

Article 13 Section 02 Income Eligibility Criteria

Table of Contents

TITLE	PG CITE
Income Eligibility Criteria	13.02.01
Eligibility Categories	13.02.01A
Analysis Of Discretionary Income	13.02.02
Definitions	13.02.02A

13.02.01 Income Eligibility Criteria

13.02.01A Eligibility Categories

A modification to the CMS Program was approved by the San Diego County Board of Supervisors on 05/13/08 (14). As a result, CMS Program benefits shall be certified under two separate eligibility categories.

1. Income of 0 to 165% FPL
 - a. If eligible, applicants receive CMS services at no cost.
2. Income over 165% FPL
 - a. Applicants whose monthly net non-exempt income is over 165%, but not more than 350% FPL, must complete a CMS Hardship application to determine if they are eligible for CMS with or without a share of cost.
 - b. Applicants who are being evaluated for a CMS Hardship are required to sign a Reimbursement Agreement (CMS-106) as a condition of CMS Hardship eligibility.

Note: If the CMS applicant fails to complete and sign a Hardship Application or sign the Reimbursement Agreement, the worker will deny the CMS application for failure to provide.

13.02.02 Analysis of Discretionary Income

13.02.02A Definitions

1. Maximum Allowable Monthly Expense
A reasonable level of expenses necessary for a person to

cover necessary living expenses. The maximum limits listed in [Appendix 13.03A](#) are set forth by the County, based upon cost-of-living studies.

2. Non-Discretionary Expenses

The amount necessary to pay for housing (including utilities), transportation, food, taxes, and miscellaneous personal expenses, which include telephone, clothing, personal care items and recurring household expenses. Non-discretionary expenses may also include court ordered payments towards child support and/or alimony, and payments on previously incurred medical debt.

a) Applicant's Actual Non-Discretionary Expenses

Actual expenses incurred by an applicant.

b) Applicant's Allowable Non-Discretionary Expenses

The lesser amount of Applicant's Actual Non-Discretionary Expenses or Maximum Allowable Expense. Refer to [Appendix 13.03A](#) for list of Allowable Expenses and the associated dollar amounts.

3. Share of Cost

The amount that the CMS recipient must pay or is obligated to pay toward the cost of health care services each month in which CMS services are accessed.

4. Total Discretionary Income

The amount of an applicant's income remaining after the Applicant's Allowable Non-Discretionary Expenses total is subtracted from the applicant's gross monthly income.
