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Reference Guide: Identifying Policy Levers to Improve the Massachusetts System of Public Supports for Low-Income Families

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Reference Guide (Revised): Identifying Policy Levers to Improve the Massachusetts System of Public Supports for Low-Income Families

Jason Wright, Uchenna Nwangwu, Caitlin Carey, and Susan R. Crandall

Purpose: The goal of this reference guide is to provide background information on eligibility requirements for public assistance programs available to low-income families in the state of Massachusetts to demonstrate the inconsistencies and complexities that arise from those eligibility requirements. In order to better understand these complex systems, the policy levers are identified in the form of information about the associated legislation and government agencies for each public support program. This information can be used to develop more effective and efficient policies and better serve the needs of low-income families.

Low-income families often rely on a mix of earned income and public supports—such as housing and childcare subsidies—to make ends meet. Given the high cost of living relative to earned income in the state of Massachusetts, families are particularly reliant on these public supports in order to meet their basic needs. Common public supports include:

- **Income-based Childcare Vouchers**—Federal and state programs that provide financial assistance for childcare for children under age 13 when parents are employed;
- **Special Supplemental Nutrition Program for Women, Infants, and Children (WIC)**—federal program that provides nutrition assistance to women who are pregnant and/or have child(ren) under the age of five;
- **Supplemental Nutrition Assistance Program (SNAP)**, formerly known as food stamps—Federal program that increases access to nutritious food;
- **MassHealth (Medicaid and State Children’s Health Insurance Program)**—Federal and state programs that increase access to health insurance for health care needs;

- **Massachusetts Rental Voucher Program (MRVP), Housing Choice Vouchers (Section 8), and Public Housing**—Federal and state programs that subsidize monthly rent payments to increase housing stability;
- **Transitional Aid to Families with Dependent Children (TAFDC)**—Federal and state program that provides financial assistance to low-income working families with children under the age of 18;
- **Federal and State Earned Income Tax Credit (EITC)**—refundable tax credits that supplement income for employed low-income families; and
- **Child Tax Credit (CTC)**—Federal refundable tax credit that supplements income for employed low-income families with children under the age of 18.

The system of public supports available to low-income families in the state is complex. Each public support program has its own unique set of eligibility requirements, including income limits that restrict the amount of wages a recipient can earn, asset limits that prevent recipients from saving large amounts of money, and work requirements. Furthermore, many of these public supports suffer from long waiting lists or short time limits.

Table 1 (see page 4) outlines income eligibility levels as well as the ways in which income is defined by each of the different programs. As demonstrated in the table, these public support programs use different measures to assess income eligibility:

- Two of the major public support programs determine income eligibility based on a percentage of the Federal Poverty Line (FPL). For a family of three, the poverty line is very low, at \$20,160 per year.¹
- One program uses a percentage of State Median Income (SMI). The Massachusetts State Median Income (SMI) is \$70,628 according to the 2015 American Community Survey (ACS).²
- Three programs use a percentage of Area Median Income (AMI) that varies based on where a family lives and its household size. For example, the AMI for a four-person family in Boston is \$98,500.³



Table 2 (see page 8), outlines the asset limits for each program. Assets encompass anything of high value that can be converted to cash and can include valuables such as a home, car, and/or a savings account. Each public support program sets its own asset limit that, if exceeded, disqualifies a family from a program. Asset limits can deter economic mobility; in fact, asset building is cited as a key link to sustainable poverty alleviation because it helps build the long-term capacity of families. The table shows that four of the nine (44.4%) major public support programs have an asset limit.



Table 3 (see page 13) provides information about the general legal context that governs each public support program, including relevant legislation and regulations as well as the associated government agency at both the Federal and State levels. Furthermore, information about the point of access for families is included. This information will allow policymakers to locate the specific policies that govern each aspect of this multifaceted system.


Table 4 (see page 19) is a snapshot of the legislation that governs the Massachusetts public support system today. Information about the relevant legislation and/or regulation(s) that currently govern each specific aspect (such as income limits, asset limits, or work requirements) of each public support program is provided.

The laws and regulations that govern these public support programs change frequently, so these tables are followed by an **Annotated References** section (see page 23), which includes more detailed information about the data in the tables, as well as links to source materials, including government databases for laws and regulations.

Table 1: Income Eligibility for Public Assistance Programs Available to Massachusetts Families⁴

| | Program Name | Area Median Income (AMI) | State Median Income (SMI) | Federal Poverty Level (FPL) ⁵ | Other | What Counts as Income? |
|--|---|--------------------------|---------------------------|--|-------|---|
| Childcare: | | | | | | |
|  | Income Eligible Vouchers | | 50% | | | Earned income (such as wages); SSI; child support (monetary and in-kind); rental income; and TAFDC |
| Nutrition: | | | | | | |
|  | Special Supplemental Nutrition Program for Women, Infants, and Children (WIC) | | | 185% | | Earned income (such as wages or worker's compensation) |
| | Supplemental Nutrition Assistance Program (SNAP) | | | 200% | | Earned income (including wages, tips, salary and earnings from self-employment); social security (but not SSI); unemployment compensation; veterans' and other pension benefits; and income from trusts |

| | Program Name | Area Median Income (AMI) | State Median Income (SMI) | Federal Poverty Level (FPL) | Other | What Counts as Income? |
|--|---|--------------------------|---------------------------|-----------------------------|----------------|---|
| Health Care: | | | | | | |
|  | MassHealth (Medicaid) | | | | ✓ ⁶ | Earned income (including wages, tips, salary and earnings from self-employment); social security (but not SSI); unemployment compensation; veterans' and other pension benefits; and income from trusts |
| Housing: | | | | | | |
|  | Housing Choice Voucher (Section 8) | 30%-80% ⁷ | | | | All before-tax income for all family members (including earned wages, social security, pension benefits, income supports, and alimony) |
| | Massachusetts Rental Voucher Program (MRVP) | 80% | | | | All before-tax earned income for all family members (including earned wages, social security, pension benefits, income supports, and alimony) |
| | Public Housing | 80% | | | | All before-tax earned income for all family members (including earned wages, social security, pension benefits, income supports, and alimony) |

| | Program Name | Area Median Income (AMI) | State Median Income (SMI) | Federal Poverty Level (FPL) | Other | What Counts as Income? |
|--|--|--------------------------|---------------------------|-----------------------------|----------------|---|
| Income Supports: | | | | | | |
|  | Earned Income Tax Credit (EITC) | | | ✓ | ✓ ⁸ | Earned income (such as Wages, salaries, tips, and other taxable employee pay) |
| | Transitional Aid to the Families with Dependent Children (TAFDC) | | | | ✓ ⁹ | Earned income (including wages, tips, salary and earnings from self-employment); social security (but not SSI); unemployment compensation; veterans' and other pension benefits; and income from trusts |



