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**NONFINANCIAL ELIGIBILITY FACTORS**

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**MARITAL & PARENT/CHILD RELATIONSHIPS**

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- A. MARITAL RELATIONSHIPS**                      Whether a man and woman are married for SSI/Medicaid purposes governs whether:
- couple budgeting rules apply; or
  - spousal or parental deeming applies.
- In addition, someone who is married cannot be considered a child.
- 1. Marital Criteria**                                      For SSI/Medicaid purposes, a marital relationship is one in which members of the opposite sex are:
- married under State law (common law marriage is recognized in Mississippi if the couple began holding out prior to April 1, 1956); or,
  - married for title II purposes; or,
  - living in the same household and holding themselves out to the community as husband/wife.
- 2. When a Martial Relationship Ends**                      A man and woman are no longer considered married as of the date that:
- either dies;
  - a final decree of divorce or annulment is issued;
  - either begins living with another as that person's spouse;
  - they are determined not to be married for title II purposes if this was the basis for considering the couple married;
  - they begin living in separate households.

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**3. Evidence of Marriage or Termination of Marriage (Including Living Apart**

A marital relationship must be documented with proof that the marriage exists or has been terminated. Photocopy marriage records or SSA records showing entitlement on a spouse's record or divorce or separation papers for the case record.

If a married couple claims to be living apart, obtain as many items of evidence as possible to make a determination as to the couple's relationships and living arrangement. Evidence such as:

- mortgages, leases, rent receipts, property deeds, bank accounts, tax returns, credit cards, etc.
- information from other government programs (SSA, Food Stamps, public housing, etc.)
- statements from relatives, friends or neighbors.

If a couple is determined to be living apart, each is treated as an individual. If evidence does not substantiate that a couple lives apart, then couple rules/deeming may apply.