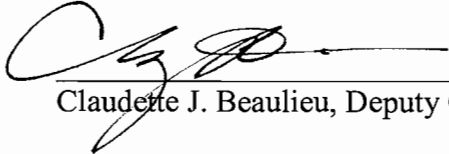




STATE OF CONNECTICUT
 DEPARTMENT OF SOCIAL SERVICES
UNIFORM POLICY MANUAL



 Claudette J. Beaulieu, Deputy Commissioner

October 1, 2009
 Effective Date

POLICY TRANSMITTAL NO.: UP – 09–17

SUBJECT: Treatment of Income and Resources from Sponsors of Non-Citizens

This transmittal provided revised Uniform Policy Manual (UPM) policy and procedural updates in accordance with changes enacted by the Immigration and Nationality Act (Public Law 104-193) regarding the treatment of income and resources from Sponsors of Non-Citizens.

Prior to the implementation of these changes, income and resources were not deemed to the non-citizen by using the same deeming methodology. Under these policy revisions, the deeming methodology will be consistent across the Temporary Family Assistance (TFA), the Supplemental Nutrition Assistance (SNAP), Medicaid, State Medical Assistance for Non-Citizens (SMANC) and the State-Funded Supplemental Nutrition Assistance (SF-SNAP) Programs.

There are exceptions to deeming that allow the Department to forego deeming from a sponsor. These exceptions are: Indigence; Battery or Extreme Cruelty and Good Cause. The Supplemental Nutrition Assistance Program is the only program that does not allow an exception to deeming due to Good Cause. Each exception is described in the attached policy pages. If the Department determines that the non-citizen is granted an exception to deeming, then the non-citizen is not subject to the deeming of income or resources from his or her sponsor(s).

These changes are effective October 1, 2009.

*** **Special Instructions:** In procedural Sections P-4025.45, P-5020.60, P-8550.20 and P-8560.15, the instructions address the usage of Form W-729. At this writing, the form has not yet been finalized. The process is underway and when Form W-729 (English and Spanish) is available for use, Regional Staff will receive electronic notification confirming the availability and usage of Form W-729. ***

INSTRUCTIONS FOR UPDATING THE UPM

Remove and Recycle

Table of Contents 0300-4000
 Table of Contents 0300-5000
 Table of Contents 0300-8500

Insert

Table of Contents 0300-4000
 Table of Contents 0300-5000
 Table of Contents 0300-8500

INSTRUCTIONS FOR UPDATING THE UPM (continued)

Remove and Recycle

4025.10/4025.10, page 2
P-4025.10/*****
P-4025.10 page 2/*****
4025.45/4025.45, page 2
4025.45, page 3/*****

P4025.45/*****
P4025.45 page 2/*****
4025.66/4025.66 page 2
4025.70/4025.70 page 2
P4025.70/*****
P4025.70 page 2/ *****
5020.15/5020.15 page 2
5020.15 page 3/5020.15 page 4
P5020.15/*****
P5020.15 page 2/*****
5020.60/5020.60 page 2
5020.60 page 3/*****

P-5020.60/*****
P-5020.60 page 2/*****
5020.80/5020.80 page 2
5020.85/5020.85 page 2
5020.90/5020.90 page 2
P-5020.90/*****
P-5020.90 page 2/*****
5020.92/5020.92 page 2
8016.10/8016.10 page 2

8090.10/8090.10 page 2
8090.10 page 3/*****
P-8090.10/*****
8550.15 page 8/8550.20
8550.20 page 2/8550.20 page 3
8550.20 page 4/*****

8560.15/8560.15 page 2
8560.15 page 3/8560.15 page 4
8560.15 page 5/8560.15 page 6
8560.15 page 7/8560.15 page 8

Insert

4025.45/4025.45, page 2
4025.45, page 3/4025.45, page 4
4025.45 page 5/4025.45 page 6
4025.45 page 7/*****
P4025.45/*****
P4025.45 page 2/*****

5020.60/5020.60 page 2
5020.60 page 3/5020.60 page 4
5020.60 page 5/5020.60, page 6
P-5020.60/*****
P-5020.60 page 2/*****

5020.85/5020.85 page 2

8016.10/8016.10 page 2
8016.10 page 3/*****
8090.10/8090.10 page 2
8090.10 page 3/*****
P-8090.10/*****
8550.15 page 8/8550.20
8550.20 page 2/8550.20 page 3
8550.20 page 4/8550.20 page 5
8550.20 page 6/8550.20 page 7
P-8550.20/*****
P-8550.20 page 2/*****
8560.15/8560.15 page 2
8560.15 page 3/8560.15 page 4
8560.15 page 5/8560.15 page 6
8560.15 page 7/8560.15 page 8

INSTRUCTIONS FOR UPDATING THE UPM (continued)

Remove and Recycle

8560.15 page 9/*****

Insert

8560.15 page 9/8560.15 page 10

8560.15 page 11/8560.15 page 12

8560.15 page 13/8560.15 page 14

8560.15 page 15/*****

P-8560.15/*****

P-8560.15 page 2/*****

DISPOSITION: This Policy Transmittal may be recycled on the UPM has been updated.

DISTRIBUTION: UPM list.

RESPONSIBLE UNIT: Family Support, (860) 424-5540

Date Issued: 10/30/09

SPM

**CONNECTICUT DEPARTMENT OF SOCIAL SERVICES
UNIFORM POLICY MANUAL
TABLE OF CONTENTS**

Date: 10-1-09 **Transmittal: UP-09-17** **0300**

Treatment of Assets **4000**

Definitions - - - - -	4000.01
Asset Limits - - - - -	4005
General Principles - - - - -	4005.05
Asset Limits for All Programs - - - - -	4005.10
Reduction of Excess Assets - - - - -	4005.15
Comparing the Unit's Assets to the Asset Limit - - - - -	P-4005.05
Determining the Earliest Date of Eligibility - Applications - - - - -	P-4005.10
Discontinuing Benefits Because of Excess Assets - - - - -	P-4005.15
Determination of Ownership - - - - -	4010
Record Owner Versus Legal Owner - - - - -	4010.05
Assets Held Jointly - - - - -	4010.10
Considering Record Owner Versus Legal Owner - - - - -	P-4010.05
Considering Assets Held Jointly - - - - -	P-4010.10
Inaccessible Assets - All Programs - - - - -	4015
General Provisions - - - - -	4015.05
General Provisions – Cash and Medical Programs - - - - -	4015.10
General Provisions - Food Stamps - - - - -	4015.15
Treating Inaccessible Assets - - - - -	P-4015.05
Determining the Net Return Value of a Motor Vehicle - FS - - - - -	P-4015.06
Excluded Assets - - - - -	4020
Excluded Assets - AFDC and FMA - - - - -	4020.05
Excluded Assets - AABD and MAABD - - - - -	4020.10
Excluded Assets – Working Individuals with Disabilities - - - - -	4020.11
Excluded Assets - Food Stamps - - - - -	4020.15
Excluding Assets - - - - -	P-4020.05
Excluding Farm Property - - - - -	P-4020.10
Asset Disregards - MAABD - - - - -	4022
Community Spouse Disregard - - - - -	4022.05
Long-Term Care Insurance Disregard - - - - -	4022.10

**CONNECTICUT DEPARTMENT OF SOCIAL SERVICES
UNIFORM POLICY MANUAL
TABLE OF CONTENTS**

Date: 10-1-09 **Transmittal: UP-09-17** **0300**

Treatment of Assets **4000**

Deemors of Women Qualifying Under Pregnant							
Woman Coverage Groups - FMA	-	-	-	-	-	-	P-4025.35
Parents and Spouses of Children Who Receive SSI - FMA	-	-	-	-	-	-	P-4025.37
Sponsors of Non-citizens – MA and SNAP	-	-	-	-	-	-	P-4025.45
Parents of Minors - AABD	-	-	-	-	-	-	P-4025.50
Spouses - AABD	-	-	-	-	-	-	P-4025.55
Parents of Minors - MAABD	-	-	-	-	-	-	P-4025.60
Spouses - MAABD	-	-	-	-	-	-	P-4025.65
MCCA Spouses	-	-	-	-	-	-	P-4025.67
Undue Hardship	-	-	-	-	-	-	P-4025.68
Disqualified Individuals - FS	-	-	-	-	-	-	P-4025.75
Counted Assets	-	-	-	-	-	--	4026
Calculated Method	-	-	-	-	-	-	4026.05
Calculated Method	-	-	-	-	-	-	P-4026.05
Treatment of Specific Types	-	-	-	-	-	-	4030
Bank Accounts	-	-	-	-	-	-	4030.05
Burial Funds, Burial Plots and Irrevocable Burial Funds	-	-	-	-	-	-	4030.10
Corrective Payments	-	-	-	-	-	-	4030.15
Earned Income Tax Credits	-	-	-	-	-	-	4030.17
Entrance Fees for Continuing Care Retirement Communities	-	-	-	-	-	-	4030.18
Home Property	-	-	-	-	-	-	4030.20
Income Tax Refunds	-	-	-	-	-	-	4030.25
Life Insurance Policies	-	-	-	-	-	-	4030.30
Life Use	-	-	-	-	-	-	4030.35
Loans	-	-	-	-	-	-	4030.40
Lump-sum Payments	-	-	-	-	-	-	4030.45
Annuities	-	-	-	-	-	-	4030.47
Mortgage Notes, Loans and Installment Contracts	-	-	-	-	-	-	4030.50
Motor Vehicles	-	-	-	-	-	-	4030.55

**CONNECTICUT DEPARTMENT OF SOCIAL SERVICES
UNIFORM POLICY MANUAL
TABLE OF CONTENTS**

Date: 10-1-09	Transmittal: UP-09-17	0300
Treatment of Assets		4000
Deemed Assets	- - - - -	P-4099.25
Treatment of Specific Types	- - - - -	4099.30
Treatment of Specific Types	- - - - -	P-4099.30
Undue Hardship - MCCA Spouses	- - - - -	4099.35
Undue Hardship - MCCA Spouses	- - - - -	P-4099.35

**CONNECTICUT DEPARTMENT OF SOCIAL SERVICES
UNIFORM POLICY MANUAL
TABLE OF CONTENTS**

Date: 10-1-09 **Transmittal: UP-09-17** **0300**

Treatment of Income **5000**

Parents, Guardians, Stepparents; and Spouses of					
Dependent Children (AFDC and FMA)	-	-	-	-	P-5020.10
Spouses of Non-Parent Caretaker Relatives					
(AFDC and FMA)	-	-	-	-	P-5020.20
Ineligible Parents of Dependent Children	-	-	-	-	P-5020.23
Disqualified Individuals (AFDC)	-	-	-	-	P-5020.25
Deemors of Pregnant Women (AFDC)	-	-	-	-	P-5020.30
Step parents, Parents of Minor Parents, Ineligible					
Parents and Spouses of Dependent Children	-	-	-	-	P-5020.35
Deemors of Pregnant Women (FMA)	-	-	-	-	P-5020.36
Disqualified Individuals (FMA)	-	-	-	-	P-5020.38
Parents and Spouses of Children Who Receive SSI (FMA)	-	-	-	-	P-5020.39
Ineligible Parents of Dependant Children	-	-	-	-	P-5020.41
Deemors of Non-SSI FMA Children	-	-	-	-	P-5020.45
Parents of Blind Children (AABD)	-	-	-	-	P-5020.65
Spouses (AABD)	-	-	-	-	P-5020.70
Spouses and Parents (MAABD)	-	-	-	-	P-5020.75
Disqualified Persons (SNAP)	-	-	-	-	P-5020.85
Conversion To Monthly Amounts	-	-	-	-	5025
Income Received Monthly or More Frequently	-	-	-	-	5025.05
Income Received Less Frequently Than Monthly	-	-	-	-	5025.10
Self-employment Income	-	-	-	-	5025.15
Converting Income Received More Often Than Monthly	-	-	-	-	P-5025.05
Converting Income Received Less Often Than Monthly	-	-	-	-	P-5025.10
Converting Self-Employment Income Received Less Often Than					
Monthly	-	-	-	-	P-5025.15
Income Disregards	-	-	-	-	5030
Earned Income Disregards (AFDC, FMA)	-	-	-	-	5030.05
Earned Income Disregards (AABD, MAABD)	-	-	-	-	5030.10