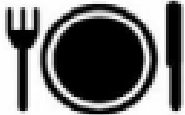



| Disability: | | | | | | |
|---|--|--|--|--|-----------------|--|
|  | Social Security Disability Insurance (SSDI) | | | | ✓ ¹⁰ | Earned Income is counted. *As of 2018, blind SSDI applicants cannot earn more than (\$1,197) a month by working. Likewise, disabled applicants cannot earn more than (\$1,180) per month by working. |
| | Supplemental Security Income (SSI) | | | | ✓ ¹¹ | Earned Income is counted. It is anything outside e.g. food stamps, scholarships, tax refunds and more. It is based on the federal benefit rate (FBR) . In 2018, the FBR is \$750 per month for individuals and \$1,125 for couples. https://www.ssa.gov/ssi/text-income-ussi.htm |

Table 2: Asset Limits for Public Assistance Programs Available to Massachusetts Families

| | Program Name | Asset Limit | What counts as an asset? |
|---|---|---------------------------------|---------------------------------|
| Childcare: | | | |
|  | Income Eligible Vouchers | None | |
| Nutrition: | | | |
|  | Special Supplemental Nutrition Program for Women, Infants, and Children (WIC) | None | |
| | Supplemental Nutrition Assistance Program (SNAP) | \$2,001 - \$3,001 ¹² | Bank accounts |

| | Program Name | Asset Limit | What counts as an asset? |
|---|-----------------------|---------------------------------|--|
| Health Care: | | | |
|  | MassHealth (Medicaid) | \$2,000 - \$3,000 ¹³ | Cash; Bank accounts; IRAs, Keogh Plans, and Pension Funds; Securities (including, but not limited to, stocks, bonds, options, futures contracts, debentures, mutual funds including money-market mutual funds, and other financial instruments); Cash-surrender value of life insurance policies; Real estate other than the primary residence; Vehicles other than the primary household vehicle; Retroactive SSI and Retirement, Survivors, and Disability Insurance (RSDI) benefit payments |

| | Program Name | Asset Limit | What counts as an asset? |
|---|---|------------------------|--|
| Housing: | | | |
|  | Housing Choice Voucher (Section 8) | None | |
| | Massachusetts Rental Voucher Program (MRVP) | \$15,000 ¹⁴ | Cash; Bank accounts; The market value of equity in real property, stocks, bonds or other forms of capital investment; The value of equity in such personal property as boats, recreational vehicles, luxury goods; Payment received or to be received in settlement of personal or property loss; Money at interest and debts due applicant by any person(s); Value of cash-surrender insurance policies |
| | Public Housing | None | |

| | Program Name | Asset Limit | What counts as an asset? |
|---|--|-------------|--|
| Income Supports: | | | |
|  | Earned Income Tax Credit (EITC) | None | |
| | Transitional Aid to the Families with Dependent Children (TAFDC) | \$2,500 | <p>Cash; Bank accounts; Accessible pensions and retirement accounts; Stocks and bonds; Real estate other than the primary residence; A family car with a value above \$10,000 fair market value or \$5,000 equity value (whichever is greater); The fair market or equity value (whichever is greater) of any other vehicles</p> |







| | Program Name | Asset Limit | What counts as an asset? |
|---|--|--|--|
| Disability: | | | |
|  | Social Security Disability Insurance (SSDI) | None | An individual's assets are not counted. |
| | Supplemental Security Income (SSI)¹⁵ | No more than \$2,000 worth of total countable assets for individuals. Married- (if you are married, you may jointly own up to \$3,000 in assets) | <p>Countable assets are anything of value which you own except for the home which you live in and one vehicle.</p> <p>*Assets include such things as money in savings and checking accounts, IRAs and other retirement accounts, cash value in life insurance policies, vehicles (other than one vehicle for transportation), and virtually anything else of significant value</p> |


Table 3: Levels of Government that Control Major Public Support Programs Available to Massachusetts Families

| | Program Name | General Legal Context | Primary Federal Agency | Primary State Agency |
|---|--------------------------------------|--|------------------------|--|
| Childcare: | | | | |
|  | Income Eligible Childcare Voucher | <u>State Law:</u> ¹⁶ 15D M.G.L. §2 <u>State</u> <u>Regulations:</u> ¹⁷ 606 CMR §10 | N/A | Department of Early Education and Care, Executive Office of Education ¹⁸ |

| | Program Name | General Legal Context | Primary Federal Agency | Primary State Agency |
|---|--------------|--|---|---|
| Nutrition: | | | | |
|  | WIC | <u>Federal Legislation:</u> ¹⁹ 42 U.S.C. §1786 <u>Federal Regulation:</u> ²⁰ 7 C.F.R. §246 <u>State Law:</u> ²¹ 111I M.G.L. §1-7 | Department of Agriculture, Federal Nutrition Service ²² | Department of Public Health ²³ |
| | SNAP | <u>Federal Legislation:</u> ²⁴ 7 USC §2011 et seq. <u>Federal Regulation:</u> 7 C.F.R. §§271.1-285.5 <u>MA Regulations:</u> 106 C.M.R. §§360-367 | Department of Agriculture, Federal Nutrition Service ²⁵ | Department of Transitional Assistance ²⁶ |

| | Program Name | General Legal Context | Primary Federal Agency | Primary State Agency |
|---|--------------------------|--|---|---|
| Health Care: | | | | |
|  | MassHealth (Medicaid) | <u>Federal Legislation:</u> 42 U.S.C. §1396 ²⁷ <u>Federal Regulations:</u> ²⁸ 42 C.F.R. §435.6-435.64 <u>MA Regulations:</u> 130 C.M.R. §§501-522 ²⁹ | Department of Health and Human Services ³⁰ | Executive Office of Health and Human Services ³¹ |

