United States Code Annotated Title 42

## SUBCHAPTER XVI—SUPPLEMENTAL SECURITY INCOME FOR AGED, BLIND, AND DISABLED

**Library References**

Social Security and Public Welfare ⚿241.

C.J.S. Social Security and Public Welfare § 73.

### § 1381. Statement of purpose; authorization of appropriations

For the purpose of establishing a national program to provide supplemental security income to individuals who have attained age 65 or are blind or disabled, there are authorized to be appropriated sums sufficient to carry out this subchapter.

Aug. 14, 1935, c. 531, Title XVI, § 1601, as added Oct. 30, 1972, Pub. L. 92–603, Title III, § 301, 86 Stat. 1465.

**Historical Note**

**Codification.** A prior section 1381, Act Aug. 14, 1935, c. 531, Title XVI, § 1601, as added July 25, 1962, Pub.L. 87–543, Title I, § 141(a), 76 Stat. 197, authorized appropriations for grants to states for aid to the aged, blind, or disabled, and for medical assistance for the aged. See section 801 of this title.

**Effective Date.** Section 301 of Pub.L. 92-603 provided in part that this section is to take effect Jan. 1, 1974.

**Continuation of Federal Financial Participation in Experimental, Pilot, or Demonstration Projects Approved Before Oct. 1973, for Period On-And-After Dec. 31, 1973, Without Denial or Reduction on Account Of Subchapter XVI Provisions; Waiver of Subchapter XVI Restrictions for Individuals; Federal Payments of Non-Federal Share as Supplementary Payments.** Subchapter provisions without effect on Federal Financial Participation in Experimental, Pilot, or Demonstration Projects approved before Oct. 1, 1973, for period On-And-After Dec. 31, 1973, see section 11 of Pub.L. 93-233, Dec. 31, 1973, 87 Stat. 958, set out as a note under section 1315 of this title.

**Payments Under Chapter Provisions in Effect Before Jan. 1, 197 for: Activities Carried Out Through Dec. 31, 1973, under State Plans Approved Under Subchapter I, X, XIV, or XVI Provisions; and for Administrative Activities After Jan. 1, 1974. Closing Out Such Activities.** Pub. L. 93-233, § 19(b), Dec. 31, 1973, 87 Stat. 974, provided that: "Notwithstanding the provisions of section 301 of the Social Security Amendments of 1972 [enacting this subchapter], the Secretary of Health, Education, and Welfare shall make payments to the 50 States and the District of Columbia after December 31, 1973, in accordance with the provisions of the Social Security Act [this chapter] as in effect prior to January 1, 1974, for (1) activities carried out through the close of December 31, 1973, under State plans approved under title [subchapter] I, X, XIV, or XVI, of such Act [this chapter], and (2) administrative activities carried out after December 31, 1973, which such Secretary determines are necessary to bring to a close activities carried out under such State plans."

**Puerto Rico, Guam, and Virgin Islands.** Enactment of provisions of Pub. L. 92-603, eff. Jan. 1, 1974, not applicable to Puerto Rico, Guam, and the Virgin Islands, see section 303(b) of Pub.L. 92-603, set out as a note under section 301 of this title.

**Legislative History.** For legislative history and purpose of Pub.L. 92-603, see 1972 U.S.Code Cong. and Adm.News, p. 4989.

**Library References**

United States ⚿85.

C.J.S. United States § 123.

### Code of Federal Regulations

Determination and evidence.
  Age, see 20 CFR 416.801 et seq.
  Student regularly attending school, see 20 CFR 416.1060 and 416.1061.
Eligibility requirements for benefits under program, see 20 CFR 416.203 to 416.?05.
General policy statements for program, see 20 CFR 416.101 to 416.120.
Reporting requirements under program, see 20 CFR 416.701 et seq.

### Notes of Decisions

**1. State or local regulation or control**

No language in either the federal or state Supplemental Security Income related legislation requires or indeed suggests a total preemption of state and local responsibility by the federal government. Fuller v. Nassau County Dept. of Social Services, N.Y.Sup.1974, 352 N.Y.S.2d 978.

Although provision was made in 1973 state legislation for the Supplemental Security Income takeover of the current needs of aged, blind and disabled New Yorkers previously met by state disbursement, the basic duty of care, as imposed by McKinney's N.Y. Constitution and McKinney's N.Y. Social Services Law, remained in the state and local agencies; in specific terms, there still remained state responsibility for special need grants, social services, and medical assistance to the aged, blind and disabled; that is, the federal responsibility was primary but not exclusive. Id.

## § 1381a. Basic entitlement to benefits

Every aged, blind, or disabled individual who is determined under part A to be eligible on the basis of his income and resources shall, in accordance with and subject to the provisions of this subchapter, be paid benefits by the Secretary of Health, Education, and Welfare.

Aug. 14, 1935, c. 531, Title XVI, § 1602, as added Oct. 30, 1972, Pub. L. 92–603, Title III, § 301, 86 Stat. 1465.

### Historical Note

**Codification.** A prior section 1602 of Act Aug. 14, 1935, c. 531, Title XVI, as added July 25, 1962, Pub.L. 87-543, Title I, § 141(a), 76 Stat. 198, and amended Oct. 13, 1964, Pub.L. 88-650, § 5(b), 78 Stat. 1078; July 30, 1965, Pub.L. 89-97, Title II, § 221(d) (3), Title IV, § 403(e), 79 Stat. 358, 418; Jan. 2, 1968, Pub.L. 90-248, Title II, §§ 210(a) (5), 213(a) (4), 241 (d), 81 Stat. 896, 898, 917, formerly classified to section 1382 of this title, set forth the required contents of state plans for aid to the aged, blind, or disabled, and for medical assistance for the aged. See section 802 of this title.

**Effective Date.** Section 301 of Pub.L. 92-603 provided in part that this section is to take effect Jan. 1, 1974.

**Puerto Rico, Guam, and Virgin Islands.** Enactment of provisions of Pub. L. 92-603, eff. Jan. 1, 1974, not applicable to Puerto Rico, Guam, and the Virgin Islands, see section 303(b) of Pub.L. 92-603, set out as a note under section 301 of this title.

**Legislative History.** For legislative history and purpose of Pub.L. 92-603, see 1972 U.S.Code Cong. and Adm.News, p. 4989.

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### PART A—DETERMINATION OF BENEFITS

### § 1382. Eligibility for benefits—Definition of eligible individual

(a)(1) Each aged, blind, or disabled individual who does not have an eligible spouse and—

(A) whose income, other than income excluded pursuant to section 1382a(b) of this title, is at a rate of not more than $1,752 (or, if greater, the amount determined under section 1382f of this title) for the calendar year 1974, or any calendar year thereafter, and

(B) whose resources, other than resources excluded pursuant to section 1382b(a) of the title, are not more than (i) in case such individual has a spouse with whom he is living, $2,250, or (ii) in case such individual has no spouse with whom he is living, $1,500,

shall be an eligible individual for purposes of this subchapter.

(2) Each aged, blind, or disabled individual who has an eligible spouse and—

(A) whose income (together with the income of such spouse), other than income excluded pursuant to section 1382a(b) of this title, is at a rate of not more than $2,628 (or, if greater, the amount determined under section 1382f of this title) for the calendar year 1974, or any calendar year thereafter, and

(B) whose resources (together with the resources of such spouse), other than resources excluded pursuant to section 1382b(a) of this title, are not more than $2,250,

shall be an eligible individual for purposes of this subchapter.

#### Amount of benefits

(b)(1) The benefit under this subchapter for an individual who does not have an eligible spouse shall be payable at the rate of $1,752 (or, if greater, the amount determined under section 1382f of this title) for the calendar year 1974 and any calendar year thereafter, reduced by the amount of income, not excluded pursuant to section 1382a(b) of this title, of such individual.

(2) The benefit under this subchapter for an individual who has an eligible spouse shall be payable at the rate of $2,628 (or, if greater, the amount determined under section 1382f of this title) for the calendar year 1974 and any calendar year thereafter, reduced by the amount of income, not excluded pursuant to section 1382a(b) of this title, of such individual and spouse.

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### Period for determination of benefits; redetermination of eligibility and amount of benefits; effective date of application

(c)(1) An individual's eligibility for benefits under this subchapter and the amount of such benefits shall be determined for each quarter of a calendar year except that, if the initial application for benefits is filed in the second or third month of a calendar quarter, such determinations shall be made for each month in such quarter. Eligibility for and the amount of such benefits for any quarter shall be redetermined at such time or times as may be provided by the Secretary

(2) For purposes of this subsection an application shall be considered to be effective as of the first day of the month in which it was actually filed.

### Limitation on amount of gross income earned; definition of gross income

(d) The Secretary may prescribe the circumstances under which, consistently with the purposes of this subchapter, the gross income from a trade or business (including farming) will be considered sufficiently large to make an individual ineligible for benefits under this subchapter. For purposes of this subsection, the term "gross income" has the same meaning as when used in chapter 1 of the Internal Revenue Code of 1954.

### Limitation on eligibility of certain individuals

(e)(1)(A) Except as provided in subparagraph (B), no person shall be an eligible individual or eligible spouse for purposes of this subchapter with respect to any month if throughout such month he is an inmate of a public institution.