**CONNECTICUT DEPARTMENT OF SOCIAL SERVICES
UNIFORM POLICY MANUAL
TABLE OF CONTENTS**

Date: 10-1-09 **Transmittal: UP-09-17** **0300**

Treatment of Income **5000**

Assistance from Puerto Rico Nutrition Assistance Program	-	-	5050.10
Assistance Payments From Other States	-	-	5050.11
Benefits (SSA, SSI, VA)	-	-	5050.13
Cash Contributions	-	-	5050.17
Child Support Payments	-	-	5050.19
Dividends, Interest, Trusts, and Royalties	-	-	5050.21
Earnings of Dependent Children	-	-	5050.23
Energy Assistance Grants	-	-	5050.29
Essential Service Income	-	-	5050.33
Foster Care Payments	-	-	5050.37
General Assistance	-	-	5050.41
Gratuities and Special Allowances	-	-	5050.45
Home Equity Conversion Plans	-	-	5050.47
Housing Subsidies	-	-	5050.48
Income In-kind	-	-	5050.49
Intermittent Income	-	-	5050.53
AFDC Benefits Received by a Job Corps Recipient	-	-	5050.55
Job Training Partnership Act (JTPA)	-	-	5050.57
Loans	-	-	5050.61
Lump Sum	-	-	5050.65
Recoupment Withholdings and Benefit Reductions	-	-	5050.66
Relocation Assistance Benefits-	-	-	5050.67
Rental Income-	-	-	5050.69
Roomer and Boarder Income	-	-	5050.73
Sick Pay	-	-	5050.75
Student Income	-	-	5050.77
Uniformed Services Income	-	-	5050.85
Vacation/Severance Pay	-	-	5050.87
Work Incentive Program (WIN) Income	-	-	5050.89

**CONNECTICUT DEPARTMENT OF SOCIAL SERVICES
UNIFORM POLICY MANUAL
TABLE OF CONTENTS**

Date: 10-1-09 **Transmittal: UP-09-17** **0300**

Jobs First **8500**

Definitions - - - - -	8500.01
Research and Design - - - - -	8505
Experimental Design - - - - -	8505.05
Rights and Responsibilities - - - - -	8510
Rights of Applicants and Recipients - - - - -	8510.05
Responsibilities of Applicants and Recipients - - - - -	8510.10
Department Responsibilities - - - - -	8510.15
Disclosure of Information - - - - -	8510.20
Diversion Program - - - - -	8515
Rights and Responsibilities - - - - -	8515.05
Eligibility Process - - - - -	8515.10
Non-Financial Eligibility Requirements - - - - -	8515.15
Benefits Available Through Diversion- - - - -	8515.20
Treatment of Income and Assets - - - - -	8515.25
Standard of Assistance- - - - -	8515.30
Recovery and Recoupment of Benefits - - - - -	8515.35
Eligibility Process - - - - -	8520
Orientation to the Jobs First Program - - - - -	8520.03
Application Process - - - - -	8520.05
Redetermination Process - - - - -	8520.10
Authorized Representative - - - - -	8520.15
Interim Activity - - - - -	8520.20
Cooperation with Quality Control Reviews - - - - -	8520.25
Beginning Dates of Eligibility - - - - -	8520.30
Ending Dates of Eligibility - - - - -	8520.35
Verification - - - - -	8520.40
Notices Requirements - - - - -	8520.45
Completing the Sixty-Month Exit Interview - - - - -	P-8520.10
Fair Hearings - - - - -	8525

**CONNECTICUT DEPARTMENT OF SOCIAL SERVICES
UNIFORM POLICY MANUAL
TABLE OF CONTENTS**

Date: 10-1-09	Transmittal: UP-09-17	0300
Jobs First		8500
General Provisions - - - - -		8525.05
Limitations to Scope of Hearings - - - - -		8525.07
Continuation of Benefits Pending Fair Hearings - - - - -		8525.10
Employment Services - - - - -		8530
General Service Provisions - - - - -		8530.05
Exemptions from Participation - - - - -		8530.10
Participation Requirements - - - - -		8530.15
Suitable Employment - - - - -		8530.20
Work Test/Assessment - - - - -		8530.25
Employability Plan - - - - -		8530.30
General Principles for Special Benefits - - - - -		8530.35
Transportation Special Benefits - - - - -		8530.40
Participation Allowances - - - - -		8530.45
Conciliation - - - - -		8530.50
Penalties for Non-Compliance - - - - -		8530.55
Good Cause for Non-Compliance - - - - -		8530.60
Willful Misconduct - - - - -		8530.65
Non-Financial Eligibility Requirements - - - - -		8540
Exemptions from Time Limits - - - - -		8540.03
Twenty-One Month Time Limit - - - - -		8540.05
Extensions of Benefits Beyond Twenty-One Months - - - - -		8540.10
Sixty-Month Time Limit - - - - -		8540.12
Eligible Children, Age Requirements and Pregnant Women - - - - -		8540.15
Convicted Drug Felons, Fleeing Felons, & Probation and Parole Violators - - - - -		8540.20
No Show for Assessment Appointment or Interview - - - - -		8540.22
Assistance Unit Composition - - - - -		8540.25
Living with a Caretaker Relative - - - - -		8540.30
Minor Parents - - - - -		8540.35

**CONNECTICUT DEPARTMENT OF SOCIAL SERVICES
UNIFORM POLICY MANUAL
TABLE OF CONTENTS**

Date: 10-1-09	Transmittal: UP-09-17	0300
Jobs First		8500
Overpayments	- - - - -	8580.30
Recoupment	- - - - -	8580.40
Treatment of Intentional Recipient Error	- - - - -	8580.50
Disqualification Periods and Penalties	- - - - -	8580.60
Administrative Disqualification Hearings	- - - - -	8580.70
Recovery of Benefits	- - - - -	8585
General Principles	- - - - -	8585.05
Recovery by Assignment	- - - - -	8585.10
Liens	- - - - -	8585.20
Security Mortgages	- - - - -	8585.30
Acquired Property	- - - - -	8585.40
Recovery of Assistance from Estates	- - - - -	8585.50
Recovery by Legal Actions	- - - - -	8585.60
Recovery from Third Parties	- - - - -	8585.70
Special Benefits	- - - - -	8590
Funeral and Burial Expenses	- - - - -	8590.05
Out-of-State Transportation	- - - - -	8590.10
Property Repairs	- - - - -	8590.15

**CONNECTICUT DEPARTMENT OF SOCIAL SERVICES
UNIFORM POLICY MANUAL**

Date: 10-1-09

Transmittal: UP-09-17

4025.45

Section:

Treatment of Assets

Type:

POLICY

Chapter:

Deemed Assets

Program:

**MA
SNAP**

Subject:

Sponsors of Non-citizens

4025.45 Sponsors of Non-Citizens Who Entered the U.S. on or after August 22, 1996 and Executed the Revised Affidavit of Support (I-864) or the Contract Between Sponsor and Household Member (I-864A)

A. Circumstances Under Which Assets are Deemed

1. The Department deems the assets of a non-citizen's sponsor and the sponsor's spouse, if the spouse signed the Revised Affidavit of Support (I-864) or the Contract Between Sponsor and Household Member (I-864A), to the non-citizen under the following circumstances:
 - a. the sponsor and the sponsor's spouse are not members of the same assistance unit as the non-citizen; and
 - b. the non-citizen must have a sponsor under USCIS rules; and
 - c. the sponsor and the sponsor's spouse have executed an Affidavit of Support (I-864) or the Contract Between Sponsor and Household Member (I-864A) pursuant to 8 U.S.C. § 1183a (a) (section 423 of the Personal Responsibility and Work Opportunity Act of 1996, amending Title II of the Immigration and Nationality Act by adding section 213A) on behalf of the non-citizen; and
 - d. the sponsor is an individual, rather than an institution; and
 - e. none of the exceptions set forth in Paragraph C of this section are applicable.
2. The Department deems assets in accordance with Paragraph A.1 of this section, whether or not the sponsor lives with the non-citizen.
3. The Department deems assets in accordance with Paragraph A.1 until one of the following events occurs:
 - a. the non-citizen becomes a citizen of the United States; or
 - b. the non-citizen works 40 qualifying quarters as defined under Title II of the Social Security Act; or

**CONNECTICUT DEPARTMENT OF SOCIAL SERVICES
UNIFORM POLICY MANUAL**

Date: 10-1-09

Transmittal: UP-09-17

4025.45 page 2

Section:

Treatment of Assets

Type:

POLICY

Chapter:

Deemed Assets

Program:

**MA
SNAP**

Subject:

Sponsors of Non-citizens

4025.45 Sponsors of Non-Citizens Who Entered the U.S. on or after August 22, 1996 and Executed the Revised Affidavit of Support (I-864) or the Contract Between Sponsor and Household Member (I-864A) (continued)

- c. the non-citizen is credited for having worked 40 qualifying quarters if, beginning January 1, 1997, the qualifying quarters were worked when the non-citizen did not receive any federal means-tested public benefit and either
 - (1) the qualifying quarters were worked by a parent of such non-citizen while the non-citizen was under 18 years of age; or
 - (2) the qualifying quarters were worked by a spouse of such non-citizen during the couple's marriage and the non-citizen remains married to such spouse or such spouse is deceased; or
- d. the sponsor or the non-citizen dies.

B. Computation of the Amount of Deemed Assets

When deeming the assets of the sponsor and the sponsor's spouse to the non-citizen, the Department:

- 1. excludes the assets of the sponsor and the sponsor's spouse from consideration in the same manner that the assets of assistance unit members would be excluded;
- 2. reduces the value of the deemed assets by \$1500;
- 3. prorates this reduced amount among the non-citizens if the sponsor is also sponsoring other non-citizens;
- 4. deems the counted assets to the non-citizen; and
- 5. adds the resulting value of the deemed assets to the value of the non-citizen's own assets to determine the non-citizen's eligibility.

CONNECTICUT DEPARTMENT OF SOCIAL SERVICES
UNIFORM POLICY MANUAL

Date: 10-1-09

Transmittal: UP-09-17

4025.45 page 3

Section:

Treatment of Assets

Type:

POLICY

Chapter:

Deemed Assets

Program:

MA
SNAP

Subject:

Sponsors of Non-citizens

4025.45 C. Exceptions to Deeming

The Department does not deem the assets of the non-citizen's sponsor and the sponsor's spouse to the non-citizen under the following conditions:

1. Indigence

a. The non-citizen may be considered indigent and exempt from the deeming requirement if the following criteria are met:

(1) the non-citizen does not have enough money to buy food and maintain a place to live without assistance from the Department based on:

(a) the total of the non-citizen's income and income-in-kind is less than the Supplemental Nutrition Assistance Program Gross Income Limit for his or her household size; or

(b) the non-citizen is living in an institution or in rated housing; or

(c) the non-citizen is applying for or receiving benefits under any Medicaid Home and Community Based waiver Program; and

(2) the non-citizen's sponsor is not providing both free room and free board to the non-citizen; and

(3) the non-citizen lives apart from the sponsor, except as outlined in section 4025.45 C.1.a.(1)(c).

b. If a non-citizen meets the criteria in Paragraph C.1.a, the non-citizen shall indicate, in writing, whether he or she wants the Department to apply the indigence exception to the non-citizen's application for benefits.

(1) If the non-citizen does not want the Department to apply the indigence exception, the assets of the sponsor shall be deemed to the non-citizen.

**CONNECTICUT DEPARTMENT OF SOCIAL SERVICES
UNIFORM POLICY MANUAL**

Date: 10-1-09

Transmittal: UP-09-17

4025.45 page 4

Section:
Treatment of Assets

Type:
POLICY

Chapter:
Deemed Assets

Program: MA
SNAP

Subject:
Sponsors of Non-citizens

4025.45 C. Exceptions to Deeming (continued)

- (2) If the non-citizen wants the Department to apply the indigence exception, the Department shall not deem the sponsor's assets to the non-citizen. The Department shall notify the United States Attorney General of the name and address of the non-citizen and the name and address of the sponsor.

