)

FAMILY TYPE HOME FOR ADULTS - An adult care facility established and operated for the purpose of providing long-term residential care and personal care, and/or supervision to four or fewer adult persons unrelated to the operator.

FEDERAL PARENT LOCATOR SERVICE (FPLS) – A service operated by the federal Office of Child Support Enforcement to help the States locate parents in order to obtain child support payments; also used in cases of parental kidnapping related to custody and visitation determinations; FPLS obtains address and employer information from federal agencies.

FEDERALLY-ASSISTED FOSTER CARE – A program, funded in part by the federal government, under which a child is raised in a household by someone other than his or her own parent.

FINDING – A formal determination by a court, or administrative process that has legal standing.

FOOD ASSISTANCE PROGRAM (FAP) – A state program that provides food assistance to some individuals who are ineligible for federal food stamps due to their alien status.

FOOD STAMPS (FS) – A federally mandated program with the purpose of reducing hunger and malnutrition by supplementing the food purchasing power of eligible low income individuals.

FULL FAITH AND CREDIT – Doctrine under which a State must honor an order or judgment entered in another State.

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GARNISHMENT - A notice, issued through legal action, ordering attachment of personal property or income to guarantee payment of a debt.

GOOD CAUSE – An acceptable reason given by a client for refusing to cooperate in establishing paternity or establishing and enforcing child support.

GRANT DIVERSION – The use of funds that would otherwise be used to provide a welfare grant to a household to pay an employer for hiring the public assistance recipient. Grant Diversion is one method of funding a subsidized employment position.

GUARDIAN – An individual invested with the legal authority, and charged with the duty, of taking care of the person and/or managing the property and rights of another person who is considered incapable of administering his or her own affairs.

HEARING – A court proceeding during which the facts of a case are heard and a decision regarding the case can be made.

HEARING EXAMINER – An attorney employed by the local Family Court who can hear and make decisions in child support cases.

HOME AND COMMUNITY-BASED WAIVER SERVICES - Services provided pursuant to a waiver under Section 1915(c) of the Social Security Act. New York State has obtained several such waivers:

Long Term Home Health Care Program (see 85 ADM-27);

Home and Community Based Services (HCBS) Waiver (see 92 INF-33, 92 LCM-170, 94 LCM-24, and 94 LCM-147);

Traumatic Brain Injury (TBI) Waiver (see 95 LCM-70).

Under these waivers, specialized services may be provided, in addition to the regular State Plan services. The general intent is to avoid institutionalization.

HOME ENERGY ASSISTANCE PROGRAM (HEAP) – A DTA federally funded program that provides emergency and non-emergency energy assistance.

HOME RELIEF (HR) – Home Relief is the pre-welfare reform state and locally funded cash assistance program. It provided benefits to eligible needy single and childless couples. This program was replaced by the Safety Net Assistance program.

HOMELESS - Any individual or family that is undomiciled, has no permanent address, has no regular nighttime residence, resides in a place not designed for or ordinarily used as a regular sleeping accommodation for human beings, resides in a homeless shelter, resides in a residential program for victims of domestic violence, or resides in a hotel/motel on a temporary basis.

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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 undomiciled 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) 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

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

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

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

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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, under the oversight of the Department of Health, Office of Medicaid Management, administer the program.

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 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.

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.

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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 – 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.

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 - 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;

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- (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 was used in the Medicaid program prior to August 4, 1997 to describe 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) 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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PUBLIC HOME - An adult care facility or a residential health care facility operated by a social services district.

PUBLIC INSTITUTION - An institution that is the responsibility of a governmental unit or over which a governmental unit exercises administrative control.

PUTATIVE FATHER – Man alleged to be the biological father of a child.

QUALIFIED ALIEN - An alien who:

- has been lawfully admitted for permanent residence under the Immigration and Nationality Act (INA);
- has been granted asylum under Section 208 of the INA;
- has been admitted to the United States as a refugee under Section 207 of the INA (including Amerasian immigrants admitted under the provisions of Public Law 100-202);
- has been paroled into the United States under Section 212(d)(5) of the INA for a period of at least one year;
- has had deportation withheld under section 243(h) or 241 (b)(3) of the INA;
 - is a Cuban and Haitian entrant (as defined in Section 501(e) of the Refugee Education Assistance Act of 1980);
- has been granted conditional entry pursuant to section 203(a)(7) of the INA; or
- has been determined by the social services district to be in need of Medicaid as a result of being battered or subject to extreme cruelty in the United States by a spouse or a parent, or by a member of the spouse or parent's family residing in the same household as the alien.

