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D. IDENTIFYING EXCLUDED FUNDS COMMINGLED WITH NON-EXCLUDED FUNDS

Otherwise excludable funds must be identifiable in order to be excluded.

Identifiability does not require that excluded funds be kept physically apart from other funds (e.g., in a separate bank account).

Always assume, when withdrawals are made from an account with commingled funds in it, that nonexcluded funds are withdrawn first, leaving as much of the excluded funds in the account as possible.

If excluded funds are withdrawn, the excluded funds left in the account can be added to only by deposits of subsequently received funds that are excluded under the same provision.

1. One-Time Receipt And Deposit of Excluded Funds

An individual deposits a $800 retroactive RSDI check in a checking account. The account already contains$300 in nonexcluded funds.

- Of the new 1,100 balance, $800 is excluded as retroactive RSDI excluded.
- The individual withdraws $300. The remaining $800 balance is still excluded.
- The individual withdraws another $300, leaving a balance of $500. All $500 is excluded.
- The individual deposits $500, creating a new balance of $1,000. Only $500 of the new balance is excluded.

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2. **Periodic Receipt and Deposit of Excluded Funds**

An individual deposits $200 in excluded funds in a non-interest bearing checking account that already contains $300 in non-excluded funds.

- The individual withdraws $400. The remaining $100 is excluded.

- The individual then deposits $100 in nonexcluded funds. Of the resulting $200 balance, $100 is excluded.

- The individual next deposits $100 in excludable funds. Of the new $300 balance, $200 is excluded.