

N. C. Division of Aging and Adult Services Administrative Letter No. 14-11
Addendum
Adult Services Section

Date: November 24, 2014
Subject: Appropriations Act of 2014: Policy for Resources for SA IH
Distribution: County Directors
Special Assistance Supervisors
Adult Services Supervisors
Effective Date: November 1, 2014

I. BACKGROUND
Eugenics Sterilization Compensation Payments for Special Assistance In-Home Cases Only

The purpose of this Addendum is to establish that the resource policy for Eugenics Sterilization Compensation for Special Assistance (SA) facility cases and Special Assistance In-Home (SA/IH) will not be the same. Session Law 2014-110, Appropriations Act of 2014, states that a qualified recipient under the Eugenics Program shall receive compensation in the form of two payments. Claimants received their first payments in October, 2014. The second and final payment shall be made after the exhaustion of all appeals arising from the denial of eligibility for compensation.

The Statute governing the Eugenics Sterilization Compensation, §143B-426.56, states that payments shall not be considered income or resources for determination of eligibility for benefits funded wholly or in-part by the state. The SA Program for facility cases is a state supplement to the federal SSI program. SA policy for facility cases must follow SSI regulations per 20 CFR 416.2001. This regulation requires that the individual must be eligible for SSI except for income in order to be eligible for a state SSI supplement payment. SSI policy excludes the payment for nine months before counting it as a resource.

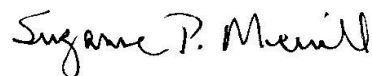
Because the SA/IH Program is *not* considered a state SSI supplement, SA/IH policy will follow the State statute permanently excluding the Eugenics Sterilization Compensation payment as a resource.

II. IMPLEMENTATION OF CHANGE TO THE SA POLICY
For SA/IH cases only, permanently exclude from resource eligibility determination, the exact amount of the Eugenics Sterilization Compensation. Do not exclude interest earned from counting towards income or resources.

Adult Services Social Workers when completing the [SA/IH Economic Assessment Worksheet, Appendix I of the SA/IH Case Management Manual](#) must not consider the amount of the Eugenics Sterilization Compensation as available to meet basic financial expenses.

If you have any questions regarding this information, please contact the SA Program Unit at specialassistance@dhhs.nc.gov

Sincerely,



Suzanne P. Merrill, Director
Division of Aging and Adult Services