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**BUDGETING FOR AT-HOME ELIGIBILITY**

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**BUDGETING PROCESS**

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**E. DEEMING  
PROCEDURES**

Deeming applies from spouse to spouse or parent to child only. Since deeming applies only in household situations, for deeming purposes the household comprises the eligible individual, the spouse, and any children of the couple; or the eligible child, the parent(s), and other children of the parent(s).

An eligible individual, an ineligible spouse or parent who is temporarily away from home for economic (employment) or emergency reasons (hospitalization) or vacation or visits is still considered to be a member of the household for deeming purposes. A temporary absence for deeming purposes is one where the individual leaves and returns to the deeming household in the same month or the following month. A child away at school remains a member of the household if the child lives in the household on week-ends, holidays, and summer vacation.

There are instances when, after applying the deeming provision, there is no income to be deemed:

- If the income of the eligible spouse or parent(s) is less than the amount which is deducted for a living needs allowance and allocation to any ineligible children, there is no income to deem.
- If the spouse or parent(s) have no income or have only the type of income that is not deemed, then deeming is not applicable.

Refer to Section E, Income Computations, for a further discussion of deemed income.

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**1. Allocating  
to Ineligible  
Child(ren)  
At-Home**

If there are ineligible child(ren) in a deeming household, an allocation is deducted from the ineligible spouse's income (DOM-337) or from the parent(s) income (DOM-338) prior to deeming. An allocation is allowed for each ineligible child who lives in the household who is age 18 or under or under age 21 if a student. The amount allocated to each ineligible child is the "Allocation to Each Ineligible Child" amount found in the Appendix page entitled "Chart of Need Standards and Resource Limits" less the child's own income.

Each ineligible child's own income is subtracted from the SSI allocation amount. The remaining total(s) are added together and subtracted from the income of the ineligible spouse (DOM-337) or subtracted from the income of the parent(s) (DOM-338) to arrive at the total amount of income to be deemed to the eligible.

Note: The income of the ineligible spouse, parent(s), and ineligible children must be verified in the same manner the eligible's income is verified.

**2. Deeming of  
Income  
From An  
Ineligible  
Spouse  
(DOM-337)**

After living allowance allocations for ineligible children have been subtracted from an ineligible spouse's income, if the ineligible spouse's remaining income is less than the difference between the Couple and Individual Need Standards or FBR, no deeming applies. This means the following:

- For SSI Retro and Former SSI Recipient Budgeting - The eligible and ineligible spouse's countable income is combined and tested against the couple Poverty Level.
- For Poverty Level Budgeting - The eligible and ineligible spouse's countable income is combined and tested against the couple Poverty Level.

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If the ineligible spouse's income is more than the difference between the 2 appropriate need standards, then deeming applies and the ineligible spouse and the eligible individual are treated as an eligible couple, as per instructions for Step 3 of DOM-337.

Note: Refer to the instructions for DOM-337 for a discussion on how to deem income from an ineligible spouse to an eligible individual and an eligible child.

**3. Deeming of  
Income  
from  
Ineligible  
Parent(s)  
to An  
Eligible  
Child  
(DOM-338)**

After living allowance allocations for ineligible children have been deducted from the parent(s) earned & unearned income, any remaining income is then subject to income exclusions and a living allowance for the parent(s). Any excess income is then deemed to the eligible child or eligible children (in equal parts). Deemed parental income is counted as unearned income to the eligible child (or eligible children after being equally divided).

Refer to the instructions for DOM-338 for further details on completion of the form.