REAL PROPERTY - Houses, condominiums, buildings and land including mineral, water and air rights.

RECIPIENT – An individual in receipt of Medicaid benefits.

REFUGEE CASH ASSISTANCE (RCA) – RCA is targeted to newly arriving refugees during their first eight months after entry into the United States and to those who are determined to be eligible for cash assistance but not eligible for Family Assistance.

REFUGEE MEDICAL ASSISTANCE (RMA) – RMA is targeted to newly arriving refugees during their first eight months after entry into the United States and to those who are determined to be ineligible for Medicaid, but meet certain requirements.

REFUGEE SOCIAL SERVICES PROGRAM (RSSP) – The RSSP assists documented refugees and their families in their transition to a new life in this Country. The Refugee Social Services Program provides job preparation training and job placement for refugees, asylees, Cuban and Haitian entrants and certain Amerasian immigrants.

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RESIDENCE FOR ADULTS – An adult care facility established and operated for the purpose of providing long term residential care, room, board, housekeeping, case management activities and supervision to 5 or more adults, unrelated to the operator, who are unable or substantially unable to live independently.

RESIDENCES FOR SURVIVORS OF VIOLENCE PROGRAM (RSVP) – This transitional housing program is for victims of domestic violence. The initiative is exclusively targeted to New York City, as the demand for transitional housing for victims of domestic violence far exceeds the available supply there. The program is administered in accordance with HHAP procedures.

RESIDENTIAL HEALTH CARE FACILITY (RHCF) - A nursing home established and operated pursuant to Article 28 of the Public Health Law.

RESIDENTIAL TREATMENT FACILITY (RTF) - A medical facility certified by the State Office of Mental Health (OMH) which provides for long term psychiatric care for persons 21 years of age and younger.

RESOURCE - Property of all kinds including real and personal, tangible and intangible.

RESOURCE LEVEL - Allowable dollar amounts which an A/R is permitted to have in reserve and still be eligible for Medicaid.

RESPONDENT – One who answers a petition.

SAFETY NET ASSISTANCE (SNA) – SNA is a State and locally funded program that provides cash assistance to eligible individuals, couples and families that are not eligible for family assistance. Generally, SNA can be provided for a maximum of two years in a lifetime. After that, if eligibility continues, SNA will be provided in non-cash form, such as two-party

check or a voucher. In addition, non-cash SNA is provided for families of persons who are unable to work due to the abuse of drugs or alcohol or for refusing drug/alcohol screening, assessment or treatment.

The Medicaid eligibility category which most closely resembles SNA is Singles and Childless Couples (S/CC). It is for individuals ages 21 through 64 who are not certified blind or certified disabled or pregnant and do not have a minor dependent child living with them.

SIGNIFICANT FINANCIAL DISTRESS - Exceptional expenses that the community spouse cannot be expected to meet from the monthly maintenance needs allowance amounts or from amounts held in resources. Such expenses may be of a recurring nature or represent major one time costs. They may include, but are not limited to: recurring or extraordinary non-covered medical expenses of the community spouse or family members; amounts to preserve, maintain or make major repairs on the homestead; and amounts necessary to preserve an income-producing asset.

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SINGLES/CHILDLESS COUPLES (S/CC) - Single individuals or members of childless married couples who are (1) at least age 21, but not yet 65; (2) not certified blind or certified disabled; (3) not pregnant; and (4) not caretaker relatives of children under age 21.

SPENDDOWN - The use of medical expenses to reduce available net income/resources in excess of the medically needy income/resources levels. Spenddown is only available to A/Rs whose eligibility is determined under the NYS medically needy income/resources levels. The A/R must submit paid or incurred bills equal to or greater than the amount of any excess. The A/R may also pay the amount of the excess income to the local district (Pay-In).

SPOUSE - A person married to an A/R (not a common law relationship). This includes married persons who are separated, but not divorced.

SSI-RELATED - A medically needy Medicaid category for the aged, certified blind or certified disabled.

STATE INCOME STANDARDS – The State Income Standards are the standards used in determining the financial eligibility of families for childcare services. The State Income Standards are established each year using the federal poverty level for family size of four as a base, adjusted by family size scale.

STATE PARENT LOCATOR SERVICE (SPLS) – A service operated by the State Child Support Enforcement Agencies to locate non-custodial parents to establish paternity, and establish and enforce child support obligations

STATUTE OF LIMITATIONS – The period during which someone can be held liable for an action or a debt—statutes of limitations for collecting child support vary from State to State.

STAY – An order by a court that suspends all or some of the proceedings in a case.