| | Program Name | General Legal Context | Primary Federal Agency | Primary State Agency |
|---|--|---|--|--|
| Housing: | | | | |
|  | Housing Choice Voucher Program (Section 8) | <u>Federal Legislation:</u> 42 U.S. Code §1437(f) ³² <u>Federal Regulation:</u> 24 C.F.R. §5.100-5.2011, ³³ 24 C.F.R. §982 ³⁴ | U.S. Department of Housing and Urban Development | N/A |
| | Massachusetts Rental Voucher Program (MRVP) | <u>MA Budget:</u> Line item 7004-9024 (No M.G.L.) ³⁵ <u>MA Regulations:</u> 760 C.M.R. §49 ³⁶ | N/A | Department of Housing and Community Development (DHCD) Bureau of Rental Assistance ³⁷ |
|  | State Public Housing: Families (Chapter 200/705) | <u>State Law:</u> ³⁸ 121B MGL §32 | N/A | Department of Housing and Community Development (DHCD), Division of Public Housing ³⁹ |

| | Program Name | General Legal Context | Primary Federal Agency | Primary State Agency |
|---|--|--|--|---|
| Income Supports: | | | | |
|  | Federal Earned Income Tax Credit (EITC) | <u>Federal Law:</u> ⁴⁰ 26 U.S.C. §32 <u>Federal Regulation:</u> 26 C.F.R. §1.32-2 ⁴¹ | Internal Revenue Service, ⁴² Department of the Treasury | N/A |
| | State Earned Income Tax Credit (EITC) | <u>State Law:</u> 62 M.G.L. §6(h) ⁴³ | N/A | Department of Revenue ⁴⁴ |
| | Transitional Aid to the Families with Dependent Children (TAFDC) | <u>Federal Legislation:</u> ⁴⁵ 42 U.S.C. §§601–687 <u>Federal Regulation:</u> ⁴⁶ 45 C.F.R. §§200-287 <u>State Law:</u> ⁴⁷ 118 MGL §§1-19 <u>State Regulation:</u> ⁴⁸ 106 C.M.R. §§203-208 | Administration for Children and Families, Department of Health and Human Services ⁴⁹ | Department of Transitional Assistance ⁵⁰ |








| | Program Name | General Legal Context | Primary Federal Agency | Primary State Agency |
|---|--|--|--------------------------------------|--|
| Disability: | | | | |
|  | Social Security Disability Insurance (SSDI) | <u>Federal legislation</u> ⁵¹ Sec. 205. [42 U.S.C. 405] | Social Security Administration (SSA) | SSA field offices ⁵² in collaboration with Disability Determination Services (DSSs) |
| | Supplemental Security Income (SSI) | <u>Federal legislation</u> ⁵³ Sec. 1602. [42 U.S.C. 1381a] | Social Security Administration (SSA) | Social Security Administration (SSA) |

Table 4: Snapshot of Legal Context and Level of Government Involved in Public Assistance Programs

| | Program | Governance of Program Elements Relevant to Cliff Effects: | | | | | |
|---|---|---|---|---|---|---|--|
| | | Gross Income | Net Income | Asset Type | Asset Limit | Work Requirement | Benefit Level |
| Childcare: | | | | | | | |
|  | Income Eligible Childcare Voucher | MA Law, ⁵⁴ MA Regulation ⁵⁵ | N/A | N/A | N/A | MA Regulation ⁵⁶ | MA Law, ⁵⁷ MA Regulation ⁵⁸ |
| Nutrition: | | | | | | | |
|  | Special Supplemental Nutrition Program for Women, Infants, and Children (WIC) | Federal Law, ⁵⁹ Federal Regulation, ⁶⁰ | Federal Regulation, ⁶¹ | N/A | N/A | N/A | Federal Law, ⁶² Federal Regulation, ⁶³ State Law ⁶⁴ |
| | Supplemental Nutrition Assistance Program (SNAP) | Federal Law, ⁶⁵ Federal Regulation ⁶⁶ | Federal Law, ⁶⁷ Federal Regulation, ⁶⁸ State Regulation ⁶⁹ | Federal Law, ⁷⁰ Federal Regulation, ⁷¹ State Regulation ⁷² | Federal Law, ⁷³ Federal Regulation, ⁷⁴ | Federal Law, ⁷⁵ Federal Regulation, ⁷⁶ State Regulation ⁷⁷ | Federal Regulation, ⁷⁸ State regulation ⁷⁹ |

| | Program | Governance of Program Elements Relevant to Cliff Effects: | | | | | |
|--|---|---|---|---|--|------------------|---|
| | | Gross Income | Net Income | Asset Type | Asset Limit | Work Requirement | Benefit Level |
| Health Care: | | | | | | | |
|  | MassHealth (Medicaid) | Federal Law, ⁸⁰ Federal Regulation, ^{81, 82, 83} | N/A | Federal Regulation, ⁸⁴ State Regulation ⁸⁵ | Federal Regulation, ⁸⁶ State Regulation ⁸⁷ | N/A | Federal Law, ⁸⁸ Federal Regulation, ⁸⁹ State Regulation ⁹⁰ |
| Housing: | | | | | | | |
|  | Housing Choice Voucher (Section 8) | Federal Law, ⁹¹ Federal Regulation ⁹² | Federal Law, ^{93,94} Federal Regulation ⁹⁵ | N/A | N/A | N/A | Federal Law, ⁹⁶ Federal Regulation ⁹⁷ |
| | Massachusetts Rental Voucher Program (MRVP) | MA Line Item cap ⁹⁸ | DHCD (MA) Regulation ⁹⁹ | DHCD (MA) Regulation ¹⁰⁰ | DHCD (MA) Regulation ¹⁰¹ | N/A | MA budget line item, ¹⁰² MA regulation ¹⁰³ |
| | MA Public Housing: Families (Chapter 200/705) | MA Regulation ¹⁰⁴ | MA Law, ¹⁰⁵ MA Regulation ¹⁰⁶ | MA Regulation ¹⁰⁷ | MA Regulation ¹⁰⁸ <u>Note:</u> Included in Gross Income | None | MA Law, ¹⁰⁹ MA Regulation ¹¹⁰ |

