

**WAC 182-512-0795 SSI-related medical—Budgeting a sponsor's income.** (1) The agency counts some of the income of a person's sponsor as unearned income to the medical assistance unit (MAU) if:

- (a) The sponsor signed the U.S. Citizenship and Immigration Services (USCIS) Affidavit of Support form I-864 or I-864A; and
- (b) The person is not exempt from the deeming process in WAC 182-512-0790.

(2) The agency determines the amount of income that must be deemed from the sponsor by taking the following steps:

- (a) Add together all of the sponsor's earned and unearned income that is not excluded under WAC 182-512-0860;
- (b) Add all of the spouse's earned and unearned income that is not excluded under WAC 182-512-0860;
- (c) Subtract an allocation for the sponsor equal to the one-person federal benefit rate (FBR);
- (d) Subtract an allocation for the sponsor's spouse as follows:
  - (i) If the spouse is also a cosponsor of the noncitizen, allow an allocation equal to the one-person FBR; or
  - (ii) If the spouse is not a cosponsor but lived in the same household as the sponsor, allow an allocation equal to one-half of the FBR.
- (e) Subtract an allocation equal to one-half FBR for each dependent of the sponsor. The dependent's income is not subtracted from the sponsor's dependent's allocation; and
- (f) The income remaining is deemed as unearned income to the non-citizen and is added to the noncitizen's own income.

(3) If the sponsor has sponsored other noncitizens, all of the sponsor's income is deemed to each person that they sponsored and is not divided between them.

[Statutory Authority: RCW 41.05.021 and 41.05.160. WSR 14-24-102, § 182-512-0795, filed 12/2/14, effective 1/2/15. Statutory Authority: RCW 41.05.021 and Patient Protection and Affordable Care Act (Public Law 111-148), 42 C.F.R. §§ 431, 435, 457 and 45 C.F.R. § 155. WSR 14-07-059, § 182-512-0795, filed 3/14/14, effective 4/14/14.]