(B) In any case where an eligible individual or his eligible spouse (if any) is, throughout any month, in a hospital, extended care facility, nursing home, or intermediate care facility receiving payments (with respect to such individual or spouse) under a State plan approved under subchapter XIX of this chapter, the benefit under this subchapter for such individual for such month shall be payable—

(i) at a rate not in excess of $300 per year (reduced by the amount of any income not excluded pursuant to section 1382a(b) of this title) in the case of an individual who does not have an eligible spouse;

(ii) at a rate not in excess of the sum of the applicable rate specified in subsection (b)(1) of this section and the rate of $300 per year (reduced by the amount of any income not excluded pursuant to section 1382a(b) of this title) in the case of an individual who has an eligible spouse, if only one of them is in such a hospital, home, or facility throughout such month; and

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(iii) at a rate not in excess of $600 per year (reduced by the amount of any income not excluded pursuant to section 1382a(b) of this title) in the case of an individual who has an eligible spouse, if both of them are in such a hospital, home, or facility throughout such month.

(2) No person shall be an eligible individual or eligible spouse for purposes of this subchapter if, after notice to such person by the Secretary that it is likely that such person is eligible for any payments of the type enumerated in section 1382a(a)(2)(B) of this title, such person fails within 30 days to take all appropriate steps to apply for and (if eligible) obtain any such payments.

(3)(A) No person who is an aged, blind, or disabled individual solely by reason of disability (as determined under section 1382c(a)(3) of this title) shall be an eligible individual or eligible spouse for purposes of this subchapter with respect to any month if such individual is medically determined to be a drug addict or an alcoholic unless such individual is undergoing any treatment that may be appropriate for his condition as a drug addict or alcoholic (as the case may be) at an institution or facility approved for purposes of this paragraph by the Secretary (so long as such treatment is available) and demonstrates that he is complying with the terms, conditions, and requirements of such treatment and with requirements imposed by the Secretary under subparagraph (B).

(B) The Secretary shall provide for the monitoring and testing of all individuals who are receiving benefits under this subchapter and who as a condition of such benefits are required to be undergoing treatment and complying with the terms, conditions, and requirements thereof as described in subparagraph (A), in order to assure such compliance and to determine the extent to which the imposition of such requirement is contributing to the achievement of the purposes of this subchapter. The Secretary shall annually submit to the Congress a full and complete report on his activities under this paragraph.

### Individuals outside United States; determination of status

(f) Notwithstanding any other provision of this subchapter, no individual shall be considered an eligible individual for purposes of this subchapter for any month during all of which such individual is outside the United States (and no person shall be considered the eligible spouse of an individual for purposes of this subchapter with respect to any month during all of which such person is outside the United States). For purposes of the preceding sentence, after an individual has been outside the United States for any period of 30 consecutive days, he shall be treated as remaining outside the United States until he has been in the United States for a period of 30 consecutive days.

**Individuals deemed to meet resources test**

(g) In the case of any individual or any individual and his spouse (as the case may be) who—

(1) received aid or assistance for December 1973 under a plan of a State approved under subchapter I, X, XIV, or XVI of this chapter,

(2) has, since December 31, 1973, continuously resided in the State under the plan of which he or they received such aid or assistance for December 1973, and

(3) has, since December 31, 1973, continuously been (except for periods not in excess of six consecutive months) an eligible individual or an eligible spouse with respect to whom supplemental security income benefits are payable,

the resources of such individual or such individual and his spouse (as the case may be) shall be deemed not to exceed the amount specified in subsections (a)(1)(B) and (a)(2)(B) of this section during any period that the resources of such individual or individuals and his spouse (as the case may be) does not exceed the maximum amount of resources specified in the State plan, as in effect for October 1972, under which he or they received such aid or assistance for December 1973.

**Individuals deemed to meet income test**

(h) In determining eligibility for, and the amount of, benefits payable under this section in the case of any individual or any individual and his spouse (as the case may be) who—

(1) received aid or assistance for December 1973 under a plan of a State approved under subchapter X or XVI of this chapter,

(2) is blind under the definition of that term in the plan, as in effect for October 1972, under which he or they received such aid or assistance for December 1973,

(3) has, since December 31, 1973, continuously resided in the State under the plan of which he or they received such aid or assistance for December 1973, and

(4) has, since December 31, 1973, continuously been (except for periods not in excess of six consecutive months) an eligible individual or an eligible spouse with respect to whom supplemental security income benefits are payable,

there shall be disregarded an amount equal to the greater of (A) the maximum amount of any earned or unearned income which could have been disregarded under the State plan, as in effect for October 1972, under which he or they received such aid or assistance for December 1973, and (B) the amount which would be re-

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Aug. 14, 1935, c. 531, Titl
L. 92–603, Title III, § 301
Pub.L. 93–66, Title II, §
Pub.L. 93–233, §§ 4(b)(1)
1974, Pub.L. 93–368, § 6(

Codification. A prior section
Aug. 14, 1935, c. 531, Title X
as added July 25, 1962, Pub
Title I, § 141(a), 76 Stat. 198, a
ed Oct. 13, 1964, Pub.L. 88-650,
Stat. 1078; July 30, 1965, Pu
Title II, § 221(d) (3), Title IV
79 Stat. 358, 418; Jan. 2, 1968,
248, Title II, §§ 210(a) (5),
241(d), 81 Stat. 896, 898, 917
1972, Pub.L. 92-603, Title IV,
406(d), 407(d), 410(d), 413(d)
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802 of this title.

1974 Amendment. Pub.L.
6(a)(1)-(4), inserted "(or, if
amount determined under sect
this title)" immediately after
subsecs. (a)(1)(A) and
"$2,628" in subsecs. (a)(2)(A)

1973 Amendments. Subsec.
Pub.L. 93-233, § 4(b)(1),
"$1,752" for "$1,680".

Pub.L. 93-66, § 210(a), sub
680" for "$1,560".

Subsec. (a)(2)(A). Pub
4(b)(2), substituted "$2,628"

Pub.L. 93-66, § 210(b),
"$2,520" for "$2,340".

Subsec. (b)(1). Pub.L. 93
(1), substituted "$1,752" for

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680" for "$1,560".

Subsec. (b)(2). Pub.L.
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"$2,520" for "$2,340".

Subsec. (g). Pub.L. 93-23
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Subsec. (h). Pub.L. 93
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quired to be disregarded under section 1382a of this title without application of this subsection.

Aug. 14, 1935, c. 531, Title XVI, § 1611, as added Oct. 30, 1972, Pub.L. 92-603, Title III, § 301, 86 Stat. 1466, and amended July 9, 1973, Pub.L. 93-66, Title II, § 210(a), (b), 87 Stat. 154; Dec. 31, 1973, Pub.L. 93-233, § 4(b)(1), (2), 18(d), (e), 87 Stat. 953, 968; Aug. 7, 1974, Pub.L. 93-368, § 6(a), 88 Stat. 421.

### Historical Note

**Codification.** A prior section 1382, Act Aug. 14, 1935, c. 531, Title XVI, § 1602, as added July 25, 1962, Pub.L. 87-543, Title I, § 141(a), 76 Stat. 198, and amended Oct. 13, 1964, Pub.L. 88-650, § 5(b), 78 Stat. 1078; July 30, 1965, Pub.L. 89-97, Title II, § 221(d) (3), Title IV, § 403(e), 79 Stat. 358, 418; Jan. 2, 1968, Pub.L. 90-[illegible], Title II, §§ 210(a) (5), 213(a) (4), [illegible](d), 81 Stat. 896, 898, 917; Oct. 30, 1972, Pub.L. 92-603, Title IV, §§ 405(d), [illegible](d), 407(d), 410(d), 413(d), 86 Stat. [illegible], 1489, 1491, 1492, set forth the required contents of state plans for aid to the aged, blind, or disabled, and for medical assistance for the aged. See section [illegible] of this title.

**1974 Amendment.** Pub.L. 93-368, § 6(a)(1)-(4), inserted "(or, if greater, the amount determined under section 1382f of this title)" immediately after "$1,752" in subsecs. (a)(1)(A) and (b)(1) and "$2,628" in subsecs. (a)(2)(A) and (b)(2).

**1973 Amendments.** Subsec. (a)(1)(A). Pub.L. 93-233, § 4(b)(1), substituted "$1,752" for "$1,680".

Pub.L. 93-66, § 210(a), substituted "$1,680" for "$1,560".

Subsec. (a)(2)(A). Pub.L. 93-233, § 4(b)(2), substituted "$2,628" for "$2,520".

Pub.L. 93-66, § 210(b), substituted "$2,520" for "$2,340".

Subsec. (b)(1). Pub.L. 93-233, § 4(b)(1), substituted "$1,752" for "$1,680".

Pub.L. 93-66, § 210(a), substituted "$1,680" for "$1,560".

Subsec. (b)(2). Pub.L. 93-233, § 4(b)(2), substituted "[illegible]" for "$2,520".

Pub.L. 93-66, § 210(b), substituted "$2,520" for "$2,340".

Subsec. (g). Pub.L. 93-233, § 18(d), incorporated existing provisions in text designated as cl. (1), added cls. (2) and (3), and substituted final December "1973" for "1972".

Subsec. (h). Pub.L. 93-233, § 18(e), incorporated existing text in provisions designated as cls. (1) and (2), added cls. (3) and (4), redesignated former cls. (1) and (2) as items (A) and (B), and in item (A) inserted phrase "under which he or they received such aid or assistance for December 1973".

**Effective Date of 1974 Amendments.** Section 1(c) of Pub.L. 93-335, July 8, 1974, 88 Stat. 291, provided that amendments by section 1(a) and (b) of Pub.L. 93-335 to section 8(a)(1), (2), (b)(1)-(3) and (e) of Pub.L. 93-233, Dec. 31, 1973, 87 Stat. 956, set out as notes under section 1382e of this title and sections 612c, 1431 and 2012 of Title 7, Agriculture, shall be effective July 1, 1974.