| | Program | Governance of Program Elements Relevant to Cliff Effects: | | | | | |
|---|--|--|---------------------------------|--|---|---|---|
| | | Gross Income | Net Income | Asset Type | Asset Limit | Work Requirement | Benefit Level |
| Income Supports: | | | | | | | |
|  | Federal Earned Income Tax Credit (EITC) | Federal Law, ^{111,112} Federal Regulation ¹¹³ | N/A | Federal Law ¹¹⁴ | Federal Law ¹¹⁵ | Inherent in program structure: Must have earned income | Federal Law, ¹¹⁶ Note: Tables available from IRS ¹¹⁷ |
| | State Earned Income Tax Credit (EITC) | Must meet federal EITC requirement, see Federal EITC | N/A | Must meet federal EITC requirement, see Federal EITC | Must meet federal EITC requirement , see Federal EITC | Inherent in program structure: Must have earned income | 23% of the federal EITC; Governed by: MA Law ¹¹⁸ |
| | Transitional Aid to the Families with Dependent Children (TAFDC) | State Regulation ^{119,120} | State Regulation ¹²¹ | State Regulation ¹²² | State Regulation ¹²³ | Federal Law, ¹²⁴ Federal Regulation, ¹²⁵ State Regulation, ¹²⁶ | State regulation ¹²⁷ |
| | Child Tax Credit | Federal Law ¹²⁸ | N/A | N/A | N/A | Inherent in program structure: Must have earned income | Federal Law, ¹²⁹ |
| | | | | | | | |

| | Program | Governance of Program Elements Relevant to Cliff Effects: | | | | | |
|--|---|--|--|--|--|---|--|
| | | Gross Income | Net Income | Asset Type | Asset Limit | Work Requirement | Benefit Level |
| Disability: Note ‘Work requirement’ column refers to working requirement while on SSI checks ‘Gross Income, Net income, Asset type, Asset limit’ columns refer to requirements under these categories to enable the individual become eligible for SSI checks | | | | | | | |
|  | Supplemental Security Income (SSI) | Federal Law Sec. 1612. [42 U.S.C. 1382a] ¹³⁰ Federal regulation ¹³¹ | Federal law Sec. 1612. [42 U.S.C. 1382a] ¹³² Federal regulation ¹³³ | Federal Law Sec. 1613. [42 U.S.C. 1382b] ¹³⁴ Federal regulation ¹³⁵ | Federal Law Sec. 1613. [42 U.S.C. 1382b] ¹³⁶ Federal regulation ¹³⁷ | Federal Law Sec. 1619. [42 U.S.C. 1382h] ¹³⁸ | Federal and State supplemental payments ¹³⁹ |

Annotated References

¹ This is a federal calculation that is the same across geographies and only varies by household size.

² In contrast to this, the Suffolk County area median income is \$95,500 but is \$67,770 for Berkshire County. This means that a family of three will be eligible to receive the income eligible childcare voucher if their monthly net income is at or below 50% of the State Median Income—\$3,695. However, that same family will not be able to receive the Supplemental Nutritional Assistance Program (SNAP) because its income eligibility is 200% of the federal poverty line—\$3,360.

³ <https://www.boston.gov/sites/default/files/affordable-housing-boston.pdf>

⁴ Tables 1 and 2 are adapted from: Bingulac, M., Carey, C., & Crandall, S. (2017). The Road to the Cliff Edge: Understanding Financial Gaps in Public Assistance Programs Available to Massachusetts Families. *The Center for Social Policy, University of Massachusetts Boston*. Retrieved from https://www.umb.edu/editor_uploads/images/centers_institutes/center_social_policy/The_Road_to_the_Cliff_Edge_08.16.17.pdf

⁵ Federal Poverty Line varies by the number of persons in a household. For a family of three, poverty line is at \$20,160 per year. Official 2016 thresholds are available here: <https://www.federalregister.gov/documents/2016/01/25/2016-01450/annual-update-of-the-hhs-poverty-guidelines> Massachusetts State Median Income (SMI) is 70.628 according to the 2015 American Community Survey (ACS).

⁶ Based on Modified Adjusted Gross Income (MAGI); can be no more than 200% of the federal poverty level

⁷ 75 percent of all households selected to receive Section 8 must have incomes within 30 percent of the area median income; 25 percent of Section 8 households can have incomes up to 50 percent of the AMI; in some instances these limits can go as high as 80 percent of the AMI, although very few housing agencies serve households with this income at this limit

⁸ State EITC income eligibility levels are adjusted annually and are not based on a common income standard (FPL, SMI, or AMI). For more information, visit <http://www.mass.gov/dor>

⁹ TAFDC eligibility is based on a gross income test and a needs test. This is not a truly means-tested entitlement programs. Someone can receive TAFDC for 24 consecutive months, after which they have to reapply and they cannot receive it for longer than 60 months over their lifetime.

¹⁰ Income from **working** is counted. SSDI has a limit on how much an individual can make from working. *According to the Social Security Administration (SSA) the limit on income through work applies because it is assumed that if you can earn an income, you aren't considered disabled. Monthly earnings above the amounts above is considered "[substantial gainful activity](#)" (SGA), and the individual will not be eligible for SSDI benefits. **More information at:** <https://www.disabilitysecrets.com/resources/social-security-disability/ssdi/income-limits-ssdi-benefits>

Note: Unearned income is not counted because SSDI does not have a limit on unearned income e.g. your assets, investments, spouse income, interest. Also, some people receiving SSDI may have their condition improve enough that they want to return to the

workforce, but are afraid that they will be unable to keep a job due to their disabilities. To encourage SSDI recipients with disabilities to try to return to work, the SSA provides for a trial work period. During the [trial work period](#) (TWP), a person receiving SSDI can have unlimited earnings and still receive full benefits without risking termination of benefits. **For more information:** <https://www.disabilitysecrets.com/resources/social-security-disability/ssdi/income-limits-ssdi-benefits>

