

9515.2300 NET INCOME OF CLIENT.

Subpart 1. [Repealed, 10 SR 1589]

Subp. 2. **Lump sums.** Lump sums, other than excluded property, shall be treated as income in the month received and thereafter shall be treated as property, except that retroactive awards of retirement, survivors, and disability insurance shall be excluded as property for six months if retained after the month of receipt. The client shall report the lump sum to the department within ten working days.

Subp. 3. **Seasonal income from business or farm.** Average monthly amounts for gross income and the deductions allowed in subpart 4 shall be used to calculate the net monthly income of farmers and other individuals who experience seasonal variations in income and business expenses.

Subp. 4. **Deductions from gross income to arrive at net income.** The following items shall be deducted from the client's monthly gross income:

- A. State and federal income tax payments, including back assessments.
- B. Payments made under the Federal Insurance Contributions Act and Supplemental Medical Insurance.
- C. Child care costs paid by the client and not reimbursed from any source.
- D. Support payments ordered by a court and actually paid. If this deduction is taken, the individual for whom support is paid shall not be included as a member of the client's household in determining the monthly household living allowance in part 9515.2400.
- E. Guardianship fees.
- F. Monthly payments on previously incurred bills for medical, dental, and hospital care, car payments, house payments or rent, and utilities. The deduction allowed shall be the lesser of the sum of the actual monthly payments or \$100 per month.
- G. Personal expenses of employment, including mandatory retirement fund deductions, cost of transportation to and from work, work uniforms, union dues, dues of a professional association required for employment, and cost of tools and equipment used on the job. The amount deducted for costs of transportation to and from work shall be either the actual cost of public transportation or a per mile reimbursement as paid by the state to an employee using a personal car on state business for actual miles traveled.
- H. Hospital and medical insurance premiums.
- I. Business and farm expenses as reported on United States income tax returns. The cost of repairs and upkeep of income producing property which may be deducted shall be limited, on an annual basis, to two percent of the value of the property.

J. An allowance of \$86 per month per boarder, \$71 per month per roomer, and \$157 per month for each person who is both a roomer and boarder. This amount shall be updated periodically by the percentage the legislature authorizes for public assistance grants.

K. A personal needs and clothing allowance of the client in the amount determined under Minnesota Statutes, section 256B.35 for persons receiving public assistance grants. In addition, a special personal allowance drawn solely from earnings from any productive employment under an individual plan of rehabilitation or work therapy shall be given to all clients in state facilities. The special personal allowance shall not exceed 50 percent of net monthly income.

L. Sixty percent of the income earned from child care in one's own home or, if the client chooses, the actual itemized business expenses incurred in providing child care subject to the limitations provided in parts 9515.1200, subparts 2 and 3; and 9515.2300, subpart 4, item I.

M. A client receiving inpatient services without dependents living in his or her home shall be allowed the actual cost of his or her housing and utilities in the community for the month of admission and a period of three months of continuous hospitalization subsequent to that admission. A client receiving inpatient services with dependents living in his or her home shall be allowed a pro rata share of his or her household's total actual housing costs during the month of admission and for a period of three months of continuous hospitalization subsequent to that admission. This housing allowance shall be available to the client receiving inpatient services only twice in any one calendar year regardless of the number of times the client is admitted to a state facility in that calendar year. A client receiving outpatient services or former client shall be allowed the actual cost of his or her housing and utilities.

N. A monthly household living allowance calculated according to the schedule in part 9515.2400.

Statutory Authority: *MS s 246.01; 246.23; 246.50 to 246.55*

History: *8 SR 172; 10 SR 1589; 12 SR 2252; 16 SR 1797*

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