2. Battery or Extreme Cruelty

- a. If the non-citizen, the non-citizen's child or the parent of a non-citizen child has been battered or subjected to extreme cruelty in the United States, the non-citizen is exempt from the deeming requirement for a period of 12 months, effective the date that the Department determines that the following conditions are met:
 - (1) the Department determines that the battery or extreme cruelty has a substantial connection to the need for assistance from the Department; and
 - (2) the individual responsible for the battery or extreme cruelty was residing in the same household or assistance unit as the individual subjected to the battery or extreme cruelty, at the time that the battery or extreme cruelty occurred and these individuals no longer reside together; and
 - (3) the non-citizen has been battered or subjected to extreme cruelty by his or her spouse or parent, or by a member of the spouse's or parent's family residing in the same household as the non-citizen and the spouse or parent consented to or acquiesced in such battery or extreme cruelty; or
 - (4) the non-citizen's child has been battered or subjected to extreme cruelty by the non-citizen's spouse or parent (without the non-citizen's active participation) or by a member of the non-citizen citizen's spouse's or parent's family residing in the same household as the non-citizen when the spouse or parent consented to or acquiesced in the battery or extreme cruelty and the non-citizen did not actively participate in the battery or extreme cruelty; or

**CONNECTICUT DEPARTMENT OF SOCIAL SERVICES
UNIFORM POLICY MANUAL**

Date: 10-1-09

Transmittal: UP-09-17

4025.45 page 5

Section:

Treatment of Assets

Type:

POLICY

Chapter:

Deemed Assets

Program:

**MA
SNAP**

Subject:

Sponsors of Non-citizens

4025.45 C. Exceptions to Deeming (continued)

(5) the non-citizen is a child whose parent, who resides in the same household as the non-citizen child, has been battered or subjected to extreme cruelty by that parent's spouse or by a member of the spouse's family residing in the same household as the parent and the spouse consented to or acquiesced in such battery or extreme cruelty.

b. After the initial 12-month period, the exception to deeming shall be extended if the non-citizen establishes to the Department that:

(1) the battery or extreme cruelty referenced in Paragraph C.2.a has been recognized in an order of a judge or in a prior determination by the USCIS; and

(2) such battery or extreme cruelty has a substantial connection to the need for benefits for which the non-citizen has applied.

c. A substantial connection, as referenced in Paragraphs C.2.a.(1) and C.2.b.(2), is met if the non-citizen needs benefits for any of the following reasons:

(1) to become self-sufficient; or

(2) to escape and ensure safety from the abuser; or

(3) due to separation and loss of financial support from the abuser; or

(4) due to the non-citizen's job loss; or

(5) due to becoming disabled as a result of abuse and needing medical attention or mental health counseling; or

(6) to alleviate nutritional risk or need resulting from abuse or following separation; or

(7) to replace medical coverage that existed when living with the abuser; or

**CONNECTICUT DEPARTMENT OF SOCIAL SERVICES
UNIFORM POLICY MANUAL**

Date: 10-1-09

Transmittal: UP-09-17

4025.45 page 6

Section:

Treatment of Assets

Type:

POLICY

Chapter:

Deemed Assets

Program:

**MA
SNAP**

Subject:

Sponsors of Non-citizens

4025.45 C. Exceptions to Deeming (continued)

- (8) the applicant's ability to care for his or her child has been negatively affected; or
- (9) for medical care during a pregnancy that resulted from the abuser's sexual assault or abuse or medical care for any resulting children; or
- (10) other circumstances exist, due to the battery or extreme cruelty, that result in the continued need for departmental assistance

3. Good Cause – MA only

The Department recognizes that, due to extenuating circumstances, there may be good cause for the non-citizen to be unable to provide accurate and complete information to the Department concerning the sponsor's assets. For the purpose of this section, except in situations where the non-citizen and the sponsor live together, if the non-citizen establishes that any one of the following circumstances exists, the Department will not deem the assets of the sponsor to the non-citizen:

- a. despite good faith efforts by the non-citizen to obtain accurate and complete information from the sponsor, the sponsor refuses or repeatedly fails to provide information to the non-citizen concerning the sponsor's assets; or
- b. the non-citizen has a physical or mental illness or disability that limits his or her ability to provide accurate and complete information to the Department; or
- c. the current whereabouts of the sponsor is unknown; or
- d. there are exceptional circumstances that prevent the non-citizen from obtaining information from the sponsor, as approved by the Commissioner or the Commissioner's designee.

**CONNECTICUT DEPARTMENT OF SOCIAL SERVICES
UNIFORM POLICY MANUAL**

Date: 10-1-09

Transmittal: UP-09-17

4025.45 page 7

Section:
Treatment of Assets

Type:
POLICY

Chapter:
Deemed Assets

Program: MA
SNAP

Subject:
Sponsors of Non-citizens

4025.45 C. Exceptions to Deeming (continued)

4. Non-Citizen Children – Supplemental Nutrition Assistance Program Only

For the Supplemental Nutrition Assistance Program only, the Department does not deem the assets of a sponsor to a non-citizen who is under 18 years of age.

**CONNECTICUT DEPARTMENT OF SOCIAL SERVICES
UNIFORM POLICY MANUAL**

Date: 10-1-09

Transmittal: UP-09-17

P-4025.45

Section:
Treatment of Assets

Type:
PROCEDURES

Chapter:
Deemed Assets

Program: MA
SNAP

Subject:
Sponsors of Non-citizens

P-4025.45 Deeming Subsequent to Implementation of Revised Affidavit of Support

1. Verify that the sponsor and if applicable, the sponsor's spouse have signed the revised Affidavit of Support or the Contract Between Sponsor and Household Member, as described in policy.
2. If the non-citizen is subject to deeming rules, inform him or her that the sponsor's income and assets must be verified as a condition of eligibility.
3. Determine if the non-citizen meets the criteria for an exception to deeming.
4. If the non-citizen qualifies for the exception to deeming due to being indigent and is applying for or receiving benefits from a federally funded program, have the non-citizen sign the Exception to Deeming for Needy Non-Citizens form, using Form W-724. Review this exception at the end of each 12-month period.
5. If the non-citizen qualifies for an exception to deeming due to being indigent and is applying for or receiving benefits from a state-funded program, the Department shall grant this exception and the non-citizen does not have to sign Form W-724. The Department does not report sponsors or non-citizens who qualify under state-funded programs to USCIS.
6. If the non-citizen does not want his or her name and address or the sponsor's name and address sent to the U.S. Attorney General, proceed with the calculation of the amount of deemed assets from the sponsor(s) as directed in policy.
7. If the non-citizen has requested the indigence exception and has signed the Needy Non-Citizen form, forward the name and address of the non-citizen(s) and the name and address of the sponsor(s) to the U.S. Attorney General, using Form W-725. Use the instructions on the reverse side of Form W-725 to determine which non-citizens are reported to USCIS. Those non-citizens who are receiving benefits under the State-funded programs are not reported to USCIS. If the non-citizen should be reported, the form is mailed to:

U.S. Citizenship and Immigration Services
Office of Policy and Strategy
Research and Evaluation, Room 4010
20 Massachusetts Ave., NW
Washington DC 20529

Once the non-citizen has been in the United States for five years and they have been granted an indigence exception, they are reported to USCIS using Form W-725.

**CONNECTICUT DEPARTMENT OF SOCIAL SERVICES
UNIFORM POLICY MANUAL**

Date: 10-1-09

Transmittal: UP-09-17

P-4025.45 page 2

Section:
Treatment of Assets

Type:
PROCEDURES

Chapter:
Deemed Assets

Program: MA
SNAP

Subject:
Sponsors of Non-citizens

P-4025.45 Deeming Subsequent to Implementation of Revised Affidavit of Support (continued)

8. The indigence exception is renewable and at each determination, have the non-citizen sign the form and forward the names and addresses to the U.S. Attorney General. See instructions and address listed above in 7.
9. If the non-citizen qualifies for the exception to deeming due to battery or extreme cruelty, have the non-citizen sign the Exception to Deeming for Battered Non-citizens form, using Form W-726. Review this exception at the end of the initial 12-month period as directed in policy. At the time of review, use the Review of Exception for Battered Non-Citizens, using Form W-729. Follow the directives as outlined in policy.
10. If the non-citizen qualifies for an exception to deeming due to good cause, document this claim in the case narrative.
11. If the non-citizen is not subject to the deeming rules, determine eligibility by considering all other eligibility factors, both financial and non-financial.
12. Calculate the amount of assets to be deemed from the sponsor and sponsor's spouse, as described in policy.
13. Continue to deem assets from the sponsor and sponsor's spouse to the non-citizen until the non-citizen:
 - a. becomes a citizen of the U.S.; or
 - b. can be credited for having worked 40 qualifying quarters, as described in policy; or
 - c. the non-citizen or the sponsor dies.

**CONNECTICUT DEPARTMENT OF SOCIAL SERVICES
UNIFORM POLICY MANUAL**

Date: 10-1-09

Transmittal: UP-09-17

5020.60

Section:

Treatment of Income

Type:

POLICY

Chapter:

Deemed Income

Program:

**MA
SNAP**

Subject:

Sponsors of Non-citizens

5020.60 Sponsors of Non-Citizens Who Entered the U.S. on or after August 22, 1996 and Executed the Revised Affidavit of Support (I-864) or the Contract Between Sponsor and Household Member (I-864A)

A. Circumstances Under Which Income is Deemed

1. The Department deems the income of a non-citizen's sponsor and the sponsor's spouse, if the spouse signed the Revised Affidavit of Support (I-864) or the Contract Between Sponsor and Household Member (I-864A) to the non-citizen under the following circumstances:
 - a. the sponsor and the sponsor's spouse are not members of the same assistance unit as the non-citizen; and
 - b. the non-citizen must have a sponsor under USCIS rules; and
 - c. the sponsor and the sponsor's spouse have executed an Affidavit of Support (I-864) or the Contract Between Sponsor and Household Member (I-864A) pursuant to 8 U.S.C. § 1183a (a) (section of the Personal Responsibility and Work Opportunity Act of 1996, amending Title II of the Immigration and Nationality Act by adding section 213(a) on behalf of the non-citizen; and
 - d. the sponsor is an individual rather than an institution; and
 - e. none of the exceptions set forth in Paragraph C of this section are applicable.
2. The Department deems income in accordance with Paragraph A.1 of this section, whether or not the sponsor lives with the non-citizen.
3. The Department deems income in accordance with Paragraph A.1 until one of the following events occurs:
 - a. the non-citizen becomes a citizen of the United States; or
 - b. the non-citizen works 40 qualifying quarters, as defined under Title II of the Social Security Act; or
 - c. the non-citizen is credited for having worked 40 qualifying quarters if, beginning January 1, 1997, the qualifying quarters were worked when the non-citizen did not receive any federal means-tested public benefit, and either

**CONNECTICUT DEPARTMENT OF SOCIAL SERVICES
UNIFORM POLICY MANUAL**

Date: 10-1-09

Transmittal: UP-09-17

5020.60 page 2

Section:
Treatment of Income

Type:
POLICY

Chapter:
Deemed Income

Program: MA
SNAP

Subject:
Sponsors of Non-citizens

5020.60 A. Circumstances Under Which Income is Deemed (continued)

- (1) the qualifying quarters were worked by a parent of such non-citizen while the non-citizen was under 18 years of age; or
- (2) the qualifying quarters were worked by a spouse of such non-citizen during the couple's marriage and the non-citizen remains married to such spouse or such spouse is deceased; or
- (3) the non-citizen or the sponsor dies.

B. Computation of the Amount of Deemed Income

The amount of income deemed from a sponsor and the sponsor's spouse is calculated in the following manner:

1. income which is excluded from consideration for assistance unit members is excluded from the sponsor's income;
2. self-employment earnings are adjusted by subtracting the applicable self-employment expenses;
3. the gross monthly earned income amount is reduced by 20% to allow for personal work expenses;
4. the remaining earnings plus gross unearned income is totaled and reduced by the Supplemental Nutrition Assistance Program Gross Income Limit as determined by the family size of the sponsor;
5. this amount is prorated for the non-citizen if the sponsor is also sponsoring other non-citizens; and
6. this amount is deemed to the assistance unit as unearned income to determine the non-citizen's eligibility.
7. In addition to the amount deemed, any amount in excess of the deemed amount which is paid by the sponsor to each non-citizen is also counted as unearned income.

**CONNECTICUT DEPARTMENT OF SOCIAL SERVICES
UNIFORM POLICY MANUAL**

Date: 10-1-09

Transmittal: UP-09-17

5020.60 page 3

Section:
Treatment of Income

Type:
POLICY

Chapter:
Deemed Income

Program: MA
SNAP

Subject:
Sponsors of Non-citizens

5020.60 | C. Exceptions to Deeming

The Department does not deem the income of the non-citizen's sponsor and the sponsor's spouse to the non-citizen under the following circumstances:

1. Indigence

a. The non-citizen may be considered indigent and exempt from the deeming requirement if the following criteria are met:

(1) the non-citizen does not have enough money to buy food and maintain a place to live without assistance from the Department based on:

(a) the total of the non-citizen's income and income-in-kind is less than the Supplemental Nutrition Assistance Program Gross Income Limit for his or her household size; or

(b) the non-citizen is living in an institution or in rated housing; or

(c) the non-citizen is applying for or receiving benefits under any Medicaid Home and Community Based waiver program; and

(2) the non-citizen's sponsor is not providing both free room and free board to the non-citizen; and

(3) the non-citizen lives apart from the sponsor, except as outlined in section 5020.60 C.1.a.(1)(c).

b. If the non-citizen meets the criteria in Paragraph C.1.a, the non-citizen shall indicate, in writing, whether he or she wants the Department to apply the indigence exception to the non-citizen's application for benefits.