**Effective Date of 1973 Amendments.** Section 4(b) of Pub.L. 93-233 provided that amendment of subsecs. (a)(1)(A) and (b)(1) by section 4(b)(1), of subsecs. (a)(2)(A) and (b)(2) by section 4(b)(2), and of provisions set out as a note hereunder by section 4(b)(3) of Pub.L. 93-233, shall be effective with respect to payments for months after June 1974.

Section 210(c) of Pub.L. 93-66, as amended by Pub.L. 93-233, § 4(a)(1), Dec. 30, 1973, 87 Stat. 953, provided that: "The amendments made by this section [to subsecs. (a)(1)(A), (2)(A), (b)(1), (2) of this section] shall apply with respect to payments for months after December 1973."

**Effective Date.** Section 301 of Pub.L. 92-603 provided in part that this section is to take effect Jan. 1, 1974.

**Federal Program of Supplemental Security Income; Supplemental Security Income Benefits for Essential Persons; Definitions of Qualified Individual and Essential Person.** Section 211 of Pub.L. 93-66, as amended by Pub.L. 93-233, § 4(a) (2), (b)(3), Dec. 31, 1973, 87 Stat. 953, provided that:

"(a)(1) In determining (for purposes of title XVI of the Social Security Act [this subchapter], as in effect after December 1973) the eligibility for and the amount of the supplemental security income benefit payable to any qualified

If the Secretary after reasonable notice and opportunity for hearing to the State agency administering or supervising the administration of such plan, finds—

(1) that the plan has been so changed as to impose any residence or citizenship requirement prohibited by section 1352(b) of this title, or that in the administration of the plan any such prohibited requirement is imposed, with the knowledge of such State agency, in a substantial number of cases; or

(2) that in the administration of the plan there is a failure to comply substantially with any provision required by section 1352(a) of this title to be included in the plan;

the Secretary shall notify such State agency that further payments will not be made to the State (or, in his discretion, that payments will be limited to categories under or parts of the State plan not affected by such failure) until he is satisfied that such prohibited requirement is no longer so imposed, and that there is no longer any such failure to comply. Until he is so satisfied he shall make no further payments to such State (or shall limit payments to categories under or parts of the State plan not affected by such failure).

Aug. 14, 1935, c. 531, Title XIV, § 1404, as added Aug. 28, 1950, c. 809, Title III, pt. 5, § 351, 64 Stat. 555, and amended 1953 Reorg.Plan No. 1, §§ 5, 8 eff. Apr. 11, 1953, 18 F.R. 2053, 67 Stat. 631; Jan. 2, 1968, Pub.L. 90-248 Title II, § 215, 81 Stat. 918.

### § 1355. Definitions

Section was repealed effective Jan. 1, 1974, by Pub.L. 92-603, Title III, § 303(a), (b), Oct. 30, 1972, 86 Stat. 1484, except with respect to Puerto Rico, Guam, and the Virgin Islands. Therefore, as to Puerto Rico, Guam, and the Virgin Islands, section 1405 of the Social Security Act [this section] continues to apply as follows:

**§ 1355. Definitions**

For the purposes of this subchapter, the term "aid to the permanently and totally disabled" means money payments to, or (if provided in or after the third month before the month in which the recipient makes application for aid) medical care in behalf of, or any type of remedial care recognized under State law in behalf of, needy individuals eighteen years of age or older who are permanently and totally disabled, but does not include any such payments to or care in behalf of any individual who is an inmate of a public institution (except as a patient in a medical institution) or any individual who is a patient in an institution for tuberculosis or mental diseases. Such term also includes payments which are not included within the meaning of such term under the preceding sentence, but which would be so included except that they are made on behalf of such a needy individual to another individual who (as determined in accordance with standards prescribed by the Secretary) is interested in or concerned with the welfare of such needy individual, but only with respect to a State whose State plan approved under section 1352 of this title includes provision for—

(1) determination by the State agency that such needy individual has, by reason of his physical or mental condition, such inability to manage funds that making payments to him would be contrary to his welfare and, therefore, it is necessary to provide such aid through payments described in this sentence;

(2) making such payments only in cases in which such payments will, under the rules otherwise applicable under the State plan for determining need and the amount of aid to the permanently and totally disabled to be paid (and in conjunction with other income and resources), meet all the need of the individuals with respect to whom such payments are made;

(3) undertaking and continuing special efforts to protect the welfare of such individual and to improve, to the extent possible, his capacity for self-care and to manage funds;

(4) periodic review by such State agency of the determination under paragraph (1) to ascertain whether conditions justifying such determination still exist, with provision for termination of such payments if they do not and for seeking judicial appointment of a guardian or other legal representative, as described in section 1311 of this title, if and when it appears that such action will best serve the interests of such needy individual; and

(5) opportunity for a fair hearing before the State agency on the determination referred to in paragraph (1) for any individual with respect to whom it is made.

At the option of a State (if its plan approved under this subchapter so provides), such term (i) need not include money payments to an individual who has been absent from such State for a period in excess of ninety consecutive days (regardless of whether he has maintained his residence in such State during such period) until he has been present in such State for thirty consecutive days in the case of such an individual who has maintained his residence in such State during such period or ninety consecutive days in the case of any other such individual, and (ii) may include rent payments made directly to a public housing agency on behalf of a recipient or a group or groups of recipients of aid under such plan.

Aug. 14, 1935, c. 531, Title XIV, § 1405, as added Aug. 28, 1950, c. 809, Title III, pt. 5, § 351, 64 Stat. 555, and amended July 25, 1962, Pub.L. 87-543, Title I, § 156(d), 76 Stat. 207; July 30, 1965, Pub.L. 89-97, Title II, § 221(c), Title IV, § 402(d), 79 Stat. 358, 417; Oct. 30, 1972, Pub.L. 92-603, Title IV, §§ 408(c), 409(c), 86 Stat. 1490, 1491.

## SUBCHAPTER XVI—SUPPLEMENTAL SECURITY INCOME FOR AGED, BLIND, AND DISABLED

### § 1381. Statement of purpose; authorization of appropriations

**Puerto Rico, Guam, and Virgin Islands.** Enactment of section 1601 of the Social Security Act [this section] by Pub.L. 92-603, eff. Jan. 1, 1974, was not applicable to Puerto Rico, Guam, and the Virgin Islands. See section 303(b) of Pub.L. 92-603, set out as a note under section 301 of this title. Therefore, as to Puerto Rico, Guam, and the Virgin Islands, section 1601 of the Social Security Act [this section] as it existed prior to reenactment by Pub.L. 92-603 continues to apply as follows:

**§ 1381. Authorization of appropriations**

For the purpose (a) of enabling each State, as far as practicable under the conditions in such State, to furnish financial assistance to needy individuals who are 65 years of age or over, are blind, or are 18 years of age or over and permanently and totally disabled, (b) of enabling each State, as far as practicable under the conditions in such State, to furnish medical assistance on behalf of individuals who are 65 years of age or over and who are not recipients of aid to the aged, blind, or disabled but whose income and resources are insufficient to meet the costs of necessary medical services, and (c) of encouraging each State, as far as practicable under the conditions in such State, to furnish rehabilitation and other services to help individuals referred to in clause (a) or (b) to attain or retain capability for self-support or self-care, there is authorized to be appropriated for each fiscal year a sum sufficient to carry out the purposes of this subchapter. The sums made available under this section shall be used for making payments to States which have submitted, and had approved by the Secretary of Health, Education, and Welfare, State plans for aid to the aged, blind, or disabled, or for aid to the aged, blind, or disabled and medical assistance for the aged.

Aug. 14, 1935, c. 531, Title XVI, § 1601, as added July 25, 1962, Pub.L. 87-543, Title I, § 141(a), 76 Stat. 197.

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½. **Due process**

Eligible plaintiffs had right to receive the social security benefits for aged, blind and disabled persons and such entitlements could not be ended without due process and substantial delays in payment thereof constituted deprivation of property. Andujar v. Weinberger, D.C.N.Y.1976, 69 F.R.D. 690.

1. **State or local regulation or control**

The federal supplemental security income program under this subchapter does not effect the simple transfer of a public assistance program within a single governmental entity, but rather creates a new federal program which differs substantially from the state programs it allegedly replaced. Hannington v. Weinberger, D.C.D.C.1975, 393 F.Supp. 553.

### § 1381a. Basic entitlement to benefits

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1. **Income maintenance**

This provision, which became effective on January 1, 1974, is an income maintenance program for the aged, blind and disabled and has replaced state-administered programs with a new federal program establishing uniform eligibility criteria. Hannington v. Weinberger, D.C.D.C.1975, 393 F.Supp. 553.

2. **Replacing state programs**

This provision does not effect the simple transfer of a public assistance program within a single governmental entity, but rather creates a new federal program which differs substantially from the state programs it allegedly replaced. Hannington v. Weinberger, D.C.D.C.1975, 393 F.Supp. 553.

3. **Provisional benefits**

Benefits accorded by Congress under supplemental security income program for those who began receiving benefits under state-administered programs after June 1, 1973 were merely intended to be provisional and temporary and were only "presumptive" and not intended to give any permanent right to recipients. Ashby v. Weinberger, D.C.N.Y.1975, 402 F.Supp. 1203.

Payment of benefits which are clearly defined by Congress as provisional and temporary do not support a property interest in permanent supplemental security income benefits. Hannington v. Weinberger, D.C.D.C.1975, 393 F.Supp. 553.