¹¹ The income limit for the SSI program is based on something called the **federal benefit rate (FBR)**. The federal benefit rate represents both the SSI income limit and the maximum federal monthly SSI payment. In 2018, the FBR is **\$750** per month for individuals and **\$1,125** for couples. (The FBR increases annually if there is a Social Security [cost-of-living adjustment](#). **Links to resources on income calculation:** <https://www.disabilitysecrets.com/resources/social-security-disability/supplemental-security-income-ssi/income-limits-eligibility.htm> & <https://www.ssa.gov/ssi/text-income-ussi.htm>

¹² In order to qualify for this benefit program, you must be a resident of the state of Massachusetts and fall into one of two groups: (1) those with a current bank balance (savings and checking combined) under \$2,001, or (2) those with a current bank balance (savings and checking combined) under \$3,001 who share their household with a person or persons age 60 and over, or with a person with a disability (a child, your spouse, a parent, or yourself).

¹³ MassHealth asset limit only applies to seniors according to 130 CMR 506.001—see <https://www.mass.gov/files/documents/2018/01/29/130cmr506.pdf> for details. For a senior individual, the asset limit is \$2,000; and for a senior couple living together in the community where there is financial responsibility according to 130 CMR 520.002(A)(1), the asset limit is \$3,000. This asset limit referenced at 130 CMR §520.003; <http://www.mass.gov/eohhs/docs/masshealth/regulations/member-eligibility/130-cmr-520-000.pdf>

¹⁴ For the purposes of initial eligibility an applicant household's total assets may not exceed one and one half times the gross household income of the applicant or \$15,000.00, whichever is greater. There is no asset limitation for purposes of continued eligibility.

¹⁵ Supplemental Security Income (SSI) is a disability program designed for those with a demonstrated financial need and a disability that prevents them from substantial gainful activity. In some cases, those over 65 years old may qualify for SSI even if they are not completely disabled according to the Social Security Administration (SSA)'s definition of total disability. For those under 65 years of age, you must establish that you are both completely disabled and that you do not have adequate other means of support to qualify for SSI benefits. This means proving that your disability makes it impossible for you to perform any work, including both work which you have done before and any work for which you could otherwise be trained. *Thus, If you are disabled, you may qualify for SSI whether you have worked in recent years or not. **Links on general information:** <https://www.ssa.gov/ssi/text-eligibility-ussi.htm> <https://www.disabilitybenefitscenter.org/supplemental-security-income/how-to-qualify> <https://www.ssa.gov/ssi/>

If you are both disabled (according to the SSA definition) and can demonstrate your financial need (insufficient or no income and less than \$2,000 in assets), you may qualify for SSI. <https://www.disabilitybenefitscenter.org/supplemental-security-income/how-to-qualify>. **For more information on assets/resources, see:** <https://www.disabilitybenefitscenter.org/supplemental-security-income/how-to-qualifyhttps://www.ssa.gov/ssi/text-resources-ussi.htm>

¹⁶ 15D M.G.L. §2(g),

<https://malegislature.gov/Laws/GeneralLaws/PartI/TitleII/Chapter15D/Section2>

¹⁷ <http://www.mass.gov/courts/docs/lawlib/600-699cmr/606cmr10.pdf>

¹⁸ <http://www.mass.gov/edu/birth-grade-12/early-education-and-care/financial-assistance/child-care-financial-assistance-ccfa/>

¹⁹ Aussenberg, R.A., & Kortrey, J.E. (2015, July 21). A primer on WIC: The Special Nutrition Program for Women, Infants, and Children (7-5700). Washington, DC: Congressional Research Service. Retrieved from <https://fas.org/sgp/crs/misc/R44115.pdf>

²⁰ WIC regs found at 7 C.F.R. §246; <https://www.fns.usda.gov/wic/wic-laws-and-regulations>

²¹ <https://malegislature.gov/Laws/GeneralLaws/PartI/TitleXVI/Chapter111I>

²² <https://www.fns.usda.gov/wic/about-wic-wic-glance>

²³ WIC is administered by the Dept. of Health and Human Services at the federal level and the Department of Public Health at the state level.

<http://www.mass.gov/eohhs/consumer/basic-needs/food/wic/>

²⁴ SNAP is reauthorized by the “Farm Bill,” P.L. 113-79 (Expires 2018).

²⁵ <https://www.fns.usda.gov/snap/supplemental-nutrition-assistance-program-snap>

²⁶ <http://www.mass.gov/eohhs/gov/departments/dta/food-assistance.html>

²⁷ <https://www.gpo.gov/fdsys/pkg/USCODE-2015-title42/pdf/USCODE-2015-title42-chap7-subchapXIX.pdf>

²⁸ <https://www.macpac.gov/reference-guide-to-federal-medicaid-statute-and-regulations/>

²⁹ <http://www.mass.gov/eohhs/gov/laws-regs/masshealth/>

³⁰ The Center for Medicaid and CHIP Services (CMCS) “...serves as the focal point for all the national program policies and operations...” for Medicaid, CHIP, and BHP, <https://www.medicaid.gov/about-us/index.html>

³¹ In Massachusetts, MassHealth (Medicaid) is administered by the Executive Office of Health and Human Services (<http://www.mass.gov/bb/h1/fy10h1/brec10/dpt/hcehs.htm>)

³² 42 U.S.C. §1437, See: <https://www.gpo.gov/fdsys/pkg/USCODE-2016-title42/pdf/USCODE-2016-title42-chap8-subchapI-sec1437f.pdf>; Definition of monthly assistance payment (amount paid by government) is given at 42 U.S.C. §1437(f)(c)(3). Note that rent itself is given at 42 U.S.C. §1437a. Establishment of good-cause eviction is given at 42 U.S.C. §1437(f)(d)(1)(B)(ii).