(1) If the non-citizen does not want the Department to apply the indigence exception, the income of the sponsor shall be deemed to the non-citizen.

**CONNECTICUT DEPARTMENT OF SOCIAL SERVICES
UNIFORM POLICY MANUAL**

Date: 10-1-09

Transmittal: UP-09-17

5020.60 page 4

Section:
Treatment of Income

Type:
POLICY

Chapter:
Deemed Income

Program: MA
SNAP

Subject:
Sponsors of Non-citizens

5020.60 C. Exceptions to Deeming (continued)

- (2) If the non-citizen wants the Department to apply the indigence exception, the Department shall not deem the sponsor's income to the non-citizen. The Department shall notify the United States Attorney General of the name and address of the non-citizen and the name and address of the sponsor.

2. Battery or Extreme Cruelty

- a. If the non-citizen, the non-citizen's child or the parent of the non-citizen child has been battered or subjected to extreme cruelty in the United States, the non-citizen is exempt from the deeming requirement for a period of 12 months, effective the date that the Department determines that the following conditions are met:
 - (1) the Department determines that the battery or extreme cruelty has a substantial connection to the need for assistance from the Department; and
 - (2) the individual responsible for the battery or extreme cruelty was residing in the same household or assistance unit as the individual subjected to the battery or extreme cruelty, as the time that the batter or extreme cruelty occurred and these individuals no longer reside together; and
 - (3) the non-citizen has been battered or subjected to extreme cruelty by his or her spouse or parent, or by a member of the spouse's or parent's family residing in the same household as the non-citizen and the spouse or parent consented to or acquiesced in such battery or extreme cruelty; or
 - (4) the non-citizen's child has been battered or subjected to extreme cruelty by the non-citizen's spouse or parent (without the non-citizen's active participation) or by a member of the non-citizen spouse's or parent's family residing in the same household as the non-citizen when the spouse or parent consented to or acquiesced in the battery or extreme cruelty and the non-citizen did not actively participate in the battery or extreme cruelty; or

**CONNECTICUT DEPARTMENT OF SOCIAL SERVICES
UNIFORM POLICY MANUAL**

Date: 10-1-09

Transmittal: UP-09-17

5020.60 page 5

Section:
Treatment of Income

Type:
POLICY

Chapter:
Deemed Income

Program: MA
SNAP

Subject:
Sponsors of Non-citizens

5020.60 C. Exceptions to Deeming (continued)

- (5) the non-citizen is a child whose parent, who resides in the same household as the non-citizen child, has been battered or subjected to extreme cruelty by that parent's spouse or by a member of the spouse's family residing in the same household as the parent and the spouse consented to or acquiesced in such battery or extreme cruelty.
- b. After the initial 12-month period, the exception to deeming shall be extended if the non-citizen establishes to the Department that:
 - (1) the battery or extreme cruelty referenced in Paragraph C.2.a has been recognized in an order of a judge or in a prior determination by the USCIS; and
 - (2) such battery or extreme cruelty has a substantial connection to the need for the benefits for which the non-citizen has applied.
- c. A substantial connection, as referenced in Paragraphs C.2.a.(1) and C.2.b.(2), is met if the non-citizen needs benefits for any of the following reasons:
 - (1) to become self-sufficient; or
 - (2) to escape and ensure safety from the abuser; or
 - (3) due to separation and loss of financial support from the abuser; or
 - (4) due to the non-citizen's job loss; or
 - (5) due to becoming disabled as a result of abuse and needing medical attention or mental health counseling; or
 - (6) to alleviate nutritional risk or need resulting from abuse or following separation; or
 - (7) to replace medical coverage that existed when living with the abuser; or
 - (8) the applicant's ability to care for his or her child has been negatively affected; or

**CONNECTICUT DEPARTMENT OF SOCIAL SERVICES
UNIFORM POLICY MANUAL**

Date: 10-1-09

Transmittal: UP-09-17

5020.60 page 6

Section: Treatment of Income	Type: POLICY
Chapter: Deemed Income	Program: MA SNAP
Subject: Sponsors of Non-citizens	

5020.60 C. Exceptions to Deeming (continued)

- (9) for medical care during a pregnancy that resulted from the abuser's sexual assault or abuse or medical care for any resulting children; or
- (10) other circumstances exist, due to the battery or extreme cruelty, that result in the continued need for departmental assistance.

3. Good Cause – MA Only

The Department recognizes that, due to extenuating circumstances, there may be good cause for the non-citizen to be unable to provide accurate and complete information to the Department concerning the sponsor's income. For the purpose of this section, except in situations where the non-citizen and the sponsor live together, if the non-citizen establishes that any of the following circumstances exist, the Department will not deem the income of the sponsor to the non-citizen:

- a. despite good-faith efforts by the non-citizen to obtain accurate and complete information from the sponsor, the sponsor refuses and repeatedly fails to provide information to the non-citizen concerning the sponsor's income; or
- b. the non-citizen has a physical or mental illness or disability that limits his or her ability to provide accurate and complete information to the Department; or
- c. the current whereabouts of the sponsor is unknown; or
- d. there are exceptional circumstances that prevent the non-citizen from obtaining information from the sponsor, as approved by the Commissioner or the Commissioner's designee.

4. Non-Citizen Children – Supplemental Nutrition Assistance Program Only

For the Supplemental Nutrition Assistance Program only, the Department does not deem the income of a sponsor to a non-citizen who is under 18 years of age.

**CONNECTICUT DEPARTMENT OF SOCIAL SERVICES
UNIFORM POLICY MANUAL**

Date: 10-1-09

Transmittal: UP-09-17

P-5020.60

Section:
Treatment of Income

Type:
PROCEDURES

Chapter:
Deemed Income

Program: MA
SNAP

Subject:
Sponsors of Non-citizens

P-5020.60 Deeming Subsequent to Implementation of Revised Affidavit of Support

1. Verify that the sponsor and, if applicable, the sponsor's spouse have signed the revised Affidavit of Support or the Contract Between Sponsor and Household Member, as described in policy.
2. If the non-citizen is subject to deeming rules, inform him or her that the sponsor's income and assets must be verified as a condition of eligibility.
3. Determine if the non-citizen meets the criteria for an exception to deeming.
4. If the non-citizen qualifies for the exception to deeming due to being indigent and is applying for or receiving benefits from a federally funded program, have the non-citizen sign the Exception to Deeming for Needy Non-Citizens form, using Form W-724. Review this exception at the end of each 12-month period.
5. If the non-citizen qualifies for an exception to deeming due to being indigent and is applying for or receiving benefits from a state-funded program, the Department shall grant this exception and the non-citizen does not have to sign Form W-724. The Department does not report sponsors and non-citizens who qualify under state-funded programs to USCIS.
6. If the non-citizen does not want his or her name and address or the sponsor's name and address sent to the U.S. Attorney General, proceed with the calculation of the amount of deemed income from the sponsor(s) as directed in policy.
7. If the non-citizen has requested the indigence exception and has signed the Exception to Deeming for Needy Non-Citizens form, forward the name and address of the non-citizen(s) and the name and address of the sponsor(s) to the U.S. Attorney General, using Form W-725. Use the instructions on the reverse side of Form W-725 to determine which non-citizens are reported to USCIS. Those non-citizens who are receiving benefits under the State-funded programs are not reported to USCIS. If the non-citizen should be reported, the form is mailed to:

U.S. Citizenship and Immigration Services
Office of Policy and Strategy
Research and Evaluation, Room 4010
20 Massachusetts Ave., NW
Washington DC 20529

**CONNECTICUT DEPARTMENT OF SOCIAL SERVICES
UNIFORM POLICY MANUAL**

Date: 10-1-09

Transmittal: UP-09-17

P-5020.60 page 2

Section:
Treatment of Income

Type:
PROCEDURES

Chapter:
Deemed Income

Program: | MA
 | SNAP

Subject:
Sponsors of Non-citizens

P-5020.60 Deeming Subsequent to Implementation of Revised Affidavit of Support (continued)

Once the non-citizen has been in the United States for five years and they have been granted an indigence exception, they are reported to USCIS using Form W-725.

8. The indigence exception is renewable and at each determination, have the non-citizen sign the form and forward the names and addresses to the U.S. Attorney General. See instructions and address listed above in 7.
9. If the non-citizen qualifies for the exception to deeming due to battery or extreme cruelty, have the non-citizen sign the Exception to Deeming for Battered Non-Citizen form, Form W-726. Review this exception at the end of the initial 12-month period as directed in policy. At the time of review, use the Review of Exception for Battered Non-Citizens Form, using Form W-729. Follow the directives as outlined in policy.
10. If the non-citizen qualifies for an exception to deeming due to good cause, document this in the case narrative.
11. If the non-citizen is not subject to the deeming rules, determine eligibility by considering all other eligibility factors, both financial and non-financial.
12. Calculate the amount of income to be deemed from the sponsor and the sponsor's spouse, as described in policy.
13. Continue to deem income from the sponsor and the sponsor's spouse to the non-citizen until the non-citizen:
 - a. becomes a citizen of the U.S.; or
 - b. can be credited for having worked 40 qualifying quarters, as described in policy; or
 - c. the non-citizen or the sponsor dies.

**CONNECTICUT DEPARTMENT OF SOCIAL SERVICES
UNIFORM POLICY MANUAL**

Date: 10-1-09

Transmittal: UP-09-17

5020.85

Section:
Treatment of Income

Type:
POLICY

Chapter:
Deemed Income

Program: SNAP

Subject:
Disqualified and Ineligible Individuals

5020.85 A. Description of Deemor Group

This group consists of individuals who have been disqualified or found ineligible to receive SNAP.

B. Calculating the Amount Deemed

1. Income which is excluded from that of an assistance unit member is also excluded from the income of the deemor.
2. The gross income of those disqualified due to intentional program violations or non-compliance with employment and training requirements is deemed in its entirety to the remaining eligible members of the unit.
3. The gross income of an individual is also deemed in its entirety to the remaining eligible members of the unit when the individual is:
 - a. found by a court to have purchased illegal drugs, firearms, ammunition or explosives with SNAP benefits; or
 - b. convicted of trafficking in SNAP benefits of \$500 or more; or
 - c. found to have made a fraudulent statement or representation with respect to identity and residence in order to receive multiple benefits simultaneously; or
 - d. fleeing to avoid prosecution, custody or confinement for a crime or an attempt to commit a crime that is a felony under the laws of any state or a high misdemeanor in the state of New Jersey; or
 - e. in violation of a condition of probation or parole imposed for a felony under a state or federal law; or
 - f. an ineligible drug felon.

**CONNECTICUT DEPARTMENT OF SOCIAL SERVICES
UNIFORM POLICY MANUAL**

Date: 10-1-09

Transmittal: UP-09-17

5020.85 page 2

Section:

Treatment of Income

Type:

POLICY

Chapter:

Deemed Income

Program:

SNAP

Subject:

Disqualified and Ineligible Individuals

5020.85 B. Calculating the Amount Deemed (continued)

4. The income of those disqualified due to failing to comply with requirements to provide a verifiable Social Security number, for being an illegal or ineligible non-citizen or failing to sign a declaration of their citizenship or non-citizen status is deemed available after it is reduced by an amount representing his or her prorated share of the income.
5. The amount of income which is deemed to the unit from a disqualified or ineligible person's earnings is treated as earned income for the unit and is subject to a 20% reduction as well as any self-employment expenses which may exist.

**CONNECTICUT DEPARTMENT OF SOCIAL SERVICES
UNIFORM POLICY MANUAL**

Date: 10/1/09

Transmittal: UP-09-17

8016.10

Section:
Special Programs

Type:
POLICY

Chapter:
State Medical Assistance for Non-Citizens

Program:
SMANC

Subject:
Technical Eligibility Requirements

8016.10 A. General Statement

To be eligible under the SMANC program, the individual must be ineligible for Medicaid solely because of his or her non-citizen status. Except as provided in Paragraph C of this section, all income and asset rules of the Medicaid program shall apply to the SMANC program.