4. **Rollback applicants**

By amending the original provision to exclude rollback cases from automatic eligibility, Congress put rollback cases into the category of initial applicants. Hannington v. Weinberger, D.C.D.C.1975, 393 F.Supp. 553.

Action of the Secretary and the subsequent action of Congress in allowing plaintiffs, who were rollback cases to be treated as presumptively disabled did not change their status from that of initial applicants; rather, it was clear from the regulations, the subsequent congressional enactment, and its legislative history that Congress treated the rollback cases as initial applicants while giving the Secretary discretionary authority to treat them as presumptively disabled. Id.

5. **Jurisdiction**

In view of language of this section relating to payment of benefits by the Secretary to every eligible aged, blind or disabled individual and the regulations, federal district court had jurisdiction under section 1361 of Title 28 relating to compelling an officer of the United States to perform his duty with respect to action by plaintiffs asserting unlawful conduct of Secretary in permitting lengthy delays in the delivery of social security benefits. Andujar v. Weinberger, D.C.N.Y.1976, 69 F.R.D. 690.

6. **Disability**

Under this chapter, elements of proof of disability are objective medical facts and clinical findings, opinions and diagnoses of doctors, subjective evidence of pain and disability testified to by claimant, and claimant's education, work history and age. Hurst v. Mathews, D.C.Va.1976, 426 F.Supp. 245.

### § 1382. Eligibility for benefits

*[See main volume for text of (a) to (d)]*

**Limitation on eligibility of certain individuals**

(e)(1)(A) Except as provided in subparagraph (B) and (C), no person shall be an eligible individual or eligible spouse for purposes of this subchapter with respect to any month if throughout such month he is an inmate of a public institution.

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any interested individual a copy of such standards, along with the procedures available in the State to insure the enforcement of such standards and a list of any waivers of such standards and any violations of such standards which have come to the attention of the authority responsible for their enforcement.

(3) Each State shall certify annually to the Secretary that it is in compliance with the requirements of this subsection.

(4) Payments made under this title with respect to an individual shall be reduced by an amount equal to the amount of any supplementary payment (as described in subsection (a)) or other payment made by a State (or political subdivision thereof) which is made for or on account of any medical or any other type of remedial care provided by an institution of the type described in paragraph (1) to such individual as a resident or an inpatient of such institution if such institution is not approved as meeting the standards described in such paragraph by the appropriate State or local authorities.[1]

## Cost-of-Living Adjustments in Benefits

**Sec. 1617.** Whenever benefit amounts under title II are increased by any percentage effective with any month as a result of determination made under section 215(i), each of the dollar amounts in effect for such month under subsections (a)(1)(A), (a)(2)(A), (b)(1), (b)(2) of section 1611, and subsection (a)(1)(A) of section 211 of Public Law 93-66, as specified in such subsections or as previously increased under this section, shall be increased by the same percentage (and rounded, when not a multiple of $1.20, to the next higher multiple of $1.20), effective with respect to benefits for months after such month; and such dollar amounts as so increased shall be published in the Federal Register together with, and at the same time as, the material required by section 215(i)(2)(D) to be published therein by reason of such determination

## Operation of State Supplementation Programs

**Sec. 1618.** (a) In order for any State which makes supplementary payments of the type described in section 1616(a) (including payments pursuant to an agreement entered into under section 212(a) of Public Law 93-66), on or after June 30 1977, to be eligible for payments pursuant to title XIX with respect to expenditures for any calendar quarter which begins—

(1) after June 30, 1977, or, if later,

(2) after the calendar quarter in which it first makes such supplementary payments,

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[1] Subsection (e) was added effective October 1, 1977 by section 505(d) of P.L. 94-566.

the Reserve Corps of the Public Health Service prior to July 1, 1960, shall not be included in computing entitlement to or the amount of any monthly benefit under this title, on the basis of his wages and self-employment income, for any month after June 1960 and prior to the first month with respect to which the Civil Service Commission certifies to the Secretary that, by reason of a waiver filed as provided in paragraph (2), no further annuity will be paid to him, his wife, and his children, or, if he has died, to his widow and children, under subchapter III of chapter 83 of title 5, United States Code, on the basis of such service.

(2) In the case of a monthly benefit for a month prior to that in which the individual, on whose wages and self-employment income such benefit is based, dies, the waiver must be filed by such individual; and such waiver shall be irrevocable and shall constitute a waiver on behalf of himself, his wife, and his children. If such individual did not file such a waiver before he died, then in the case of a benefit for the month in which he died or any month thereafter, such waiver must be filed by his widow, if any, and by or on behalf of all his children, if any; and such waivers shall be irrevocable. Such a waiver by a child shall be filed by his legal guardian or guardians, or, in the absence thereof, by the person (or persons) who has the child in his care.

### Cost-of-Living Increases in Benefits

(i)(1) For purposes of this subsection—

(A) the term "base quarter" means (i) the calendar quarter ending on March 31 in each year after 1974, or (ii) any other calendar quarter in which occurs the effective month of a general benefit increase under this title;

(B) the term "cost-of-living computation quarter" means a base quarter, as defined in subparagraph (A)(i), in which the Consumer Price Index prepared by the Department of Labor exceeds, by not less than 3 per centum, such Index in the later of (i) the last prior cost-of-living computation quarter which was established under this subparagraph, or (ii) the most recent calendar quarter in which occurred the effective month of a general benefit increase under this title; except that there shall be no cost-of-living computation quarter in any calendar year if in the year prior to such year a law has been enacted providing a general benefit increase under this title or if in such prior year such a general benefit increase becomes effective; and

(C) the Consumer Price Index for a base quarter, a cost-of-living computation quarter, or any other calendar quarter shall be the arithmetical mean of such index for the 3 months in such quarter.

(2)(A)(i) The Secretary shall determine each year beginning with 1975 (subject to the limitation in paragraph (1)(B)) whether the base quarter (as defined in paragraph (1)(A)(i)) in such year is a cost-of-living computation quarter.

(ii) If the Secretary determines that the base quarter in any year is a cost-of-living computation quarter, he shall, effective with the month of June of that year as provided in subparagraph (B), increase—

(I) the benefit amount to which individuals are entitled for that month under section 227 or 228,

(II) the primary insurance amount of each other individual on which benefit entitlement is based under this title (including a primary insurance amount determined under subsection (a)(1)(C)(i)(I), but subject to the provisions of such subsection (a)(1)(C)(i) and clauses (iv) and (v) of this subparagraph), and

(III) the amount of total monthly benefits based on any primary insurance amount which is permitted under section 203 (and such total shall be increased, unless otherwise so increased under another provision of this title, at the same time as such primary insurance amount) or, in the case of a primary insurance amount computed under subsection (a) as in effect without regard to the table contained therein) prior to January 1979, the amount to which the beneficiaries may be entitled under section 203 as in effect in December 1978, except as provided by section 203(a) (6) and (7) as in effect after December 1978.

The increase shall be derived by multiplying each of the amounts described in subdivisions (I), (II), and (III) (including each of those amounts as previously increased under this subparagraph) by the same percentage (rounded to the nearest one-tenth of 1 percent) as the percentage by which the Consumer Price Index for that cost-of-living computation quarter exceeds such index for the most recent prior calendar quarter which was a base quarter under paragraph (1)(A)(ii) or, if later, the most recent cost-of-living computation quarter under paragraph (1)(B); and any amount so increased that is not a multiple of $0.10 shall be increased to the next higher multiple of $0.10. Any increase under this subsection in a primary insurance amount determined under subparagraph (C)(i)(II) of subsection (a)(1) shall be applied after the initial determination of such primary insurance amount under that subparagraph (with the amount of such increase, in the case of an individual who becomes eligible for old-age or disability insurance benefits or dies in a calendar year after 1979, being determined from the range of possible primary insurance amounts published by the Secretary under the last sentence of subparagraph (D)).[1]

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[1] Clause (ii) was amended by sec. 201(g)(1) of P.L. 95–216.

(iii) In the case of an individual who becomes eligible for an old-age or disability insurance benefit, or who dies prior to becoming so eligible, in a year in which there occurs an increase provided under clause (ii), the individual's primary insurance amount (without regard to the time of entitlement to that benefit) shall be increased (unless otherwise so increased under another provision of this title and, with respect to a primary insurance amount determined under subsection (a)(1)(C)(i)(I), subject to the provisions of subsection (a)(1)(C)(i) and clauses (iv) and (v) of this subparagraph) by the amount of that increase and subsequent applicable increases, but only with respect to benefits payable for months after May of that year.[2]

(iv)(I) In the case of an individual who is entitled to an old-age insurance benefit that is based on a primary insurance amount determined under subsection (a)(1)(C)(i)(I), such primary insurance amount shall not be increased under this subsection for any year before the year in which occurs the first month with respect to which there is payable to such individual all or some part of such benefit after application of the provisions of section 203 relating to deductions on account of work, or, if earlier, the year in which he attains age 65.

(II) In the case of an individual who is entitled to an insurance benefit under subsection (e) or (f) of section 202 that is based on a primary insurance amount determined under subsection (a)(1)(C)(i)(I), such primary insurance amount shall not be increased under this subsection for any year (except as provided in subdivision (III)) before the year in which occurs the first month with respect to which there is payable to such individual all or some part of such benefit after application of the provisions of section 203 relating to deductions on account of work, or, if earlier, the year in which he attains age 65.

(III) Any increase under this subsection which would otherwise be applied to a primary insurance amount except for the provisions of subdivision (II) of this clause, shall apply to such primary insurance amount if, during any month of the year in which the increase occurs, any individual is entitled to a benefit under subsection (d), (g), or (h) of section 202 based on such primary insurance amount, and such primary insurance amount is based upon the wages and self-employment income of a deceased individual.