³³ Part 5 of Title 24 (Code of Federal Regulations) provides general HUD program requirements, including for Section 8. Part 5 includes definitions of income under Section 8. https://www.ecfr.gov/cgi-bin/text-idx?SID=d3b310627dff4108a1d0eb952cbae056&mc=true&tpl=/ecfrbrowse/Title24/24cfr5_main_02.tpl

³⁴ 24 C.F.R. §982, See https://www.ecfr.gov/cgi-bin/text-idx?tpl=/ecfrbrowse/Title24/24cfr982_main_02.tpl; 24 C.F.R. §982.505 stipulates how to

calculate the housing assistance payment, 24 C.F.R. §982.505 stipulates the maximum family share at initial occupancy, 24 C.F.R. §982.515 defines the family rent to owner, or the amount the family is required to pay

³⁵ 7 C.F.R. §273.9: Income eligibility standards

7); 106 CMR §363.220(A)(2); 106 CMR §364.400(F); 106 CMR §364.400(G); 106 CMR §363.140(D); 106 CMR §365.52; 106 CMR §363.230 (o); 106 CMR §264.4(E) ublicnotices/mrvp42417.pdf"

<http://www.mass.gov/hed/docs/dhcd/ph/publicnotices/mrvp42417.pdf>

³⁶ <http://www.mass.gov/hed/economic/eohed/dhcd/legal/regs/760-cmr-49.html>

³⁷ <http://www.mass.gov/hed/docs/dhcd/ph/publicnotices/mrvpadminplan17.pdf>

³⁸ <https://malegislature.gov/Laws/GeneralLaws/PartI/TitleXVII/Chapter121B/Section32>

³⁹ <http://www.mass.gov/hed/housing/ph-manage/flih.html>

⁴⁰ <https://www.law.cornell.edu/uscode/text/26/32>

⁴¹ https://www.ecfr.gov/cgi-bin/text-idx?SID=76a325006f4ddaa1294dbe281e8449d0&mc=true&node=se26.1.1_132_62&rgn=div8

⁴² Government Accountability Office (GAO). (2017, June). Federal low-income programs: Eligibility and benefits differ for selected programs due to complex and varied rules (GAO-17-558). Retrieved from <https://www.gao.gov/products/GAO-17-558>

⁴³ 62 M.G.L. §6(h) <http://www.mass.gov/dor/individuals/filing-and-payment-information/guide-to-personal-income-tax/credits/earned-income-credit-eic.html#MassRef>;

<https://malegislature.gov/Laws/GeneralLaws/PartI/TitleIX/Chapter62/Section6>

⁴⁴ <http://www.mass.gov/dor/individuals/filing-and-payment-information/guide-to-personal-income-tax/credits/earned-income-credit-eic.html>

⁴⁵ <https://www.acf.hhs.gov/ofa/programs/tanf/laws-regulations>;

<https://www.gpo.gov/fdsys/pkg/USCODE-2015-title42/pdf/USCODE-2015-title42-chap7-subchapIV.pdf>

⁴⁶ https://www.ecfr.gov/cgi-bin/text-idx?SID=859a91afe8b2d8c089b9d4c3141efc99&mc=true&tpl=/ecfrbrowse/Title45/45cfrv2_02.tpl#200

⁴⁷ <https://malegislature.gov/Laws/GeneralLaws/PartI/TitleXVII/Chapter118>

⁴⁸ <http://www.mass.gov/eohhs/gov/laws-regs/dta/106-cmr-203-208.html>

⁴⁹ <https://www.acf.hhs.gov/ofa/programs/tanf/about>

⁵⁰ <http://www.mass.gov/eohhs/gov/departments/dta/cash-assistance.html>

⁵¹ For more information visit: <https://www.law.cornell.edu/uscode/text/42/405>

https://www.ssa.gov/OP_Home/ssact/title02/0205.htm#ft72

⁵² Social Security Administration (SSA). Disability Determination Process.

<https://www.ssa.gov/disability/determination.htm>

⁵³ For more information visit:

<https://www.ssa.gov/ssi/law-regs-finder.htm#gen-regs>

https://www.ssa.gov/OP_Home/ssact/title16b/1602.htm

https://www.ssa.gov/OP_Home/ssact/title16b/1600.htm

https://www.ssa.gov/OP_Home/cfr20/416/416-0000.htm

⁵⁴ Development of the gross income test is authorized by 15D M.G.L. §2(g),

<https://malegislature.gov/Laws/GeneralLaws/PartI/TitleII/Chapter15D/Section2>

⁵⁵ Gross income requirement is described at 606 CMR §10.04(1): “...total gross monthly income for the household is at or below 50% of the State Median Income at the time of the family's initial enrollment. Families, whose gross monthly income is at or below 50% of the State Median Income at the initial assessment, will continue to meet the financial requirements provided that the total gross monthly income for the household remains at or below 85% of the State Median Income” NOTE: the financial test for families with an “incapacitated parent or a child with Special Needs” is a total gross monthly income at or below 85% of the State Median Income as per 606 CMR §10.04(2).

⁵⁶ Parents are required to fulfill a “service need,” which could include work, maternity leave, or education. This is codified at 606 CMR §10.04(1)(b)

<http://www.mass.gov/courts/docs/lawlib/600-699cmr/606cmr10.pdf>

⁵⁷ Development of the sliding scale fee is authorized by 15D M.G.L. §2(e),
<https://malegislature.gov/Laws/GeneralLaws/PartI/TitleII/Chapter15D/Section2>

⁵⁸ General information about fees (what parent pays) is available at 606 CMR §10.03(2)
<http://www.mass.gov/courts/docs/lawlib/600-699cmr/606cmr10.pdf>

⁵⁹ 42 U.S.C. §1786(f)(2)(A)(i): Income guideline established by Secretary may not exceed maximum set forth in Richard B. Russell National School Lunch Act (185% of FPL)

⁶⁰ Through federal regulations (7 C.F.R. §246.7), the Secretary allows states to set income eligibility between 100% of FPL and the maximum allowed at 42 U.S.C. §1786(f)(2)(A).

⁶¹ States are allowed to exclude certain types of income from gross income test. Authority given at 7 C.F.R. §246.7(d)(2)(iv)

⁶² State substitutions for basic federal requirements for food provided to participants, provided they are nutritionally equivalent, are authorized in federal law at 42 U.S.C. §1786(b)(14)

⁶³ The federal government determines minimum requirements for food provided to participants at 7 C.F.R. §246.10 (<https://www.law.cornell.edu/cfr/text/7/246.10>), but state substitutions for these, provided they are nutritionally equivalent, are authorized in federal law at 42 U.S.C. §1786(b)(14)

⁶⁴ 111I M.G.L. §5 is the section of the state law that governs the food provided to participants. Guidance here is vague, with much delegation given to the Executive Branch.

