



## Ohio Administrative Code

### Rule 5160:1-2-02 Medicaid: income guidelines, calculations, and exclusions.

Effective: January 1, 2023

---

(A) This rule sets forth general income guidelines, calculations, and exclusions used in determining eligibility for medical assistance. Income guidelines, calculations, or exclusions that apply to a specific covered group will be addressed in the eligibility rules for that group. Unless otherwise stated:

(1) If living in the same household, income and resources of a spouse are considered available to the other spouse, and income and resources of a parent are considered available to children under age twenty-one.

(2) The income of a minor's parent, living in the same home as the minor and the minor's dependent child, shall be counted as income to the covered group.

(B) Gross monthly income shall be calculated as follows:

(1) The amount of gross monthly non-excluded income shall first be established. Disregards and deductions, as defined in rule 5160:1-1-01 of the Administrative Code, shall then be subtracted when applicable.

(2) In calculating gross income, both earned and unearned, the monthly amounts shall be rounded down to the nearest whole dollar by dropping the cents.

(3) To correctly calculate gross income that is not received on a monthly basis, use the following conversion factors. All cents in gross weekly, bi-weekly, or semi-monthly income shall be dropped before and after multiplying.

(a) Income received weekly shall be multiplied by 4.3.

(b) Income received bi-weekly (every two weeks) shall be multiplied by 2.15.



(c) Income received semi-monthly (twice per month) shall be multiplied by 2.0.

(d) Gross annual income received shall be divided by 12.0.

(e) For contract employees, divide the gross payment amount by the number of calendar months the contract covers. This also applies when a one-time payment is made for work that is done over a period.

(4) Hourly rates that contain cents are not rounded when determining a weekly, bi-weekly, or semi-monthly amount.

(C) The administrative agency shall exclude the following income:

(1) Grants, scholarships, fellowships, or gifts used to pay for educational expenses such as tuition, fees, or other necessary expenses that are required to attend an educational institution.

(2) Home produce, including farm and garden produce, grown by the individual or family, and utilized for household consumption, in accordance with 20 C.F.R. 416.1124 (as in effect October 1, 2022).

(3) Income tax refunds.

(4) Residential state supplement (RSS) payments.

(5) Federal, state, and local foster care payments received under title IV-E, for a child currently living in the household.

(6) Federal, state, and local adoption assistance payments received under title IV-E.

(7) Federal and state kinship guardianship assistance program (KGAP) payments received under title IV-E or state KGAP, including kinship guardianship assistance program connections to twenty-one (KGAP C21) payments.



(8) The value of foods donated by the U.S. department of agriculture commodity supplemental food program.

(9) Any relocation assistance paid by a public agency to a public assistance recipient, who has been relocated as a result of redevelopment, urban renewal, freeway construction, or any other public development involving condemnation or demolition of the existing residence.

(10) Payments to volunteers participating in the retired senior volunteer program (RSVP), foster grandparent program, senior companion program, service corps of retired executives (SCORE), active corps of executives (ACE), volunteers in service to america (VISTA), or any other programs under 42 U.S.C. 5044 (as in effect October 1, 2022).

(11) The value of supplemental food assistance received under the Child Nutrition Act of 1966 (Pub. L. No. 89-642) described in 42 U.S.C. 1771 (as in effect October 1, 2022) and the special food service program for children under the National School Lunch Act (Pub. L. No. 79-396) described in 42 U.S.C. 1751 (as in effect October 1, 2022).

(12) Payments made to Native Americans as listed in section IV of 20 C.F.R. 416 Subpart K Appendix (as in effect October 1, 2022).

(13) Benefits paid to eligible households under the Low-Income Home Energy Assistance Act of 1981 (Pub. L. No. 97-35), in accordance with 42 U.S.C. 8624 (as in effect October 1, 2022).

(14) Payments received on or after January 1, 1989, as a result of the Agent Orange Compensation Exclusion Act (Pub. L. No. 101-201).

(15) Restitution payments under the Civil Liberties Act of 1988 (Pub. L. No. 100-383) to U.S. citizens of Japanese ancestry and permanent resident Japanese non-citizens who were interned during World War II, or their survivors, in accordance with 50 U.S.C. 4215 (as in effect October 1, 2022).

(16) Restitution payments for Aleutian and Pribilof Island Restitution Act (Pub. L. No. 100-383) in



accordance with 50 U.S.C. 4236 (as in effect October 1, 2022).

(17) Payments under the Radiation Exposure Compensation Act, 42 U.S.C. 2210 (as in effect October 1, 2022).

(18) Earned income tax credit payments in the form of a refund of federal income tax.

(19) Payments made from any fund established pursuant to a class settlement in the case of Susan Walker v. Bayer Corporation, 96-C-5024 (N.D. Ill).

(20) Payments to victims of Nazi persecution.

(21) Principal of a bona-fide loan.

(22) Any federal major disaster and emergency assistance described in 42 U.S.C. 5170 (as in effect October 1, 2022), including comparable disaster assistance provided by states, local governments, and disaster assistance organizations.

(23) Nutrition program benefits provided for the elderly under Title VII of the Older Americans Act of 1965 (Pub. L. No. 89-73), as amended.

(24) Federal housing assistance provided by the office of housing and urban development (HUD) or the U.S. department of agriculture's rural housing service (RHS), formally known as the farmers home administration (FHA).

(25) Retroactive payments paid to the individual as the result of a state hearing.

(26) Payments to crime victims from a federal or federally funded state or local program including Washington state crime victims compensation program under title XXIII of the Violent Crime Control and Law Enforcement Act of 1994 (Pub. L. No. 103-322).