(IV) No primary insurance amount determined under subsection (a)(1)(C)(i)(I) shall be increased under this subsection for any year during which no individual was entitled to any benefit based thereon under section 202 or 223 for any month of such year.

(V) In any case in which an increase under this subsection which occurs during any year applies to a primary insurance amount deter-

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[2] Clauses (iii), (iv), and (v) were added by sec. 201(g)(2) of P.L. 95-216.

mined under subsection (a)(1)(C)(i)(I), and such an increase occurring in a later year does not apply to such primary insurance amount on account of the provisions of this clause, any such increase which occurs in a later year which is applicable to such primary insurance amount shall be based upon such primary insurance amount as previously increased under this subsection.[1]

(v) Notwithstanding clause (iv), no primary insurance amount shall be less than that provided under section 215(a)(1) without regard to subparagraph (C)(i)(I) thereof, as subsequently increased by applicable increases under this section.[1]

(B) The increase provided by subparagraph (A) with respect to a particular cost-of-living computation quarter shall apply in the case of monthly benefits under this title for months after May of the calendar year in which occurred such cost-of-living computation quarter, and in the case of lump-sum death payments with respect to deaths occurring after May of such calendar year.

(C)(i) Whenever the level of the Consumer Price Index as published for any month exceeds by 2.5 percent or more the level of such index for the most recent base quarter (as defined in paragraph (1)(A)(ii)) or, if later, the most recent cost-of-living computation quarter, the Secretary shall (within 5 days after such publication) report the amount of such excess to the House Committee on Ways and Means and the Senate Committee on Finance.

(ii) Whenever the Secretary determines that a base quarter in a calendar year is also a cost-of-living computation quarter, he shall notify the House Committee on Ways and Means and the Senate Committee on Finance of such determination within 30 days after the close of such quarter, indicating the amount of the benefit increase to be provided, his estimate of the extent to which the cost of such increase would be met by an increase in the contribution and benefit base under section 230 and the estimated amount of the increase in such base, the actuarial estimates of the effect of such increase, and the actuarial assumptions and methodology used in preparing such estimates.

(D) If the Secretary determines that a base quarter in a calendar year is also a cost-of-living computation quarter, he shall publish in the Federal Register within 45 days after the close of such quarter a determination that a benefit increase is resultantly required and the percentage thereof. He shall also publish in the Federal Register at that time (i) a revision of the range of the primary insurance amounts which are possible after the application of this subsection based on the dollar amount specified in subparagraph (C)(i)(II) of subsection (a)(1) (with such revised primary insurance amounts constituting the

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[1] Clauses (iii), (iv), and (v) were added by sec. 201(g)(2) of P.L. 95-216.

increased amounts determined for purposes of such subparagraph (C)(i)(II) under this subsection), or specified in subsection (a)(3) as in effect prior to 1979, and (ii) a revision of the range of maximum family benefits which correspond to such primary insurance amounts (with such maximum benefits being effective notwithstanding section 203(a) except for paragraph (3)(B) thereof (or paragraph (2) thereof as in effect prior to 1979)).[1]

(3) As used in this subsection, the term "general benefit increase under this title" means an increase (other than an increase under this subsection) in all primary insurance amounts on which monthly insurance benefits under this title are based.

(4) This subsection as in effect in December 1978 shall continue to apply to subsections (a) and (d), as then in effect, for purposes of computing the primary insurance amount of an individual to whom subsection (a), as in effect after December 1978, does not apply (including an individual to whom subsection (a) does not apply in any year by reason of paragraph (4)(B) of that subsection (but the application of this subsection in such cases shall be modified by the application of subdivision (I) in the last sentence of paragraph (4) of that subsection)). For purposes of computing primary insurance amounts and maximum family benefits (other than primary insurance amounts and maximum family benefits for individuals to whom such paragraph (4)(B) applies), the Secretary shall publish in the Federal Register revisions of the table of benefits contained in subsection (a), as in effect in December 1978, as required by paragraph (2)(D) of this subsection as then in effect.[2]

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[1] Subparagraph (D) was amended by sec. 201(g)(3) of P.L. 95-210.

[2] Paragraph (4) was added by sec. 201(g)(4) of P.L. 95-210. See Appendix F for law as in effect on December, 1978.

URBAN CITIZEN PARTICIPATION CONFERENCE

MARCH 24-26, 1980

PROPOSED AMENDMENT TO HB 968

Section 1- be repealed and reenacted to read:

1. The basic AFDC Grant be increased by $100.00 (to $450.00 for one (1) parent/guardian - one (1) child). The increase for each additional child be raised to $75.00.

2. C.O.L.A. be based on the National index rate of inflation plus 7% for Alaskan higher cost of living. C.O.L.A. shall become effective July 1 each year with an effective date beginning July 1, 1980.

POSITION PAPER/Department of Health & Social Services

# POSITION PAPER
# ON
# HOUSE BILL No. 968

"An Act adding a cost-of-living adjustment to maximum benefits paid as Aid to Families with Dependent Children; and providing for an effective date."

This proposed legislation would amend AS 47.25.320 to provide that the maximum monthly payment for families receiving cash assistance under the Aid to Families with Dependent Children (AFDC) program would increase each year by the same percentage increase as is granted under the Social Security Act to Social Security and Supplemental Security Income (SSI) recipients.

Under federal law, needy elderly, blind, and disabled persons receiving SSI assistance have their SSI payments increased each July 1 by the percentage that the national cost-of-living index has increased in the preceding year. Under Alaska statutes, maximum supplemental state payments to Alaska's needy elderly, blind, and disabled increase automatically by this same percentage. This guarantees that these persons will not suffer an inflation-caused erosion in their ability to purchase the basic necessities.

AFDC recipients are not now afforded this protection against inflation increases in costs of necessities. Despite past periodic legislative increases in AFDC payments levels, the Department believes that the present payment maximums are not adequate to meet most AFDC families' basic needs. (A copy of the Department's annual report to the Legislature on AFDC payment adequacy is attached.) We believe that HB 968 provides the most economical means of assuring that AFDC payments become and remain sufficient to achieve the purpose of the program and meet recipient families' needs.

We strongly support the passage of HB 968.

Recommended by: Eric S. Hansen
fr Rod Betit, Director
Division of Public Assistance

Date: April 10, '80

Approved by: Helen D. Beirne
Helen D. Beirne, Commissioner
Department of Health & Social Services

Date: 4-11-80

STATE OF ALASKA

**JAY S. HAMMOND, GOVERNOR**

**DEPT. OF HEALTH AND SOCIAL SERVICES**

*OFFICE OF THE COMMISSIONER* POUCH H 01 – JUNEAU 99811

APR 10 1979

Document# 69-80

Honorable Terry Gardiner
Speaker
House of Representatives
Pouch V MS 3100
Juneau, Alaska 99811

Dear Representative Gardner:

AS 47.25.320(c) provides that the Department shall provide the Legislature with "financial data on the Aid to Families with Dependent Children program with special reference to amount of funds required to maintain adequate payments in consideration of changes in the cost of living."

The Fiscal Year 1981 budget submission for the Aid to Families with Dependent Children (AFDC) program provides fiscal data on recent expenditures, the number of persons served, and the average payment made to each family unit. However, the budget documents do not address the question of the adequacy of the payments being made. This report is intended to apprise you of the Department's current assessment of that question.

## I. The AFDC Maximum Payment

The current maximum payments specified in AS 47.25.320 are intended to meet the basic needs of dependent children who are deprived of the support and care of one or both parents, and, if necessary, the needs of the one relative with whom they live. These needs include such subsistence items as food, fuel, shelter, and clothing. At the present time, a typical AFDC family consisting of a mother and one child can be paid up to $350 per month in AFDC funds to enable them to obtain these basic needs.

Federal regulations require that the state exclude all or part of certain kinds of income that AFDC recipients receive when determining their AFDC payment level. The effect of these regulations is that some AFDC families receive more monthly income than other AFDC families. However, we estimate only 10% of the 7564 families who will receive AFDC assistance monthly in FY 81 will have extra income. Thus the vast majority of Alaska's AFDC families exist on a total monthly income equal to the maximum AFDC payment specified by Alaska statute. These monthly income levels depend on family size and are as follows:

| Family Size | With Needy Adult Relative | Without Needy Adult Relative |
|---|---|---|
| 1 | --- | $ 150 |
| 2 | $ 350 | $ 300 |
| 3 | $ 400 | $ 350 |
| 4 | $ 450 | $ 450 |

($50 additional for each additional child)

## II. Recent Changes in the Maximum Payment

Though no longer in effect, legislation enacted in 1970 established a complex structure of maximum AFDC payments based upon children's ages that was significantly different than that in use now as described above. A mother and one child under 5 received a maximum AFDC payment of $125 per month, $150 if the child were between 5 and 12, and $175 if the child were between 13 and 18.

Effective July 1, 1974, these maximums were again changed to $250 per month for a mother and one child 12 or under, and $300 for a mother and a 13 to 18 year old. On July 1, 1975, these standards were again modified by removing any consideration of the child's age and establishing a universal two-person maximum of $300 with $50 allowed for each additional child, to a ceiling of $520 regardless of family size.

The last AFDC payment change was made effective July 1, 1978. The $520 ceiling for AFDC payment was deleted. The maximum payment for a needy relative and one child was increased from $300 to $350, with $50 continuing to be allowed for each additional child. Whereas, approximately three/fourths of our AFDC caseload includes a needy adult living with one or more children, the effect of this last change in standards was to increase average payments to 75% of all AFDC families by $50 per family. AFDC children living with a non-needy relative have not received an increase since 7/1/74. The $50 increment for each additional child has not been changed since 1974.

