

## 2815.10.00 IN-KIND SUPPORT AND MAINTENANCE (MED 1,~~4~~)

Within MED 1, the policy stated in this section applies to MA A, MA B, and MA D.

In-kind support and maintenance, or income-in-kind, is ~~food, or~~ shelter received by the applicant/recipient (and the spouse or parent) because someone else pays for it<sup>9, 10</sup>.

If a gift card or an awards program incentive is received on a regular basis and can be resold, or it can be used to purchase ~~food or~~ shelter, it is considered income in the month received. Any unspent balance remaining on a gift card/certificate is a resource beginning the month following the month the gift card/certificate was received<sup>11</sup>.

If a gift card or an awards program incentive is received irregularly, then this is considered a lump sum payment. See IHCPPM 2880.10.00.

Shelter expenses are room, rent or mortgage payments, property taxes, heating fuel, gas, electricity, water, sewage, and garbage collection services.<sup>12</sup>

The amount to be budgeted as income is the actual value of the in-kind support and maintenance received, not to exceed one-third of the applicable federal benefit rate of SSI. (Refer to IHCPPM 3455.25.00). The actual value is determined and verified by a signed statement from the person providing the in-kind support and maintenance. The one-third value is determined by dividing the income standard by three. Situations which require consideration of income-in-kind are enumerated below. The term "individual" used in this section means the applicant/recipient and his spouse or parent.

- If the individual lives in their own household (owns or rents), income-in-kind is received if someone else pays for ~~all the food expenses or~~ all the shelter expenses.
- If another person in the household regularly pays a designated amount to the individual for shelter ~~and/or food~~, that amount is to be considered as rental income from a roomer/boarder.
- If the members of a household state that they "share" ~~food and~~ shelter expenses, income-in-kind is not received by the individual. A signed statement by the adult household members must be obtained as verification that the applicant/recipient pays their share.
- If the individual lives in another person's household and pays nothing toward the ~~food and~~ shelter expenses, income-in-kind is received.
- If the individual pays a designated amount for ~~food and/or~~ shelter, then this is not receiving income-in-kind.
- In situations where the individual has no ownership interest or rental liability in his residence and does not pay for any of the shelter expenses, income-in-kind is received. A statement from the property owner or leaseholder as to the value of the

shelter being provided is to be obtained as verification. If the individual pays any part of the shelter expense, for example, utilities, income-in-kind is not received.

~~Effective June 1, 2014, g~~Gifts from a non-profit organization as described under section 501(c)(3) of the Internal Revenue Code to or for the benefit of a child under 18 years of age who has a life-threatening condition are exempt so long as the gift does not exceed \$2,000 in any calendar year. Any gift not converted to cash is considered an in-kind gift.<sup>13</sup>

Refer to IHCPPM 3455.25.00 regarding budgeting in-kind income.

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<sup>9</sup> 20 CFR 416.1102

<sup>10</sup> 20 CFR 416.1103 (g)

<sup>11</sup> **20 CFR 416.1103 (g)**

<sup>12</sup> **89 FR 21199**

<sup>13</sup> **20 CFR 416.1124(c)(21)**