STEPARENT – A person who is not a child’s birth or adoptive parent, but is married to the child’s birth or adoptive parent.

SUBSIDIZED EMPLOYMENT – Subsidized employment occurs when an employer receives a subsidy in exchange for hiring a public assistance recipient. The subsidy payment may offset the employer’s costs of providing wages, fringe benefits or training or for other purposes. Funds used to subsidize a position may include welfare funds, such as those made available through grant diversion, or other funding sources. Subsidized employment is a public assistance work activity.

SUMMONS – The notice used to inform all parties of a court proceeding.

SUPPLANT – To replace current spending with another funding source.

SUPPLEMENTAL SECURITY INCOME (SSI)- A federally supported and administered benefit program for eligible individuals or couples who are 65 or over, or who, regardless of age, are certified blind or certified disabled.

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SUPPORT COLLECTION UNIT – The part of the child support enforcement program responsible for administration, collection, monitoring, and disbursement of support payments.

SUPPORT HEARING – A proceeding to examine the facts regarding financial support for a child.

SUPPORT OBLIGATION – The amount a non-custodial parent is ordered to pay for child support.

SUPPORT ORDER – A court order establishing a child support obligation.

SUPPORT PETITION – A formal written application to a court requesting judicial action on a matter of child support.

TEMPORARY ABSENCE - A time when a person is absent from his/her permanent residence and is expected to return. Reasons for temporary absence may include employment, hospitalization, military service, vacation, education or visits. A period of temporary absence will be presumed to exist if:

- (a) the person is not an institutionalized spouse and returns to his/her permanent residence in the month in which s/he left or the following month;
- (b) a person without a community spouse is in an acute care hospital for six calendar months or less;
- (c) a person with a community spouse is expected to be in an acute

care hospital for less than 30 consecutive days; or

- (d) a person with a community spouse is expected to receive home and community-based services provided pursuant to a waiver under Section 1915(c) of the Social Security Act for less than 30 consecutive days.

The presumptions set forth in (a) and (b) may be overcome by adequate evidence. Adequate medical evidence is required to overcome the presumptions set forth in (c) and (d).

TEMPORARY ASSISTANCE (TA) – TA is the “cash” assistance component of welfare. In New York State, temporary assistance includes Family Assistance, Safety Net Assistance, Emergency Assistance for Families, Emergency Safety Net Assistance and Emergency Assistance for Adults. TA is often referred to as “public assistance”.

TEMPORARY ASSISTANCE FOR NEEDY FAMILIES (TANF) – Commonly used in reference to the federal assistance program which a state operates. It is the Block Grant that was established under the Personal Responsibility and Work Opportunity Reconciliation Act under which states operate a federally funded program to assist families with children. TANF funds are used for supportive services and federal benefits.

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GLOSSARY

TITLE IV-E - Title IV, Part E of the Social Security Act describes federal payments for foster care and adoption assistance. Title IV-E foster care reimbursement is provided for children who would have been categorically and financially eligible for the former ADC program in public assistance. Title IV-E Adoption Assistance reimbursement is provided for special needs children who would have been eligible under either the former ADC program of public assistance or who are eligible for SSI at the time the adoption petition is filed. Children who are Title IV-E eligible are automatically eligible for Medicaid. Children who are not IV-E eligible must have their Medicaid eligibility determined. Usually eligibility is based on a household of one. If the non-IV-E child is pregnant, the usual Medicaid rules apply.

TITLE XIX - That portion of the federal Social Security Act which authorizes a joint federal/state Medicaid program.

TRANSFER OF ASSETS - A voluntary assignment of property for less than the fair market value of the property.

TRUST FUNDS - Fund held by one party (the trustee) for the benefit of a person (beneficiary) or group of persons. These funds are not owned by the beneficiary but are usually under the control of a trustee who must carry out the stipulated conditions for payments specified in the trust.

UNDERGRADUATE – A student who has not received a bachelor’s degree.

VOLUNTARY ACKNOWLEDGEMENT OF PATERNITY – An acknowledgement by both parents, that the man is the father of a child, provided in writing on a form. This acknowledgement establishes paternity of the child without a court hearing.

WAGE SUBSIDY – A payment made to a public or private employer to subsidize an employee's wage or fringe benefits. A wage subsidy may be offered as an incentive for an employer to hire a welfare recipient. Funds used to provide wage subsidies may be made available through diversion of the public assistance grant or other funds.

WAGE WITHHOLDING – Procedure by which automatic deductions are made from wage or income to pay some debt such as child support; may be voluntary or involuntary.

WINDFALLS - One-time payments such as inheritances, court ordered settlements, lottery winnings and gifts.