## III. Adequacy of the Current Maximums

Title IV of the Social Security Act, as amended, states that the purpose of the AFDC program is to "encourage the care of dependent children in their own homes or in the homes of a relative by enabling each state to furnish financial assistance and rehabilitation and other services, as far as practicable under the conditons in each state, to needy dependent children and the parents or relative with whom they are living, to help maintain and strengthen family life and to help such relatives to attain or retain capability for the maximum self-support and personal independence consistent with the maintenance of continuing parental care and protection."

The Social Security Act and federal regulation (Title 45) allow the states the freedom to establish their own separate payment levels. They also allow for regional differences in payment levels within a state, if those differences can be supported by objective data. (Alaska has chosen a statewide standard.) Nowhere in these laws or regulations is guidance offered regarding the minimum subsistence level consistent with the purpose of the program.

In Alaska, as in almost all other states, "adequacy" of payments is defined primarily by legislative action. As we view this process, it is an attempt to reach a reasonable compromise among three often conflicting elements: the program purpose, the basic economic needs of the recipient families, and the taxpayer's willingness and ability to provide the funds necessary to maintain needy families intact in dignity and health. Payment levels that are too low to meet legitimate client needs waste the taxpayer's money, for the program cannot then meet its purpose of providing financial support adequate to enable the family to remain together. Payment levels that are too high are wasteful in two senses: they cause unnecessary expenditures, and they encourage unnecessary welfare dependency.

The Department believes that the taxpayer's definition of adequate AFDC payment levels is accurately expressed through the annual administrative and legislative review of the AFDC budget. It is therefore our belief that this report should repesent evidence which will help you to define adequacy from the AFDC recipient's point of view.

From the recipient's point of view, we believe that, despite the history of payment increases, AFDC payment levels are presently inadequate to meet most recipient's basic subsistence needs. The evidence supporting this judgement is detailed below.

## IV. Measurements of Inadequacy

### A. Recipient Reports of Expenses

In 1978, the Legislative Affairs Agency mailed questionnaires to each AFDC recipient, measuring among other things what the AFDC household's expenses were in August 1978. About one third of the households responded, which is in itself a measure of concern about payment levels. While the survey results cannot be considered statistically accurate, they do give some indication of costs of basic subsistence items for AFDC recipients.

A summary of the survey's results are:

| | Urban | Rural |
|---|---|---|
| Rent or Mortgage | $ 261 | $ 180 |
| Fuel | $ 48 | $ 108 |
| Utilities | $ 47 | $ 76 |
| Food | $ 182 | $ 272 |
| TOTAL | $ 538 | $ 636 |

(Note: Some of the households responding had additional household members who were not receiving AFDC benefits. Therefore the costs reported in the survey may be higher than if the survey had been restricted to households in which all members were AFDC recipients.)

The expenditures listed are now quite old. You do not need to be reminded what effect double-digit inflation and the energy crisis have had on living costs since mid-1978.

These survey results tend to support common knowledge about Alaskan costs of basic necessities, particularly housing costs. The majority of Alaska's AFDC cases reside in urban settings, concentrated in Anchorage, Fairbanks, Juneau and Ketchikan. A cursory survey of available housing in those areas shows that there is inadequate low-income housing available. Minimally-acceptable rental units which can accomodate children, when such units are available, range from $180 to $450 per month. Even when the total expense amounts are reduced by the amount of food assistance available through the Food Stamp program, and energy assistance through the Energy Assistance program, the costs of basic necessities exceed many AFDC families maximum monthly grants.

B. Cost of Living Poverty Guidelines

(1) The U.S. Bureau of Labor Statistics maintains a Cost of Living Index for Alaska which measures relative increases in living costs for Anchorage. On January 1, 1970, the Index was 107.9; on January 1, 1979 the Index was 198.1; and on January 1, 1980, it was 218.2. In these 10 years the cost of living more than doubled, and AFDC benefits for a mother with a young child more than doubled, increasing from $150 to $350 per month.

By this measurement, AFDC increases over the years have apparently kept pace with rising costs of living. However, this comparison would indicate that AFDC payment maximums are adequate now only if they were originally adequate in 1970. Absent any convincing information on this question, we leave this to your judgement.

(2) The U.S. Community Services Administration (CSA) publishes annual poverty guidelines for Alaska. This year's (1980) guidelines have not yet been published, but the 1979 CSA annual gross income poverty levels compared to current annual AFDC maximums as follows:

| Family Size | CSA 1979 Farm | CSA 1979 Non-Farm | AFDC With a Needy Adult | AFDC With No Needy Adult |
|---|---|---|---|---|
| 1 | 4562 | 5338 | ------ | 1800 |
| 2 | 6023 | 7050 | 4200 | 3600 |
| 3 | 7463 | 8763 | 4800 | 4200 |
| 4 | 8913 | 10475 | 5400 | 4800 |

Clearly, current AFDC maximums fall well below federally established poverty levels for Alaska.

## C. Comparison with Other States

The following payment levels for several states offer a useful comparison which may be indicative of payment adequacy. In our judgement, Alaska's higher costs of necessities were considered in this comparison, Alaska's maximum payment would not compare favorably with those of most other western states.

Maximum payments for AFDC recipients (1979-early 1980 Levels for needy adult-included cases):

| | Parent and One Child | Parent and Three Children |
|---|---|---|
| Alaska | $ 350 | $ 450 |
| Oregon | 304 | 456 |
| Washington | 339 | 483 |
| Utah | 253 | 389 |
| Idaho | 259 | 366 |
| California | 331 | 487 |
| Hawaii | 390 | 546 |

This comparison does not consider extra "special needs" which most states except Alaska grant for various items such as school attendance and supplies, laundry, job interviews, etc. Most listed states except Alaska have lower standards for persons with little or no housing costs.

## D. Comparison with Adult Public Assistance

Another possible measurement of adequacy is internal to Alaska's own assistance programs. By state statute, the FY 80 Adult Public Assistance programs (Aid to the Blind, Aid to the Disabled, and Old Age Assistance) provides for a $414 maximum monthly payment to an individual, and $608 to a couple. Each year this maximum increases by the percentage amount of the annual national Social Security percentage increase. For FY 81, the $414 maximum for an individual is expected to increase by 13%, to $467, while the couple maximum will increase from $608 to $687. State statutes thus appear to maintain the striking position that a mother and child can maintain themselves on $350 a month, but two elderly or disabled adults require $608 to $687 a month. Not only are adults likely to be more "established" and therefore have lower expenses for necessities, but particularly the elderly have many more programs available which offer them direct or indirect financial benefits.

## E. Comparison with Foster Care Costs

A final point of measurement is also internal to the Department of Health and Social Services. The Department establishes foster care rates each year after holding rate hearings throughout the state. Payments are set on a regional basis, varying by ages of children. Payment rates are set to meet, but not exceed, the direct costs of providing basic necessities and adequate recreational and instructional material to families willing to assume the additional responsibility of a foster child.

For a 30-day month, the Division of Social Services reimburses a foster parent as follows for one child:

| Region | Lowest (Age 0-4) | Highest (Age 12 and over) |
|---|---|---|
| Northern | $ 334.00 | $ 442.00 |
| Northwestern | 387.00 | 514.00 |
| Southcentral | 291.00 | 384.00 |

By comparison, the AFDC program pays $150 for a single child with no needy adult relative, $150 maximum for the second child, and $50 for each additional child.

## V. Conclusion

This is the third annual report we have presented to you which has utilized these five basic comparative measures of adequacy. Each year these comparative measures show that Alaska's AFDC families' capacity to meet the costs of the basic necessities of life is diminishing rapidly. To us, there is no longer any question that our AFDC program is unable to fulfill the purposes for which it was designed by federal law and implemented by Alaska statute.

To correct this situation, Govenor Hammond has requested legislation be placed before you which would provide for AFDC maximum payment levels to be automatically increased each year by the same percentage our adult programs are increased. This bill, HB 968, would at least guarantee that AFDC recipients will not see their comparative situation worsen each year.

We commend HB 968 to your attention as a workable compromise between the AFDC client's obvious need for adequate aid and the taxpayer's equally obvious desire to support a program which achieves its goals at the lowest possible cost.

Sincerely,

Helen D. Beirne

Helen D. Beirne
Commissioner

AFDC

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE
REGION X
ARCADE PLAZA BUILDING
1321 SECOND AVENUE
SEATTLE, WASHINGTON 98101

SOCIAL SECURITY ADMINISTRATION
BUREAU OF SUPPLEMENTAL
SECURITY INCOME

March 17, 1980

MAR 20 5 03 AM '80
DEPARTMENT OF
HEALTH & SOCIAL SVCS
DIVISION OF
PUBLIC ASSISTANCE

Mr. Rod Betit, Director
Division of Public Assistance
Dept. of Health & Social Services
Pouch H-07
Juneau, Alaska 99811

Dear Mr. Betit:

We have been advised that the cost of living increase in SSI payments will probably be 13.0 percent. This will raise federal payment standards to $235.30 for an individual and $352.90 for a couple. The final figure will be available April 22, and we will relay it to you as soon as it is received.

As soon as possible, please advise us what your new SSI payment standards will be.