B. Non-Citizens' Eligibility for SMANC

1. A non-citizen is eligible under the SMANC program if he or she arrived in the United States on or after August 22, 1996, has been in the U.S. for less than five years and:
 - a. is lawfully admitted to the U.S. for permanent residence under the Immigration and Nationality Act; or
 - b. is paroled into the U.S. under section 212 (d) of such act for a period of at least one year; or
 - c. is granted conditional entry pursuant to section 203 (a) (7) of such act as in effect prior to April 1, 1980; or
 - d. has been battered or subjected to extreme cruelty in the U.S. by a spouse or parent, or by a member of the spouse or parent's family living with the non-citizen and the spouse or parent allowed such battery or cruelty to occur, but only if:
 - (1) the Department determines that the battery or cruelty has contributed to the need for medical assistance; and
 - (2) the non-citizen has been approved or has an application pending with U.S. Citizenship and Immigration Service (USCIS) under which he or she appears to qualify for:
 - (a) status as a spouse or child of a U.S. citizen pursuant to clause (ii), (iii) or (iv) of section 204(a)(1)(A) of the Immigration and Nationality Act; or
 - (b) classification pursuant to clause (ii) or (iii) of section 204(a)(1)(B) of such act; or
 - (c) suspension of deportation and adjustment of status pursuant to section 244(a)(3) of such act; or

**CONNECTICUT DEPARTMENT OF SOCIAL SERVICES
UNIFORM POLICY MANUAL**

Date: 10-1-09

Transmittal: UP-09-17

8016.10 page 2

Section:

Special Programs

Type:

POLICY

Chapter:

State Medical Assistance for Non-Citizens

Program: SMANC

Subject:

Technical Eligibility Requirements

8016.10 | B. Non-Citizens' Eligibility for SMANC (continued)

- (d) status as a spouse or child of a U.S. citizen pursuant to clause (i) of section 204(a)(1)(A) of such act, or classification pursuant to clause (i) of section 204(a)(1)(B) of such act; and
 - (3) the individual responsible for such battery or cruelty is not presently residing with the person subjected to such battery or cruelty; or
 - e. is a non-citizen whose child has been battered or subjected to extreme cruelty in the U.S. by a spouse or parent of the non-citizen (without the active participation of the non-citizen in the battery or cruelty), or by a member of the spouse or parent's family living with the non-citizen and the spouse or parent allowed such battery or cruelty to occur, but only if the criteria in subparagraph d (1), (2) and (3) above are met; or
 - f. is a non-citizen child living with a parent who has been battered or subjected to extreme cruelty in the U.S. by that parent's spouse or by a member of the spouse's family living with the parent and the spouse allowed such battery or cruelty to occur, but only if the criteria in subparagraph d (1), (2) and (3) above are met.
2. Subject to the limitations in paragraph 3 below, a non-citizen is eligible under the SMANC program if he or she:
- a. is an immigrant legally residing in the United States; or
 - b. is living here with the knowledge of the U.S. Citizenship and Immigration Service (USCIS), and is someone whom the USCIS is not going to deport.
3. The following non-citizens are ineligible for SMANC benefits, but may qualify for Medicaid to cover emergency medical services only:
- a. students;
 - b. visitors;
 - c. foreign government officials;

**CONNECTICUT DEPARTMENT OF SOCIAL SERVICES
UNIFORM POLICY MANUAL**

Date: 10-1-09

Transmittal: UP-09-17

8016.10 page 3

Section:
Special Programs

Type:
POLICY

Chapter:
State Medical Assistance for Non-Citizens

Program: SMANC

Subject:
Technical Eligibility Requirements

8016.10 B. Non-Citizens' Eligibility for SMANC (continued)

- d. other non-citizens who have entered the United States temporarily but have not abandoned their residence in a foreign country.

C. Deeming from Sponsors of Non-Citizens

Sponsored non-citizens who meet the criteria for an exception to deeming due to indigence, as set forth in section 4025.45 and section 5020.60 shall be granted the indigence exception by the Department. The Department shall not report the non-citizen or the sponsor to the United States Attorney General.

**CONNECTICUT DEPARTMENT OF SOCIAL SERVICES
UNIFORM POLICY MANUAL**

Date: 10-1-09

Transmittal: UP-09-17

8090.10

Section:

Special Programs

Type:

POLICY

Chapter:

| State-Funded Supplemental Nutrition Assistance Program

Program:

| SFSNAP

Subject:

Non Financial Eligibility Requirements

8090.10 | Except for the following, all income and asset rules and all the technical, procedural and categorical eligibility requirements that apply to the federal Supplemental Nutrition Assistance program also apply to the State-Funded Supplemental Nutrition Assistance program.

A. Residency in the State

1. There is no durational residency requirement for non-citizens who entered the United States prior to April 1, 1998.
2. Non-citizens who enter the United States on or after April 1, 1998 must be residents of the state for a total of six months before they qualify for benefits.

B. Non-Citizenship Status

| In order to receive benefits from the State-Funded Supplemental Nutrition Assistance program, a non-citizen must be:

1. lawfully admitted as a permanent resident to the United States within the past five years; and
2. a non-citizen not eligible to receive federal Supplemental Nutrition Assistance benefits for any of the following reasons:
 - a. the individual entered the United States on or before August 22, 1996 who was not sixty five years old on that date; or
 - b. the individual entered the United States on or before August 22, 1996 and is now over age 18; or
 - c. the individual has not worked for the minimum of 40 qualifying quarters; or
 - d. the individual's spouse, including a deceased spouse, has not worked for a minimum of 40 qualifying quarters; or
 - e. the individual's parents did not work for a minimum of 40 qualifying quarters while he or she was under eighteen years old; or
 - f. the individual together with his or her spouse or parent as described in e. and f. above has not worked for a minimum of 40 qualifying quarters; or

**CONNECTICUT DEPARTMENT OF SOCIAL SERVICES
UNIFORM POLICY MANUAL**

Date: 10-1-09

Transmittal: UP-09-17

8090.10 page 2

Section:
Special Programs

Type:
POLICY

Chapter:
| State-Funded Supplemental Nutrition Assistance Program

Program:
| SFSNAP

Subject:
Non-Financial Eligibility Requirements

8090.10 B. Non-Citizenship Status (continued)

- g. the individual is not a veteran or the spouse of a veteran or an unmarried widow or dependent child of a veteran who was honorably discharged; or
- h. the individual is not on active duty in the United States Armed Forces or is not the spouse, unmarried surviving spouse or unmarried dependent child of an individual who is on active duty; or
- i. the individual was admitted as a refugee under Section 207 of the Immigrations and Naturalization Act when more than seven years have passed since his or her date of entry into the United States; or
- j. the individual was granted asylum under Section 208 of the Immigration and Naturalization Act more than seven years ago; or
- k. the individual had his or her deportation withheld more than seven years ago; or
- l. the individual was granted status as a Cuban or Haitian entrant more than seven years ago; or
- m. the individual was admitted as an Amerasian immigrant and more than seven years have passed since his or her date of entry into the United States; or
- n. the individual is not otherwise eligible for federal Supplemental Nutrition Assistance benefits due solely to his or her citizenship status including but not limited to:
 - (1) the battered spouse or child of an individual described in h. or i. above; or
 - (2) a parolee admitted to the United States at the discretion of the United States Attorney General; or

**CONNECTICUT DEPARTMENT OF SOCIAL SERVICES
UNIFORM POLICY MANUAL**

Date: 10-1-09

Transmittal: UP-09-17

8090.10 page 3

Section:
Special Programs

Type:
POLICY

Chapter:
State-Funded Supplemental Nutrition Assistance Program

Program:
SFSNAP

Subject:
Non-Financial Eligibility Requirements

8090.10 B. Non-Citizenship Status (continued)

- (3) the individual has lived in the United States and has performed seasonal agricultural work for a required period of time who was granted temporary or permanent resident status as a Special Agricultural Worker (SAW); or
- (4) the individual entered the United States as a Replenishment Agricultural Worker (RAW), beginning in fiscal year 1990, and whose status is adjusted by the INS to that of lawful temporary or permanent resident; or
- (5) the individual is not aged or disabled and has resided unlawfully in the United States since prior to January 1, 1982, whose status has been adjusted by INS to that of lawful temporary or permanent resident.

C. Special Limits to Program Eligibility

1. An individual is no longer eligible for the State-Funded program when:
 - a. the individual becomes a naturalized citizen; or
 - b. the individual, or his or her spouse or parents have worked a total of forty qualifying quarters (Cross-Reference 3005.06); or
 - c. the individual, including a Lawful Permanent Resident, who has resided in the United States five or more years, is eligible for federal Supplemental Nutrition Assistance benefits.
2. State-Funded Supplemental Nutrition Assistance Benefits are discontinued in the month immediately prior to the month the individual becomes eligible for federal Supplemental Nutrition Assistance Benefits.

D. Deeming from Sponsors of Non-Citizens

Sponsored non-citizens who meet the criteria for an exception to deeming due to indigence, as set forth in section 4025.45 and section 5020.60 shall be granted the indigence exception by the Department. The Department shall not report the non-citizen or the sponsor to the United States Attorney General.

**CONNECTICUT DEPARTMENT OF SOCIAL SERVICES
UNIFORM POLICY MANUAL**

Date: 10-1-09

Transmittal: UP-09-17

P-8090.10

Section:
Special Programs

Type:
PROCEDURES

Chapter:
| State-Funded Supplemental Nutrition Assistance Program

Program:
SFSNAP

Subject:
Non Financial Eligibility Requirements

P-8090.10 | Non-Citizenship Status

1. Record pertinent statements from the assistance unit regarding which members are citizens and which are non-citizens.
2. Verify citizenship or non-citizen status of each member of the assistance unit for whom verification is required as found in the verification chapter on citizenship status. (Cross Reference: 3099.05)
3. Verify the work history of the non-citizen (or spouse or parent when appropriate) when the non-citizen claims that he or she has worked a minimum of 40 qualifying quarters.
4. Remember to obtain the permission of a spouse or parent who is not a member of a Supplemental Nutrition Assistance Program assistance unit before requesting a work history.
5. For each non-citizen who is sponsored require:
 - name and address of the sponsor; and
 - a statement from the sponsoring organization about its ability to support the non-citizen.
6. Grant assistance to non-citizens who are ineligible for federal Supplemental Nutrition Assistance Benefits.
7. Deny assistance to non-citizens who:
 - are eligible for federal Supplemental Nutrition Assistance Benefits; or
 - refuse or fail to verify their citizenship status.

CONNECTICUT DEPARTMENT OF SOCIAL SERVICES
UNIFORM POLICY MANUAL

Date: 7-1-97

Transmittal: UP-98-3

8550.15 page 8

Section:

Jobs First

Type:

POLICY

Chapter:

Treatment of Assets

Program:

TFA

Subject:

Special Treatment of Assets

8550.15 B. Other Special Treatments

The following assets are subject to special treatment in determining eligibility for TFA.

1. Income Tax Refund

An income tax refund is considered a counted asset in the month received by the assistance unit.

2. Interest

Interest earned on a counted asset is counted as an asset in the month earned and thereafter to the extent retained. It is not counted as income.

3. Lump Sums

a. A lump sum is a payment which is received by an assistance unit on a one time basis and is not expected to recur.

b. Lump sum payments received by applicants and recipients are considered assets.

c. An Earned Income Tax Credit (EITC) payment which is received as a single non-recurring payment is treated as a lump sum. However, assistance units are not only required to apply for any EITC payment which is due them as a lump sum, but also for the advance credit when appropriate. (cross reference: 8510.10)

d. The proceeds of a loan, except student loans, are treated as a lump sum. Student loans are exempt as describe in A, 16, e, above.

**CONNECTICUT DEPARTMENT OF SOCIAL SERVICES
UNIFORM POLICY MANUAL**

Date: 10-1-09

Transmittal: UP-09-17

8550.20

Section:
Jobs First

Type:
POLICY

Chapter:
Treatment of Assets

Program:
TFA

Subject:
Deemed Assets

8550.20 A. General Principles

1. In addition to the assets of members of the assistance unit, the Department sometimes counts assets of people who are not members of the assistance unit in determining the eligibility of an assistance unit.
2. Assets of a recipient of TFA, SSI, AABD, General Assistance, or SAGA are not deemed to a separate TFA assistance unit (Cross Reference: 8540.25).
3. The assets of a recipient of federal, state, or local adoption assistance payments are not deemed to the assistance unit when the child for whom the payments are made is not a member of the assistance unit.
4. Only those assets which would be counted for an assistance unit member are counted for people who are not members of the assistance unit but whose assets are counted.

B. Sponsors of Non-Citizens Who Entered on or after August 22, 1996 and Executed the Revised Affidavit of Support (I-864) or the Contract Between Sponsor and Household Member (I-864A)

1. The Department deems the assets of a non-citizen's sponsor and the sponsor's spouse, if the spouse signed the Revised Affidavit of Support or the Contract Between Sponsor and Household Member, to the non-citizen under the following circumstances:
 - a. the sponsor and the sponsor's spouse are not members of the same assistance unit as the non-citizen; and
 - b. the sponsor and the sponsor's spouse have executed an Affidavit of Support (I-864) or the Contract Between Sponsor and Household Member (I-864A), pursuant to 8 U.S.C. § 1183a (a) (section 423 of the Personal Responsibility and Work Opportunity Act of 1996, amending Title II of the Immigration and Nationality Act by adding section 213A) on behalf of the non-citizen; and
 - c. the sponsor is an individual rather than an institution; and
 - d. the non-citizen must have a sponsor under USCIS rules; and
 - e. none of these exceptions set forth in Paragraph D of this section are applicable.