<https://malegislature.gov/Laws/GeneralLaws/PartI/TitleXVI/Chapter111I/Section5>

⁶⁵ 7 U.S.C. §2014(c) stipulates that gross income shall not exceed the poverty line. See <https://www.gpo.gov/fdsys/pkg/USCODE-2016-title7/pdf/USCODE-2016-title7-chap51-sec2014.pdf>. The gross income test is for households without disabled individuals; However, a **state option for 200% of the federal poverty level is given at 7 CFR 273.2(j)(2)(v)**. The state option was implemented in Massachusetts initially in 2004, expanded in 2008, simplified in 2015. See USDA Chart, Broad-based Categorical Eligibility, August 2016: <https://www.fns.usda.gov/sites/default/files/snap/B BCE.pdf> , See USDA Guidance to Regional Directors 1/31/11: <https://www.fns.usda.gov/snap/questions-and-answers-broad-based-categorical-eligibility>. See DTA tables re: 200% FPL gross income test.
<http://www.mass.gov/eohhs/docs/dta/eligibility-charts/c-snap-364-950.pdf>; **Countable**

Income and Exclusions: 7 U.S.C. §2014(d); **State options** for counting income granted at 7 U.S.C. §2014(d)(16-18).

⁶⁶ Gross income is addressed at 7 C.F.R. §273.9. See https://www.ecfr.gov/cgi-bin/text-idx?SID=a3454c545e8d9278d62f8a71e99939f5&node=se7.4.273_19&rgn=div8

⁶⁷ Countable Income and Exclusions (to derive net income): 7 U.S.C. §2014(d)...**state options** given at §2014(d)(16-18); Deductions from Income: 7 U.S.C. §2014(e)...**State options** given at 7 U.S.C. §2014(e)(4), 7 U.S.C. §2014(e)(5)(b)(i), 7 U.S.C. §2014(e)(6)(B), 7 U.S.C. §2014(e)(6)(C), 7 U.S.C. §2014(e)(6)(D). See <https://www.gpo.gov/fdsys/pkg/USCODE-2016-title7/pdf/USCODE-2016-title7-chap51-sec2014.pdf>. Note: The income used in eligibility is income from all sources, subject to specific exclusions, minus deductions. States have options with regard to income exclusions and deductions.

⁶⁸ 7 C.F.R. §273.9 gives income standards. Specifically, 7 C.F.R. §273.9(2) sets the net income threshold at 100% of FPL. NOTE: Households which are categorically eligible as defined in 7 C.F.R. § 273.2(j)(2) or 273.2(j)(4) **do not** have to meet either the gross or net income eligibility standards. See https://www.ecfr.gov/cgi-bin/text-idx?SID=a3454c545e8d9278d62f8a71e99939f5&node=se7.4.273_19&rgn=div8 or <https://www.law.cornell.edu/cfr/text/7/273.9>

⁶⁹ State options regarding net income implemented in Massachusetts DTA regulations at: 106 CMR §363.140(H)(7); 106 CMR §363.220(A)(2); 106 CMR §364.400(F); 106 CMR §364.400(G); 106 CMR §363.140(D); 106 CMR §365.52; 106 CMR §363.230 (o); 106 CMR §264.4(E). See <https://www.mass.gov/lists/106-cmr>

⁷⁰ 7 U.S.C. §2014(g)(1). This section sets the general cap on resources. See <https://www.gpo.gov/fdsys/pkg/USCODE-2016-title7/pdf/USCODE-2016-title7-chap51-sec2014.pdf>.

⁷¹ 7 C.F.R. §273.8: Resource eligibility standards. See <https://www.gpo.gov/fdsys/pkg/CFR-2017-title7-vol4/pdf/CFR-2017-title7-vol4-part273.pdf>; **State options** given at 7 U.S.C. §2014(g)(2)(D); 7 U.S.C. §2014(g)(6); 7 U.S.C. §2014(n), See <https://www.gpo.gov/fdsys/pkg/USCODE-2016-title7/pdf/USCODE-2016-title7-chap51-sec2014.pdf>.

⁷² Asset state options implemented in state regulations: 106 CMR §363.140(H)(7); 106 CMR §363.140(D); 106 CMR §365.52. See <https://www.mass.gov/lists/106-cmr>

⁷³ 7 U.S.C. §2014(g)(2). This section describes what assets count. Some state options are included (e.g., 7 U.S.C. §2014(g)(2)(d)). See <https://www.gpo.gov/fdsys/pkg/USCODE-2016-title7/pdf/USCODE-2016-title7-chap51-sec2014.pdf>.

⁷⁴ 7 C.F.R. §273.8. See <https://www.gpo.gov/fdsys/pkg/CFR-2017-title7-vol4/pdf/CFR-2017-title7-vol4-part273.pdf>; Resource eligibility standards; **State options** given at 7 U.S.C. §2014(g)(2)(D); 7 U.S.C. §2014(g)(6); 7 U.S.C. §2014(n).

⁷⁵ General work requirement imposed by federal statute at 7 U.S.C. §2015(d)(1)

⁷⁶ General work requirements regulated at 7 CFR §273.7(f). See <https://www.gpo.gov/fdsys/pkg/CFR-2017-title7-vol4/pdf/CFR-2017-title7-vol4-part273.pdf>. Time limit and work requirements for able-bodied adults without dependents at 7 C.F.R. §263.24. See <https://www.gpo.gov/fdsys/pkg/USCODE-2016-title7/pdf/USCODE-2016-title7-chap51-sec2014.pdf>.