Sincerely,

Robert H. Dunn

Robert H. Dunn
Assistant Regional Commissioner
for Programs

THE LEGISLATURE OF THE STATE OF ALASKA
ELEVENTH LEGISLATURE

# FISCAL NOTE

## I. REQUEST

Bill/Resolution No. House Bill 968
Title Annual Cost of Living Increase, Aid to Families with Dependent Children Program
Requested by House Rules Committee, by request Date March 18, 1980

## II. FISCAL DETAIL

Agency Affected Department of Health and Social Sevices
Program Category Affected Social & Economic Assistance for General Population
BRU, Program, or Subprogram(s) Affected Assistance Payments (AFDC)
(Note: If more than one budget component is affected, separate line-item amounts and funding for each component in the analysis section.)

EXPENDITURES (Thousands of Dollars)

| | FY 80 | FY 81 | FY 82 | FY 83 | FY 84 | FY 85 |
|---|---|---|---|---|---|---|
| 100 PERSONAL SERVICES | | | | | | |
| 200 TRAVEL | | | | | | |
| 300 CONTRACTUAL | | | | | | |
| 400 COMMODITIES | | | | | | |
| 500 EQUIPMENT | | | | | | |
| 600 LAND & STRUCTURES | | | | | | |
| 700 GRANTS, CLAIMS, ETC. | | 4047.3 | | | | |
| | | | | | | |
| TOTAL | | 4047.3 | | | | |

FUNDING (Thousands of Dollars)

| | FY 80 | FY 81 | FY 82 | FY 83 | FY 84 | FY 85 |
|---|---|---|---|---|---|---|
| GENERAL FUND | | 2023.6 | | | | |
| FEDERAL FUNDS | | 2023.7 | | | | |
| OTHER (Specify Fund Source) | | | | | | |
| | | | | | | |
| | | | | | | |

POSITIONS

| | FY 80 | FY 81 | FY 82 | FY 83 | FY 84 | FY 85 |
|---|---|---|---|---|---|---|
| FULL TIME | | None | | | | |
| PART TIME | | | | | | |
| TEMPORARY | | | | | | |

## III. ANALYSIS (See Fiscal Note Preparation Instructions, Section III)

I. The FY 81 Aid to Families with Dependent Children (AFDC) budget anticipates that a monthly average of 7,564 recipient families will each receive an average monthly grant of $343.00 for a total expected AFDC expenditure of 31,133.1 (7,564 x $343.00 x 12 months).

Title XVI annual percentage increases are determined by the percentage increase in the national cost of living index. At this time, the Social Security Administration estimates this percentage increase for the coming year will be 13.0%. The effect of this proposed legislation would be to increase the average monthly payment to each AFDC family by 13.0%, or $44.59, beginning July 1, 1980. The maximum monthly payment for the average AFDC family would increase from $343.00 to $387.59 ($343 x 1.13 = $387.59).

Continued

Original: Legislative Finance
cc: Budget and Management
Prime Sponsor (First Legislator Named)

Prepared by: Gordon Landes Date: March 18, 1980
Division/Office: Public Assistance PH:465-3347
Department of Health & Social Services

Approval DHSS Mgt. & Bdgt: Date: 3-18-80

III. ANALYSIS---Continued

Thus the impact of this legislation on the anticipated AFDC expenditures would be an increase of 4,047.3 (7,564 x $44.59 x 12 months). 50% of this increase, 2023.7 would be federal matching funds.

II. In the AFDC program the statutory maximum payment levels are also the qualifying standards for entry into the program. This proposal would increase these standards. For example, the maximum countable income an applicant with one child can have and still qualify for AFDC assistance is currently $350. (This would also be the recipients's AFDC payment if he or she had no other countable income.) A 13.0% increase in the standard would establish a new qualifying limit of $388.00 for this size family.

It is reasonable to assume that there are Alaskan families who have countable incomes over the current standards but under the higher proposed standards, and to assume that some of these families would choose to apply and would meet all other eligibility factors.

Therefore it is reasonable to assume that the legislation would add new recipients to the anticipated FY 81 caseload. However, there are no factual grounds upon which this assumption can be based. In fact, there is evidence demonstrating that these newly-eligible families are not likely to affect anticipated expenditures:

(a) Effective July 1, 1978, a statutory amendment increased maximum payment levels and qualifying standards for 75% of AFDC applicants and recipients by $50.00 per family. There was no sudden increase in the total number of recipients, and the rate of growth in the number of recipients in the twelve months after this change was not significantly changed from the rate of increase in the twelve months preceding this change.

(b) An annual Social Security cost of living percentage increase has applied to the Adult Public Assistance programs for several years. Each July, the increase in standards and payments has not produced significant changes in the recipient growth rate in those programs.

The Department has no data proving that this legislation will not increase the total number of AFDC recipients, but the recent history of assistance programs does indicate that an increase is unlikely to happen. We are therefore not projecting any additional growth in caseload in AFDC solely as the result of this legislation, nor are we projecting any related increase in expenditures in the Medicaid and Eligibility Determination BRUs.

Ramona took
hers already.

STATE OF ALASKA

**JAY S. HAMMOND, GOVERNOR**

**DEPT. OF HEALTH AND SOCIAL SERVICES**

*DIVISION OF PUBLIC ASSISTANCE*

*POUCH H-07*
*JUNEAU, ALASKA 99811*

April 23, 1980

Document# 86-80

The Honorable Thelma Buchholdt
Chairperson, House HESS Committee
Alaska State Legislature
Pouch V
Juneau, Alaska 99811

Dear Mrs. Buchholdt:

Re: House Bill 968

You have already received copies of our fiscal note on H.B. 968, which adds an annual cost-of-living benefits increase to the Aid to Families with Dependent Children program. That fiscal note was prepared on March 18, 1980. It reflects costs based on the Social Security Administra-tion's preliminary estimate that their annual cost-of-living benefits increase this year would be 13.0%.

However, on Tuesday, April 22, the Social Security Administration issued its final COLA percentage for 1980. This final figure was 14.3%. Social Security Region X officials notified us by telephone of their new percentage and we have used this figure to revise our fiscal note. The revised fiscal note is attached.

Please discard the March 18, 1980 fiscal note. It is no longer accurate.

Sincerely,

Rod Betit

Rod Betit
Director

cc: Office of the Governor,
Division of Budget and Management

THE LEGISLATURE OF THE STATE OF ALASKA
ELEVENTH LEGISLATURE

## FISCAL NOTE

I. REQUEST
Bill/Resolution No. HB 968
Title Annual Cost of Living Increase, Aid to Families with Dependent Children Program
Requested by House Rules Committee, by request Date April 23, 1980

II. FISCAL DETAIL
Agency Affected Department of Health and Social Sevices
Program Category Affected Social & Economic Assistance for General Population
BRU, Program, or Subprogram(s) Affected Assistance Payments (AFDC)
(Note: If more than one budget component is affected, separate line-item amounts and funding for each component in the analysis section.)

EXPENDITURES (Thousands of Dollars)

| | FY 80 | FY 81 | FY 82 | FY 83 | FY 84 | FY 85 |
|---|---|---|---|---|---|---|
| 100 PERSONAL SERVICES | | | | | | |
| 200 TRAVEL | | | | | | |
| 300 CONTRACTUAL | | | | | | |
| 400 COMMODITIES | | | | | | |
| 500 EQUIPMENT | | | | | | |
| 600 LAND & STRUCTURES | | | | | | |
| 700 GRANTS, CLAIMS, ETC. | | 4452.2 | | | | |
| TOTAL | | 4452.2 | | | | |

FUNDING (Thousands of Dollars)

| | | | | | | |
|---|---|---|---|---|---|---|
| GENERAL FUND | | 2226.1 | | | | |
| FEDERAL FUNDS | | 2226.1 | | | | |
| OTHER (Specify Fund Source) | | | | | | |
| | | | | | | |
| | | | | | | |

POSITIONS

| | | | | | | |
|---|---|---|---|---|---|---|
| FULL TIME | | | | | | |
| PART TIME | | | | | | |
| TEMPORARY | | | | | | |

III. ANALYSIS (See Fiscal Note Preparation Instructions, Section III)

I. The FY 81 Aid to Families with Dependent Children (AFDC) budget anticipates that a monthly average of 7,564 recipient families will each receive an average monthly grant of $343.00 for a total expected AFDC expenditures of $31,133.10 (7,564 x $343.00 x 12 months).

Title XVI annual percentage increases are determined by the percentage increase in the national cost of living index. The Social Security Administration has determined that this percentage increase for the coming year will be 14.3%. The effect of this proposed legislation would be to increase the average monthly payment to each AFDC family by 14.3%, or $49.05, beginning July 1, 1980. The maximum monthly payment for the average AFDC family would increase from $343.00 to $392.05 ($343 x 1.43 = $392.05).

Continued

Original: Legislative Finance
cc: Budget and Management
Prime Sponsor (First Legislator Named)

Prepared by: Gordon Landes Date: April 23, 1980
Division/Office: Public Assistance PH: 465-3347
Department of Health & Social Services

33-001 (Rev. 12/79)
Modify by DHSS (11-28-79)

Approval DHSS Mgt. & Bdgt: Date: 4-23-80

Page 1 of 2

III. ANALYSIS---Continued

Thus the impact of this legislation on the anticipated AFDC expenditures would be an increase of 4,452.2 (7,564 x $49.05 x 12 months). 50% of this increase, 2226.1, would be federal matching funds.

II. In the AFDC program the statutory maximum payment levels are also the qualifying standards for entry into the program. This proposal would increase these standards. For example, the maximum countable income an applicant with one child can have and still qualify for AFDC assistance is currently $350. (This would also be the recipients's AFDC payment if he or she had no other countable income.) A 14.3% increase in the standard would establish a new qualifying limit of $400.00 for this size family.