**CONNECTICUT DEPARTMENT OF SOCIAL SERVICES
UNIFORM POLICY MANUAL**

Date: 10-1-09

Transmittal: UP-09-17

8550.20 page 2

Section:
Jobs First

Type:
POLICY

Chapter:
Treatment of Assets

Program:
TFA

Subject:
Deemed Assets

8550.20 B. Sponsors of Non-Citizens Who Entered on or after August 22, 1996 and Executed the Revised Affidavit of Support (I-864) or the Contract Between Sponsor and Household Member (I-864A) (continued)

2. The Department deems assets in accordance with Paragraph B.1 of this section, whether or not the sponsor lives with the non-citizen.
3. The Department deems assets in accordance with Paragraph B.1 of this section until one of the following events occurs:
 - a. the non-citizen becomes a citizen of the United States; or
 - b. the non-citizen works 40 qualifying quarters as defined under Title II of the Social Security Act; or
 - c. the non-citizen is credited for having worked 40 qualifying quarters if, beginning January 1, 1997, the qualifying quarters were worked when the non-citizen did not receive any federal means-tested public benefit and either
 - (1) the qualifying quarters were worked by a parent of such non-citizen while the non-citizen was under 18 years of age; or
 - (2) the qualifying quarters were worked by a spouse of such non-citizen during the couple's marriage and the non-citizen remains married to such spouse or such spouse is deceased; or
 - d. the sponsor or the non-citizen dies.
4. If the sponsor does not provide the information needed to determine the amount of deemed assets, the assistance unit is not eligible for assistance until such information is provided.

C. Computation of the Amount of Deemed Assets

When deeming the assets of the sponsor and the sponsor's spouse to the non-citizen, the Department:

1. applies the TFA rules to determine whether the sponsor and the sponsor's spouse's assets are counted or excluded;

**CONNECTICUT DEPARTMENT OF SOCIAL SERVICES
UNIFORM POLICY MANUAL**

Date: 10-1-09

Transmittal: UP-09-17

8550.20 page 3

Section:
Jobs First

Type:
POLICY

Chapter:
Treatment of Assets

Program:
TFA

Subject:
Deemed Assets

8550.20 C. Computation of the Amount of Deemed Assets (continued)

2. reduces the value of the deemed assets by \$1500;
3. prorates this reduced amount among the non-citizens if the sponsor is also sponsoring other non-citizens;
4. deems the counted assets to the non-citizen; and
5. adds the resulting value of the deemed assets to the value of the non-citizen's own assets to determine the non-citizen's eligibility.

D. Exceptions to Deeming

The Department does not deem the assets of the non-citizen's sponsor and the sponsor's spouse to the non-citizen under the following circumstances:

1. Indigence

- a. The non-citizen may be considered indigent and exempt from the deeming requirement, if the following criteria are met:
 - (1) the non-citizen does not have enough money to buy food and maintain a place to live without assistance from the Department based on:
 - (a) the total of the non-citizen's income and income-in-kind is less than the Supplemental Nutrition Assistance Program Gross Income Limit for his or her household size; or
 - (b) the non-citizen is living in an institution or in rated housing; or
 - (c) the non-citizen is applying for or receiving benefits under any Medicaid Home and Community Based waiver program; and
 - (2) the non-citizen's sponsor is not providing both free room and free board to the non-citizen; and
 - (3) the non-citizen lives apart from the sponsor, except as outlined in section 8550.20 D.(1)(c).

**CONNECTICUT DEPARTMENT OF SOCIAL SERVICES
UNIFORM POLICY MANUAL**

Date: 10-1-09

Transmittal: UP-09-17

8550.20 page 4

Section:
Jobs First

Type:
POLICY

Chapter:
Treatment of Assets

Program:
TFA

Subject:
Deemed Assets

8550.20 D. Exceptions to Deeming (continued)

- b. If a non-citizen meets the criteria in Paragraph D.1.a, the non-citizen shall indicate, in writing, whether he or she wants the Department to apply the indigence exception to the non-citizen's application for benefits.
 - (1) If the non-citizen does not want the Department to apply the indigence exception, the assets of the sponsor shall be deemed to the non-citizen.
 - (2) If the non-citizen wants the Department to apply the indigence exception, the Department shall not deem the sponsor's assets to the non-citizen. The Department shall notify the United States Attorney General of the name and address of the non-citizen and the name and address of the sponsor.

2. Battery or Extreme Cruelty

- a. If the non-citizen, the non-citizen's child or the parent of a non-citizen child has been battered or subjected to extreme cruelty in the United States, the non-citizen is exempt from the deeming requirement for a period of 12 months, effective the date that the Department determines that the following conditions are met:
 - (1) the Department determines that the battery or extreme cruelty has a substantial connection to the need for assistance from the Department; and
 - (2) the individual responsible for the battery or extreme cruelty was residing in the same household or assistance unit as the individual subjected to the battery or extreme cruelty, at the time that the battery or extreme cruelty occurred and these individuals no longer reside together; and
 - (3) the non-citizen has been battered or subjected to extreme cruelty by his or her spouse or parent or by a member of the spouse's or parent's family residing in the same household as the non-citizen and the spouse or parent consented to or acquiesced in such battery or extreme cruelty; or

**CONNECTICUT DEPARTMENT OF SOCIAL SERVICES
UNIFORM POLICY MANUAL**

Date: 10-1-09

Transmittal: UP-09-17

8550.20 page 5

Section:
Jobs First

Type:
POLICY

Chapter:
Treatment of Assets

Program:
TFA

Subject:
Deemed Assets

8550.20 D. Exceptions to Deeming (continued)

- (4) the non-citizen's child has been battered or subjected to extreme cruelty by the non-citizen's spouse or parent (without the non-citizen's active participation) or by a member of the non-citizen spouse's or parent's family residing in the same household as the non-citizen when the spouse or parent consented to or acquiesced in the battery or extreme cruelty and the non-citizen did not actively participate in the battery or extreme cruelty; or
 - (5) the non-citizen is a child whose parent, who resides in the same household as the non-citizen child, has been battered or subjected to extreme cruelty by that parent's spouse or by a member of the spouse's family residing in the same household as the parent and the spouse consented to or acquiesced in such battery or extreme cruelty.
- b. After the initial 12-month period, the exception to deeming shall be extended if the non-citizen establishes to the Department that:
- (1) the battery or extreme cruelty referenced in Paragraph D.2.a has been recognized in an order of a judge or in a prior determination by the USCIS; and
 - (2) such battery or extreme cruelty has a substantial connection to the need for the benefits for which the non-citizen has applied.
- c. A substantial connection, as referenced in Paragraphs D.2.a.(1) and D.2.b.(2), is met if the non-citizen needs benefits for any of the following reasons:
- (1) to become self-sufficient; or
 - (2) to escape and ensure safety from the abuser; or
 - (3) due to separation and loss of financial support from the abuser; or
 - (4) due to the non-citizen's job loss; or

**CONNECTICUT DEPARTMENT OF SOCIAL SERVICES
UNIFORM POLICY MANUAL**

Date: 10-1-09

Transmittal: UP-09-17

8550.20 page 6

Section:
Jobs First

Type:
POLICY

Chapter:
Treatment of Assets

Program:
TFA

Subject:
Deemed Assets

8550.20 D. Exceptions to Deeming (continued)

- (5) due to becoming disabled as a result of abuse and needing medical attention or mental health counseling; or
- (6) to alleviate nutritional risk or need resulting from abuse or following separation; or
- (7) to replace medical coverage that existed when living with the abuser; or
- (8) the applicant's ability to care for his or her child has been negatively affected; or
- (9) for medical care during a pregnancy that resulted from the abuser's sexual assault or abuse or medical care for any resulting children; or
- (10) other circumstances exist, due to the battery or extreme cruelty, that result in the continued need for departmental assistance.

3. Good Cause

The Department recognizes that, due to extenuating circumstances, there may be good cause for the non-citizen to be unable to provide accurate and complete information to the Department concerning the sponsor's assets. For the purpose of this section, except in situations where the non-citizen and the sponsor live together, if the non-citizen establishes that any one of the following circumstances exists, the Department will not deem the assets of the sponsor to the non-citizen:

- a. despite good-faith efforts by the non-citizen to obtain accurate and complete information from the sponsor, the sponsor refuses or repeatedly fails to provide information to the non-citizen concerning the sponsor's assets; or
- b. the non-citizen has physical or mental illness or disability that limits his or her ability to provide accurate and complete information to the Department; or

CONNECTICUT DEPARTMENT OF SOCIAL SERVICES
UNIFORM POLICY MANUAL

Date: 10-1-09

Transmittal: UP-09-17

8550.20 page 7

Section:
Jobs First

Type:
POLICY

Chapter:
Treatment of Assets

Program:
TFA

Subject:
Deemed Assets

8550.20 D. Exceptions to Deeming (continued)

- c. the current whereabouts of the sponsor is unknown; or
- d. there are exceptional circumstances that prevent the non-citizen from obtaining information from the sponsor, as approved by the Commissioner or the Commissioner's designee.

E. Deeming of Assets of Disqualified or Ineligible Parents

The Department deems the assets of parents who are disqualified or determined ineligible for assistance to the assistance unit. The needs of such individuals are not included in determining eligibility or calculating benefits of the assistance unit. However, their assets are deemed to determine eligibility and calculate benefits of the rest of the assistance unit.

F. Spouses of Women Qualifying on the Basis of Pregnancy

1. The Department deems assets available to a pregnant woman with no other children receiving assistance from the woman's spouse when they live together.
2. The Department deems all the counted assets of spouses described above to determine eligibility and calculate benefits of the assistance unit.

**CONNECTICUT DEPARTMENT OF SOCIAL SERVICES
UNIFORM POLICY MANUAL**

Date: 10-1-09

Transmittal: UP-09-17

P-8550.20

Section:
Jobs First

Type:
PROCEDURES

Chapter:
Treatment of Assets

Program:
TFA

Subject:
Deemed Assets

P-8550.20 Deeming of Sponsor's Income to a Non-Citizen Subsequent to Implementation of Revised Affidavit of Support

1. Verify that the sponsor and if applicable, the sponsor's spouse have signed the Revised Affidavit of Support or the Contract Between Sponsor and Household Member, as described in policy.
2. If the non-citizen is subject to deeming rules, inform him or her that the sponsor's income and assets must be verified as a condition of eligibility.
3. Determine if the non-citizen meets the criteria for an exception to deeming.
4. If the non-citizen qualifies for the exception to deeming due to being indigent and is applying for or receiving benefits from a federally funded program, have the non-citizen sign the Exception to Deeming for Needy Non-Citizens form, using Form W-724. Review this exception at the end of each 12-month period.
5. If the non-citizen qualifies for an exception to deeming due to being indigent and is applying for or receiving benefits from a state-funded program, the Department shall grant this exception and the non-citizen does not have to sign the Form W-724. The Department does not report non-citizens who qualify under state-funded programs to USCIS.
6. If the non-citizen does not want his or her name and address or the sponsor's name and address sent to the U.S. Attorney General, proceed with the calculation of the amount of deemed assets from the sponsor(s) as directed in policy.
7. If the non-citizen has requested the indigence exception and has signed the Needy Non-Citizen form, forward the names and addresses of the non-citizen(s) and the sponsor(s) to the U.S. Attorney General, using Form W-XXXX. Use the instructions on the reverse side of Form W-725 to determine which non-citizens are reported to USCIS. Those non-citizens who are receiving benefits under the State-funded programs are not reported to USCIS. If the non-citizen should be reported, the form is mailed to:

U.S. Citizenship and Immigration Service
Office of Policy and Strategy
Research and Evaluation, Room 4010
20 Massachusetts Ave., NW
Washington DC 20529

**CONNECTICUT DEPARTMENT OF SOCIAL SERVICES
UNIFORM POLICY MANUAL**

Date: 10-1-09

Transmittal: UP-09-17

P-8550.20 page 2

Section:
Jobs First

Type:
PROCEDURES

Chapter:
Treatment of Assets

Program:
TFA

Subject:
Deemed Assets

P-8550.20 Deeming of Sponsor's Income to a Non-Citizen Subsequent to Implementation of Revised Affidavit of Support (continued)

Once the non-citizen has been in the United States for five years and they have been granted an indigence exception, they are reported to USCIS using Form W-725.

- 8 The indigence exception is renewable and at each determination, have the non-citizen sign the form and forward the names to the U.S. Attorney General. See instructions and address listed above in 7.
- 9 If the non-citizen qualifies for the exception to deeming due to battery or extreme cruelty, have the non-citizen sign the Exception to Deeming for Battered Non-Citizens form, using Form W-726. Review this exception at the end of the initial 12-month period as directed in policy. At the time of review, use the Review of Exception for Battered Non-Citizens, using Form W-729. Follow the directives as outlined in policy.
10. If the non-citizen qualifies for an exception to deeming due to good cause, document this claim in the narrative.
11. If the non-citizen is not subject to the deeming rules, determine eligibility by considering all other eligibility factors, both financial and non-financial.
12. Calculate the amount of assets to be deemed from the sponsor and the sponsor's spouse as described in policy.
13. Continue to deem assets from the sponsor and the sponsor's spouse to the non-citizen until the non-citizen:
 - a. becomes a citizen of the U.S.; or
 - b. can be credited for having worked 40 qualifying quarters, as described in policy; or
 - c. the non-citizen or the sponsor dies.

**CONNECTICUT DEPARTMENT OF SOCIAL SERVICES
UNIFORM POLICY MANUAL**

Date: 10-1-09

Transmittal: UP-09-17

8560.15

Section:

Jobs First

Type:

POLICY

Chapter:

Treatment of Income

Program:

TFA

Subject:

Deemed Income

8560.15 A. General Principles

1. In addition to the income received by a member of the assistance unit, the Department deems some income received by people who are not members of the assistance unit as available to the assistance unit in certain situations.
2. If the individual is a recipient of TFA, AABD, SSI, General Assistance or SAGA, none of his or her income is deemed to a separate TFA unit (Cross Reference: 8540.25).
3. Income from a recipient of federal, state, or local foster care maintenance payments or adoption assistance payments is not deemed to a TFA assistance unit.
4. Different methods of deeming are used for different groups and based on different factors as described in this subject. The following is a list of the different groups:
 - a. parents, stepparents and spouses of dependent children;
 - b. sponsors of non-citizens who entered the U.S. on or after August 22, 1996;
 - c. spouses of non-parent caretaker relatives;
 - d. disqualified parents of dependent children;
 - e. spouses of pregnant women and ineligible non-citizens.

B. Parents, Step-Parents, and Spouses of Dependent Children

1. The Department uses this method to deem income of the following individuals who live with the assistance unit, but are not members of the assistance unit:
 - a. the parents of a minor parent, including the parents of a minor pregnant woman; and

**CONNECTICUT DEPARTMENT OF SOCIAL SERVICES
UNIFORM POLICY MANUAL**

Date: 10-1-09

Transmittal: UP-09-17

8560.15 page 2

Section:
Jobs First

Type:
POLICY

Chapter:
Treatment of Income

Program:
TFA

Subject:
Deemed Income

8560.15 B. Parents, Stepparents, and Spouses of Dependent Children (continued)

- b. a step-parent of a dependent child in the assistance unit including a spouse of a pregnant woman who will be the step-parent when the child is born; and
 - c. a spouse of a dependent child in the assistance unit.
2. The amount of income deemed from these individuals is calculated in the following manner:
- a. Income that would be excluded from assistance unit members are excluded from the income of this group.
 - b. Self-employment earnings are adjusted to a gross earned amount by subtracting the applicable self-employment expenses. (cross reference: 8560.10)
 - c. The adjusted gross earnings plus countable unearned income are compared to the Federal Poverty Level for the individual and all others who could be claimed as legal tax dependents who are not part of the cash assistance unit.
 - d. Income in excess of the Federal Poverty Level is deemed to the assistance unit both for the purpose of determining eligibility and the purpose of calculating benefits.

C. Sponsors of Non-Citizens Who Entered the U.S. on or after August 22, 1996 and Executed the Revised Affidavit of Support (I-864) or the Contract Between Sponsor and Household Member (I-864A)

- 1. The Department deems the income of non-citizen's sponsor and the sponsor's spouse, if the spouse signed the Revised Affidavit or the Contract Between Sponsor and Household Member, to the non-citizen under the following circumstances:
 - a. the sponsor and the sponsor's spouse are not members of the same assistance unit as the non-citizen; and

**CONNECTICUT DEPARTMENT OF SOCIAL SERVICES
UNIFORM POLICY MANUAL**

Date: 10-1-09

Transmittal: UP-09-17

8560.15 page 3

Section:
Jobs First

Type:
POLICY

Chapter:
Treatment of Income

Program:
TFA

Subject:
Deemed Income

8560.15

- C. Sponsors of Non-Citizens Who Entered the U.S. on or after August 22, 1996 and Executed the Revised Affidavit of Support (I-864) or the Contract Between Sponsor and Household Member (I-864A)
(continued)
- b. the sponsor and the sponsor's spouse have executed a Revised Affidavit of Support (I-864) or the Contract Between Sponsor and Household Member (I-864A) pursuant to 8 U. S.C. 1183a (a) (section 423 of the Personal Responsibility and Work Opportunity Act of 1996, amending Title II of the Immigration and Nationality Act by adding section 213A), on behalf of the non-citizen; and
 - c. the sponsor is an individual rather than an institution; and
 - d. the non-citizen must have a sponsor under USCIS rules; and
 - e. none of the exceptions set forth in Paragraph E.1 of this section are applicable.
2. The Department deems income in accordance with Paragraph C.1 of this section, whether or not the sponsor lives with the non-citizen.
3. The Department deems the income in accordance with Paragraph C.1 of this section until one of the following events occurs:
- a. the non-citizen becomes a citizen of United States; or
 - b. the non-citizen works 40 qualifying quarters, as defined under Title II of the Social Security Act; or

**CONNECTICUT DEPARTMENT OF SOCIAL SERVICES
UNIFORM POLICY MANUAL**

Date: 10-1-09

Transmittal: UP-09-17

8560.15 page 4

Section:
Jobs First

Type:
POLICY

Chapter:
Treatment of Income

Program:
TFA

Subject:
Deemed Income

8560.15

C. Sponsor's of Non-Citizens Entering the U.S. on or after August 22, 1996 and Subsequent to the Implementation of the Revised Affidavit of Support (I-864) or the Contract Between Sponsor and Household Member (I-864A)
(continued)

c. the non-citizen is credited for having worked 40 qualifying if, beginning January 1, 1997, the qualifying quarters were worked when the non-citizen did not receive any federal means-tested public benefit, and either:

(1) the qualifying quarters were worked by a parent of such non-citizen while the non-citizen was under 18 years of age; or

(2) the qualifying quarters were worked by a spouse of such non-citizen during the couple's marriage and the non-citizen remains married to such spouse or such spouse is deceased; or

d. the sponsor or the non-citizen dies.

D. Computation of the Amount of Deemed Income

The amount of income deemed from a sponsor and the sponsor's spouse is calculated in the following manner:

1. Income which is excluded from consideration for assistance unit members is excluded from the sponsor's income;

2. self-employment earnings are adjusted by subtracting the applicable self-employment expenses;

3. the gross monthly earned income amount is reduced by 20% to allow for personal work expenses;

CONNECTICUT DEPARTMENT OF SOCIAL SERVICES
UNIFORM POLICY MANUAL

Date: 10-1-09

Transmittal: UP-09-17

8560.15 page 5

Section:
Jobs First

Type:
POLICY

Chapter:
Treatment of Income

Program:
TFA

Subject:
Deemed Income

8560.15

D. Computation of the Amount of Deemed Income (continued)

4. the remaining earnings plus gross unearned income is totaled and reduced by the Supplemental Nutrition Assistance Program Gross Income Limit as determined by the family size of the sponsor;
5. this amount is prorated for the non-citizen if the sponsor is also sponsoring other non-citizens; and
6. this amount is deemed to the assistance unit as unearned income to determine the non-citizen's eligibility.
7. In addition to the amount deemed, any amount in excess of the deemed amount which is paid by the sponsor to each non-citizen is also counted as unearned income.

E. Exceptions to Deeming

The Department does not deem income of the non-citizen's sponsor and the sponsor's spouse to the non-citizen under the following circumstances:

1. Indigence

- a. The non-citizen may be considered indigent and exempt from the deeming requirement if the following criteria are met:
 - (1) the non-citizen does not have enough money to buy food and maintain a place to live without assistance from the Department based on:
 - (a) the total of the non-citizen's income and income-in-kind is less than the Supplemental Nutrition Assistance Program Gross Income Limit for his or her household

**CONNECTICUT DEPARTMENT OF SOCIAL SERVICES
UNIFORM POLICY MANUAL**

Date: 10-1-09

Transmittal: UP-09-17

8560.15 page 6

Section:
Jobs First

Type:
POLICY

Chapter:
Treatment of Income

Program:
TFA

Subject:
Deemed Income

8560.15

E. Exceptions to Deeming (continued)

size; or

(b) the non-citizen is living in an institution or in rated housing; and

(c) the non-citizen is applying for or receiving benefits under any Medicaid Home and Community Based waiver program; and

(2) the non-citizen's sponsor is not providing both free room and free board to the non-citizen; and

(3) the non-citizen lives apart from the sponsor, except as outlined in section 8560.15 E.1.a.(1)(c).

b. If a non-citizen meets the criteria in Paragraph E.1.a, the non-citizen shall indicate, in writing, whether he or she wants the Department to apply the indigence exception to the non-citizen's application for benefits.

(1) If the non-citizen does not want the Department to apply the indigence exception, the income of the sponsor shall be deemed to the non-citizen.

(2) If the non-citizen wants the Department to apply the indigence exception, the Department shall not deem the sponsor's income to the non-citizen. The Department shall notify the United States Attorney General of the name and address of the non-citizen and the name and address of the sponsor.

**CONNECTICUT DEPARTMENT OF SOCIAL SERVICES
UNIFORM POLICY MANUAL**

Date: 10-1-09

Transmittal: UP-09-17

8560.15 page 7

Section:
Jobs First

Type:
POLICY

Chapter:
Treatment of Income

Program:
TFA

Subject:
Deemed Income

8560.15

E. Exceptions to Deeming (continued)

2. Battery or Extreme Cruelty

a. If the non-citizen, the non-citizen's child or the parent of the non-citizen child has been battered or subjected to extreme cruelty in the United States, the non-citizen is exempt from the deeming requirement, if the following conditions are met:

- (1) the Department determines that the battery or extreme cruelty has a substantial connection to the need for assistance from the Department; and
- (2) the individual responsible for the battery or extreme cruelty was residing in the same household or assistance unit as the individual subjected to the battery or extreme cruelty, at the time that the battery or extreme cruelty occurred and these individuals no longer reside together; and
- (3) the non-citizen has been battered or subjected to extreme cruelty by his or her spouse or parent, or by a member of the spouse's or parent's family residing in the same household as the non-citizen and the spouse or parent consented to or acquiesced in such battery or extreme cruelty; or
- (4) the non-citizen's child has been battered or subjected to extreme cruelty by the non-citizen's spouse or parent (without the non-citizen's active participation) or by a member of the non-citizen spouse's or parent's family residing in the same household as the non-citizen when the spouse or parent consented to or

**CONNECTICUT DEPARTMENT OF SOCIAL SERVICES
UNIFORM POLICY MANUAL**

Date: 10-1-09

Transmittal: UP-09-17

8560.15 page 8

Section:
Jobs First

Type:
POLICY

Chapter:
Treatment of Income

Program:
TFA

Subject:
Deemed Income

8560.15

E. Exceptions to Deeming (continued)

acquiesced in the battery or extreme cruelty and the non-citizen did not actively participate in the battery or extreme cruelty; or

- (5) the non-citizen is a child whose parent, who resides in the same household as the non-citizen child, has been battered or subjected to extreme cruelty by that parent's spouse or by a member of the spouse's family residing in the same household as the parent and the spouse consented to or acquiesced in such battery or extreme cruelty.

- b. After the initial 12-month period, the exception to deeming shall be extended if the non-citizen establishes to the Department that:

- (1) the battery or extreme cruelty referenced in Paragraph E.2.a has been recognized in an order of a judge or in a prior determination by the USCIS: and
- (2) such battery or extreme cruelty has a substantial connection to the need for which the non-citizen has applied.