It is reasonable to assume that there are Alaskan families who have countable incomes over the current standards but under the higher proposed standards, and to assume that some of these families would choose to apply and would meet all other eligibility factors.

Therefore it is reasonable to assume that the legislation would add new recipients to the anticipated FY 81 caseload. However, there are no factual grounds upon which this assumption can be based. In fact, there is evidence demonstrating that these newly-eligible families are not likely to affect anticipated expenditures:

(a) Effective July 1, 1978, a statutory amendment increased maximum payment levels and qualifying standards for 75% of AFDC applicants and recipients by $50.00 per family. There was no sudden increase in the total number of recipients, and the rate of growth in the number of recipients in the twelve months after this change was not significantly changed from the rate of increase in the twelve months preceding this change.

(b) An annual Social Security cost of living percentage increase has applied to the Adult Public Assistance programs for several years. Each July, the increase in standards and payments has not produced significant changes in the recipient growth rate in those programs.

The Department has no data proving that this legislation will not increase the total number of AFDC recipients, but the recent history of assistance programs does indicate that an increase is unlikely to happen. We are therefore not projecting any additional growth in caseload in AFDC solely as the result of this legislation, nor are we projecting any related increase in expenditures in the Medicaid and Eligibility Determination BRUs.

4/22/80

House Health, Education & Social Services Committee

Meeting/Hearing on HB 968

Date: 4/24/80

| | Name | Address and Phone | Organization/Self | For/Against or Observing |
|---|---|---|---|---|
| 1/ | Rod Betit | | H&SS | |
| 2/ | Gordon Sandes | program off. AFDC | H&SS | |
| 3/ | | | | |
| 4/ | | | | |
| 5/ | | | | |
| 6/ | | | | |
| 7/ | | | | |
| 8/ | | | | |
| 9/ | | | | |
| 10/ | | | | |
| 11/ | | | | |
| 12/ | | | | |
| 13/ | | | | |

# THE LEGISLATURE OF THE STATE OF ALASKA
## ELEVENTH LEGISLATURE

## FISCAL NOTE

I. REQUEST

Bill/Resolution No. Committee Substitute for House Bill 968

Title Cost of Living Increase, Aid to Families with Dependent Children Program

Requested by House Rules Committee, by request Date April 29, 1980

II. FISCAL DETAIL

Agency Affected Department of Health and Social Sevices

Program Category Affected Social & Economic Assistance for General Population; Health;

BRU, Program, or Subprogram(s) Affected Assistance Payments (AFDC), Medicaid, Elig. Deter.

(Note: If more than one budget component is affected, separate line-item amounts and funding for each component in the analysis section.)

EXPENDITURES (Thousands of Dollars)

| | FY 80 | FY 81 | FY 82 | FY 83 | FY 84 | FY 85 |
|---|---|---|---|---|---|---|
| 100 PERSONAL SERVICES | | 155.0 | | | | |
| 200 TRAVEL | | 3.0 | | | | |
| 300 CONTRACTUAL | | 6.0 | | | | |
| 400 COMMODITIES | | .6 | | | | |
| 500 EQUIPMENT | | 3.0 | | | | |
| 600 LAND & STRUCTURES | | | | | | |
| 700 GRANTS, CLAIMS, ETC. | | 15449.1 | | | | |
| | | | | | | |
| TOTAL | | 15616.7 | | | | |

FUNDING (Thousands of Dollars)

| | FY 80 | FY 81 | FY 82 | FY 83 | FY 84 | FY 85 |
|---|---|---|---|---|---|---|
| GENERAL FUND | | 7825.9 | | | | |
| FEDERAL FUNDS | | 7790.8 | | | | |
| OTHER (Specify Fund Source) | | | | | | |
| | | | | | | |
| | | | | | | |

POSITIONS

| | FY 80 | FY 81 | FY 82 | FY 83 | FY 84 | FY 85 |
|---|---|---|---|---|---|---|
| FULL TIME | | 6 | | | | |
| PART TIME | | | | | | |
| TEMPORARY | | | | | | |

III. ANALYSIS (See Fiscal Note Preparation Instructions, Section III)

### III. ANALYSIS

The FY 81 Aid to Families with Dependent Children (AFDC) budget anticipates that a monthly average of 7564 families will each receive an average monthly grant of $343.00, for a total anticipated AFDC expenditure of 31,133.1 7564 x $343.00 x 12 months).

(1) Assistance Payments BRU, AFDC Program:

(a) Adult Not Included (ANI) Cases: For FY 81, 24.8%, or 1876 of the anticipated 7564 AFDC cases, will consist of children living in the home of non-needy relatives. CSHB 968 calls for granting these cases an automatic annual percentage increase equal to the annual percentage benefits increase in the Social Security and Supplemental Security Income programs. For FY 81, this increase has been established at 14.3%.

Original: Legislative Finance
cc: Budget and Management
Prime Sponsor (First Legislator Named)

Prepared by: Gordon Landes Date: April 29, 1980
Division/Office: Public Assistance PH: 465-3347
Department of Health & Social Services

33-001 (Rev. 12/79)
Modify by DHSS (11-28-79)

Approval DHSS Mgt. & Bdgt: Date: 4/30/80

This COLA would increase the average payment for Adult Not Included AFDC cases by $33.21 per case per month, raising their anticipated average payment from $232.21 to $265.42 per month.

The cost of the COLA addition to ANI cases would be 747.6. ($33.21 increase per month x 1876 cases x 12 months = 747.6.)

(b) Adult Included (AI) Cases: CSHB 968 calls for AFDC children living with a needy relative to experience three increases: (1) an increase in basic maximum payment of $100 per month (from $350 maximum to $450 maximum for a household with a parent and one child); (2) an increase in the additional amount for additional children from $50 to $75 each; and (3) adding the Social Security annual cost-of-living percentage of 14.3% to all AI cases.

(1) $100 Maximum Payment Increase: For FY 81, 5688 cases per month will receive an average monthly payment of $371.47. CSHB 968 would increase the average payment by $100 per family. The cost of this provision would be 6825.6 ($100 increase per month x 5688 cases x 12 months = 6825.6).

(2) $75 Child Increment: CSHB would increase the additional maximum payment for second, third, and additional children by $25, from $50 to $75 for each child. The "average" AFDC-AI case consists of 2.81 persons--a mother and 1.81 children. The first child is included in the base payment. Thus the cost of this provision would be 1382.2 (.81 children x $25.00 increase x 5688 cases x 12 months).

(3) 14.3% COLA Adjustment: CSHB 968 would add the national cost of living percentage increase of 14.3% after the increased base payment and the child increment increase. The cost of this provision would be 4799.8 ($371.47 FY 81 average payment + $100 base increase + $20.25 child increment increase = $491.72 average payment x 14.3% x 5688 cases per month x 12 months).

(c) New Cases: In the AFDC program the statutory maximum payment levels are also the qualifying standards for entry into the program. CSHB 968 would increase these standards. For example, the maximum countable income a needy applicant with two children can have and still qualify for AFDC assistance is currently $400. (This would also be the recipient's AFDC payment if he or she had no other countable income. The provisions of CSHB 968 would establish the new qualifying limit of $600.00 for this 3-person family.

It is reasonable to assume that there are Alaskan families who have countable incomes over the current standards but under the higher proposed standards, and to assume that some of these families would choose to apply and would meet all other eligibility factors. However, there is no data, either within the past ten years of AFDC program utilization or from any other source that indicates whether new families would enter the program, or if they would, in what numbers.

Nevertheless, the Department believes a growth in families served will occur. Though it is nothing but an unsubstantiated guess, we believe the large increase in standards would attract an additional 800 families in FY 81. These new families are most likely to have an average countable non-AFDC income mid-way between the current and the proposed standards and thus qualify for an average monthly AFDC payment of $92.13 (2.81 persons per household: $350 + (.81 x $50) = $390.50 current, versus $514 +(.81 x $75) = $574.75. 1/2 of $574.75 - $390.50 = $92.13). This would produce an increased AFDC cost of 884.5 ($92.13 average payment x 800 cases per month x 12 months).

(d) AFDC BRU Summary

700 Grants: ANI COLA Increase = 747.6
AI $100 Base Increase = 6,825.6
AI $25 Child Increase = 1,382.2
AI COLA Increase = 4,799.8
AI New Cases = 884.5
TOTAL 14,639.7
7,319.9 Federal
7,319.8 State GF Match

(2) Medicaid BRU

If 800 new families enter the AFDC program, they will be automatically eligible for Medicaid services. Approximately 60%, or 1349, of these 2248 persons (2.81 persons/family x 800 families) will use Medicaid services. Each of these 1349 persons will average $600 in services in FY 81. Total cost to the Medicaid BRU will be 809.4 (1349 x $600); 404.7 federal funds, 404.7 state general fund match; 700, Grants and Claims.

(3) Eligibility Determination BRU

The addition of 800 new AFDC and Medicaid cases will require additional eligibility staff and services. Additional staff required will be four Eligibility Worker IIs, one Eligibility Worker III supervisor, and one Clerk Typist III. The cost to the Eligibility Determination BRU will be:

| | | | |
|---|---|---|---|
| 100 | Personal Services | 155.0 | |
| 200 | Travel | 3.0 | |
| 300 | Contractual | 6.0 | |
| 400 | Commodities | .6 | |
| 500 | Equipment | 3.0 | |
| | TOTAL | 167.6 | 66.2 Federal Match |
| | | | 66.2 General Fund Match |
| | | | 35.2 General Fund |