- c. A substantial connection, as referenced in Paragraphs E.2.a.(1) and E.2.b.(2), is met, if the non-citizen needs benefits for any of the following reasons:

- (1) to become self-sufficient; or
- (2) to escape and ensure safety from the abuser; or

**CONNECTICUT DEPARTMENT OF SOCIAL SERVICES
UNIFORM POLICY MANUAL**

Date: 10-1-09

Transmittal: UP-09-17

8560.15 page 9

Section:
Jobs First

Type:
POLICY

Chapter:
Treatment of Income

Program:
TFA

Subject:
Deemed Income

8560.15

E. Exceptions to Deeming (continued)

- (3) due to separation and loss of financial support from the abuser; or
- (4) due to the non-citizen's job loss; or
- (5) benefits are needed due to becoming disabled due to abuse and needing medical attention or mental health counseling; or
- (6) to alleviate nutritional risk or need resulting from abuse or following the separation; or
- (7) to replace medical coverage that existed when living with the abuser; or
- (8) the applicant's ability to care for his or her children has been negatively affected; or
- (9) for medical care during a pregnancy that resulted from the abuser's sexual assault or abuse or medical care for any resulting children; or
- (10) other circumstances exist, due to the battery or extreme cruelty, that result in the continued need for departmental assistance.

3. Good Cause

The Department recognizes that, due to extenuating circumstances, there may be good cause for the non-citizen to be unable to provide accurate and complete information to the Department concerning the sponsor's assets. For the purpose of this section, except in situations

**CONNECTICUT DEPARTMENT OF SOCIAL SERVICES
UNIFORM POLICY MANUAL**

Date: 10-1-09

Transmittal: UP-09-17

8560.15 page 10

Section:
Jobs First

Type:
POLICY

Chapter:
Treatment of Income

Program:
TFA

Subject:
Deemed Income

8560.15 E. Exceptions to Deeming (continued)

where the non-citizen and the sponsor live together, if the non-citizen establishes that any one of the following circumstances exists, the Department will not deem the income of the sponsor to the non-citizen.

- a. despite good-faith efforts by the non-citizen to obtain accurate and complete information from the sponsor, the sponsor refuses or repeatedly fails to provide information to the non-citizen concerning the sponsor's income; or
- b. the non-citizen has a physical or mental illness or disability that limits his or her ability to provide accurate and complete information to the Department; or
- c. the current whereabouts of the sponsor is unknown; or
- d. there are exceptional circumstances that prevent the non-citizen from obtaining information from the sponsor, as approved by the Commissioner or the Commissioner's designee.

F. Spouses of Non-Parent Caretaker Relatives

1. The Department uses this method to determine the amount of income deemed from spouses of non-parent caretaker relatives (NPCR) under the following circumstances:
 - a. the non-parent caretaker relative requests assistance on his or her own behalf; and
 - b. the spouse lives with the assistance unit.
2. The amount of income deemed from the spouse is calculated as follows:

**CONNECTICUT DEPARTMENT OF SOCIAL SERVICES
UNIFORM POLICY MANUAL**

Date: 10-1-09

Transmittal: UP-09-17

8560.15 page 11

Section:
Jobs First

Type:
POLICY

Chapter:
Treatment of Income

Program:
TFA

Subject:
Deemed Income

8560.015 | F. Spouses of Non-Parent Caretaker Relatives (continued)

- a. Income that would be excluded from consideration for an assistance unit member is excluded from the income of the spouse of the non-parent caretaker relative.
- b. The earned income of the caretaker relative's spouse is reduced by the expenses of self-employment, if applicable (Cross reference: 8560.10).
- c. \$90 is deducted from gross earned income for personal expenses.
- d. The remaining earnings are added to the spouse's unearned income.
- e. An amount is subtracted equivalent to the Standard of Need that corresponds to the following:
 - (1) spouse of non-parent caretaker relative; and
 - (2) all others living in the spouse's home who meet the following criteria:
 - (a) they do not have their needs considered in the determination of eligibility for TFA; and
 - (b) they have not been disqualified from receiving TFA; and
 - (c) they are or could be claimed by the spouse as legal tax dependent disregard.

**CONNECTICUT DEPARTMENT OF SOCIAL SERVICES
UNIFORM POLICY MANUAL**

Date: 10-1-09

Transmittal: UP-09-17

8560.15 page 12

Section:
Jobs First

Type:
POLICY

Chapter:
Treatment of Income

Program:
TFA

Subject:
Deemed Income

8560.15 | F. Spouses of Non-Parent Caretaker Relatives (continued)

- f. The remaining total is further reduced by alimony and child support payments made by the spouse.
- g. Any remaining income is deemed to determine eligibility and to calculate benefits of the assistance unit, if the non-parent caretaker relative is added to the assistance unit.

| G. Disqualified Parents of Dependent Children

- 1. The Department uses this method to determine the amount of income deemed from parents of a dependent child when the parent lives with the child but the parent is disqualified from receiving TFA benefits on his or her own behalf for any of the following reasons:
 - a. fraudulently collecting assistance from two or more states at the same time (Cross Reference: 8540.50); or
 - b. failing to disclose a Social Security number (Cross Reference: 8540.60); or
 - c. refusing to assign interest in a decedent estate or the proceeds of a cause of action (Cross Reference: 8585.10); or
 - d. refusing to pursue inaccessible assets (Cross Reference: 8550.15); or
 - e. delaying or failing to report a child's absence from the home (Cross Reference: 8540.30); or
 - f. committing an intentional recipient error in the TFA program (Cross Reference: 8580.70); or

**CONNECTICUT DEPARTMENT OF SOCIAL SERVICES
UNIFORM POLICY MANUAL**

Date: 10-1-09

Transmittal: UP-09-17

8560.15 page 13

Section:
Jobs First

Type:
POLICY

Chapter:
Treatment of Income

Program:
TFA

Subject:
Deemed Income

8560.15 | G. Disqualified Parents of Dependent Children (continued)

g. being a convicted drug felon, a fleeing felon or a parole or probation violator (Cross Reference: 8540.20).

2. This method does not apply to parents who are ineligible due to not meeting the citizen requirements as described at 8540.40. Income from parents who are ineligible non-citizens are treated in accordance with method described in sub-section H, below.

3. The income of the disqualified parent is deemed to the assistance unit for purposes of determining eligibility and calculating benefits. This amount of income deemed to the assistance unit from these individuals is determined as follows:

a. Income that would be excluded for unit members is also excluded from the disqualified person's income;

b. Unearned income is considered to be totally available without any disregards;

c. Earned income is considered available subject only to a deduction for any applicable self-employment expenses which are allowed in accordance with provisions of 8560.10.

| H. Spouses of Pregnant Women and Ineligible Non-Citizens

1. Spouses of Pregnant Women

a. The Department uses this method to determine the amount of income to deem from a spouse living with a pregnant woman with no children receiving assistance when the spouse is the

**CONNECTICUT DEPARTMENT OF SOCIAL SERVICES
UNIFORM POLICY MANUAL**

Date: 10-1-09

Transmittal: UP-09-17

8560.15 page 14

Section:
Jobs First

Type:
POLICY

Chapter:
Treatment of Income

Program:
TFA

Subject:
Deemed Income

8560.15 | H. Spouses of Pregnant Women and Ineligible Non-Citizens (continued)

father of the unborn child, but evidence can be presented and a determination will be made if the applicant has successfully rebutted the presumption of legitimacy.

- b. This method is not used when the spouse is not the father of the unborn child. In that case, the method for deeming from a stepparent, as described in sub-section B of this section, is used.
- c. These spouses are members of the needs group for determining the assistance unit's eligibility

2. Parents Who are Ineligible Non-Citizens

This method is also used to determine the amount of income to deem from a parent of a dependent child when the parent is ineligible for assistance because he or she does not meet the citizenship requirements (Cross Reference: 8540.40).

3. Deeming Method

- a. The amount deemed in determining the assistance unit's eligibility is calculated as follows:
 - (1) income that would be excluded from consideration for assistance unit members is excluded from the spouse's income;
 - (2) earned income is reduced by:
 - (a) self-employment expenses, if any; and
 - (b) a deduction for personal employment expenses; and

**CONNECTICUT DEPARTMENT OF SOCIAL SERVICES
UNIFORM POLICY MANUAL**

Date: 10-1-09

Transmittal: UP-09-17

8560.15 page 15

Section:
Jobs First

Type:
POLICY

Chapter:
Treatment of Income

Program:
TFA

Subject:
Deemed Income

8560.15 | H. Spouses of Pregnant Women and Ineligible Non-Citizens (continued)

- (c) a deduction of day care expenses;
 - (3) the remaining earned income is added to all unearned income;
 - (4) the total of the combined earned and unearned income are deemed as being available to the assistance unit for the purpose of determining the unit's eligibility for assistance.
- b. The amount of income deemed in calculating benefits is determined in the following manner:
- (1) from the total of net earned and unearned income, an amount is subtracted equivalent to the Standard Of Need that corresponds to the following:
 - (a) the individual from whom the income is deemed; and
 - (b) all others living in the assistance unit's home who do not have their needs considered in the determination of eligibility for TFA; and have not been disqualified from receiving TFA; and are or could be claimed by the individual as legal tax dependents:
 - (2) the remaining total of the income is further reduced by actual payments for alimony and child support made by the individual.
 - (3) the income which remains is deemed to calculate benefits for the assistance unit.

**CONNECTICUT DEPARTMENT OF SOCIAL SERVICES
UNIFORM POLICY MANUAL**

Date: 10-1-09

Transmittal: UP-09-17

P-8560.15

Section:
Jobs First

Type:
PROCEDURES

Chapter:
Treatment of Income

Program:
TFA

Subject:
Deemed Income

P-8560.15

Deeming of Sponsor's Income to a Non-Citizen Subsequent to Implementation of Revised Affidavit of Support

1. Verify that the sponsor and, if applicable, the sponsor's spouse have signed the Revised Affidavit of Support, or the Contract Between Sponsor and Household Member, as described in policy.
2. If the non-citizen is subject to deeming rules, inform him or her that the sponsor's income and assets must be verified as a condition of eligibility.
3. Determine if the non-citizen meets the criteria for an exception to deeming.
4. If the non-citizen qualifies for the exception to deeming due to being indigent and is applying for or receiving benefits from a federally funded program, have the non-citizen sign the Exception to Deeming for Needy Non-Citizens form, using Form W-724. Review this exception at the end of each 12-month period.
5. If the non-citizen qualifies for an exception to deeming due to being indigent and is applying for or receiving benefits from a state-funded program, the Department shall grant this exception and the non-citizen does not have to sign Form W-724. The Department does not report non-citizens who qualify under state-funded programs to USCIS.
6. If the non-citizen does not want his or her name and address or the sponsor's name and address sent to the U.S. Attorney General, proceed with the calculation of the amount of deemed income from the sponsor(s) as directed in policy.
7. If the non-citizen has requested the indigence exception and has signed the Exception to Deeming for Needy Non-Citizens form, forward the names and the addresses of the non-citizen(s) and the sponsor(s) to the U.S. Attorney General, using Form W-725. Use the instructions on the reverse side of Form W-725 to determine which non-citizens are reported to USCIS. Those non-citizens who are receiving benefits under the State-funded programs are not reported to USCIS. If the non-citizen should be reported, the form is mailed to:

U.S. Citizenship and Immigration Service
Office of Policy and Strategy
Research and Evaluation, Room 4010
20 Massachusetts Ave., NW
Washington DC 20529

**CONNECTICUT DEPARTMENT OF SOCIAL SERVICES
UNIFORM POLICY MANUAL**

Date: 10-1-09

Transmittal: UP-09-17

P-8560.15 page 2

Section:
Jobs First

Type:
PROCEDURES

Chapter:
Treatment of Income

Program:
TFA

Subject:
Deemed Income

P-8560.15

Deeming of Sponsor's Income to a Non-Citizen Subsequent to Implementation of Revised Affidavit of Support (continued)

Once the non-citizen has been in the United States for five years and they have been granted an indigence exception, they are reported to USCIS using Form W-725.

8. The indigence exception is renewable and at each determination, have the non-citizen sign the form. Send the names and addresses to the U.S. Attorney General. See instructions and address listed above in 7.
9. If the non-citizen qualifies for the exception to deeming due to battery or extreme cruelty, have the non-citizen sign the Exception to Deeming for Battered Non-Citizens form, using Form W-726. Review this exception at the end of the initial 12-month period as directed in policy. At the time of review, use the Review of Exception for Battered Non-Citizens, using Form W-729. Follow the directives as outlined in policy.
10. If the non-citizen qualifies for an exception to deeming due to good cause, document this claim in the narrative.
11. If the non-citizen is not subject to the deeming rules, determine eligibility by considering all other eligibility factors, both financial and non-financial.
12. Calculate the amount of income to be deemed from the sponsor and the sponsor's spouse, as described in policy.
13. Continue to deem income from the sponsor and sponsor's spouse to the non-citizen until the non-citizen:
 - a. becomes a citizen of the U.S.; or
 - b. can be credited for having worked 40 qualifying quarters, as described in policy; or
 - c. the non-citizen or the sponsor dies.