⁷⁷ **State option** for sanctions: 106 CMR §367.800(E). See <https://www.mass.gov/lists/106-cmr>

⁷⁸ SNAP benefit levels are driven by federal requirements, which can be found at 7 C.F.R. §273.1(ii-vi). See <https://www.gpo.gov/fdsys/pkg/CFR-2017-title7-vol4/pdf/CFR-2017-title7-vol4-part273.pdf> or <https://www.law.cornell.edu/cfr/text/7/273.10>

⁷⁹ Federal benefit calculation requirements are codified by the Commonwealth at 106 CMR 364.600 <http://www.mass.gov/courts/docs/lawlib/106-110cmr/106cmr364.pdf>

⁸⁰ MAGI begins as the Adjusted Gross Income (26 U.S.C. §62). It is then adjusted per federal statute and federal regulation. Federal statutory requirement: Section 1902(e)(14)(A) of Social Security Act, which corresponds to 42 U.S.C. §1396a. https://www.ssa.gov/OP_Home/ssact/title19/1902.htm. Also, Modified Adjusted Gross Income is referenced at 26 U.S.C. §36B(d)(2)(B)

⁸¹ States are required to cover certain populations (e.g., pregnant women and children under 19). However, **state options** for covering certain groups are authorized at 42 C.F.R. §435.2-435.350. Income options are authorized at 42 C.F.R. §435.601 (Application of financial eligibility methodologies). See <https://www.gpo.gov/fdsys/pkg/CFR-2016-title42-vol4/pdf/CFR-2016-title42-vol4-part435.pdf>

⁸² Modified Adjusted Gross Income requirement referenced at 42 C.F.R. §435.603. See <https://www.gpo.gov/fdsys/pkg/CFR-2016-title42-vol4/pdf/CFR-2016-title42-vol4-part435.pdf>

⁸³ 42 C.F.R. §435.603(e): Exceptions to methodology used to determine Modified Adjusted Gross Income (i.e., what counts as “income”)

⁸⁴ 42 C.F.R. §435.603(g): No resource test or income disregards when MAGI method is applied. To determine if MAGI applies, see 42 C.F.R. 435.603(e).

⁸⁵ Asset Limit referenced in MA regulations at 130 CMR §520.003. See <http://www.mass.gov/eohhs/docs/masshealth/regulations/member-eligibility/130-cmr-520-000.pdf>

⁸⁶ 42 C.F.R. §435.603(g): No resource test or income disregards when MAGI method is applied. To determine if MAGI applies, see 42 C.F.R. 435.603(e)

⁸⁷ Asset Limit referenced at 130 CMR §520.003; <http://www.mass.gov/eohhs/docs/masshealth/regulations/member-eligibility/130-cmr-520-000.pdf>

⁸⁸ A list of both mandatory and optional benefits in federal law is given at 42 U.S.C. 1396d. https://www.ssa.gov/OP_Home/ssact/title19/1905.htm#act-1905-a

⁸⁹ Mandatory benefits are given at 42 CFR §440.210 and §440.220, whereas optional benefits are given at 42 CFR §440.225.

⁹⁰ Basic-Benefit Level (BBL) is defined, with further legal references, at 130 CMR §501.001(2)

⁹¹ Gross income is defined at 42 U.S.C. §1437(f)(b)(4) and in HUD regulations (see the endnote on regulation). Gross income is used in determination of net income. Gross income consists of income from all sources. See:

<https://www.gpo.gov/fdsys/pkg/USCODE-2016-title42/pdf/USCODE-2016-title42-chap8-subchapI-sec1437a.pdf>

⁹² 24 C.F.R. §5.609 defines “annual Income” (i.e., another term for gross income), which is income (monetary and non-monetary from all sources) minus the specific exclusions mentioned in this section. See <https://www.ecfr.gov/cgi-bin/text->

[idx?rgn=div5&node=24:1.1.1.1.5#se24.1.5_1609](#). The exclusions mentioned in section 5.609 are defined in federal law at 42 U.S.C. §1437(f)(b)(5)

⁹³ Net income in this case is called “adjusted income,” which is the remaining income after exclusions. This definition, including a list of exclusions, is available at 42 U.S.C. §1437(f)(b)(5) and is implemented via HUD regulations (see footnote for regulation). See: <https://www.gpo.gov/fdsys/pkg/USCODE-2016-title42/pdf/USCODE-2016-title42-chap8-subchapI-sec1437a.pdf>

⁹⁴ Income limit is referenced at 42 U.S.C. §1437(f)(b)(2)(A), which defines “low-income families” as those with family incomes that do not exceed 80% of the area median family income. The income used is the “adjusted income,” as defined by HUD regulation. See: <https://www.gpo.gov/fdsys/pkg/USCODE-2016-title42/pdf/USCODE-2016-title42-chap8-subchapI-sec1437a.pdf>

⁹⁵ 24 CFR §5.611 defines “adjusted income,” which is the **net income used to evaluate eligibility**. Adjusted income is “Annual income (see endnote for gross income)” minus deductions. See https://www.ecfr.gov/cgi-bin/text-idx?rgn=div5&node=24:1.1.1.1.5#se24.1.5_1611

⁹⁶ The benefit in this case is the “assistance payment,” which is defined under 42 U.S.C. §1437(f)(c)(3) as “...difference between the maximum monthly rent which the contract provides that the owner is to receive for the unit and the rent the family is required to pay under section 1437a(a).” See: <https://www.gpo.gov/fdsys/pkg/USCODE-2016-title42/pdf/USCODE-2016-title42-chap8-subchapI-sec1437a.pdf>

⁹⁷ 24 CFR §982.505 stipulates how to calculate the housing assistance payment, see: https://www.ecfr.gov/cgi-bin/text-idx?tpl=/ecfrbrowse/Title24/24cfr982_main_02.tpl

⁹⁸ “...the income of eligible households shall not exceed 50 per cent of the area median income” http://www.mass.gov/bb/gaa/fy2016/app_16/act_16/h70049024.htm. This changed to 80% for FY18:

http://www.mass.gov/bb/h1/fy18h1/brec_18/act_18/h70049024.htm

⁹⁹ 760 CMR §49.03(1)(a); 760 CMR §49.05(7); NET income no more than 200% of Federal Poverty Level [760 CMR 49.03(1)(a)]

¹⁰⁰ 760 CMR §49.03(1)(c) the assets counted, which include cash, checking and saving accounts, market value of equity in “real property, stocks, bonds, or other form of capital investment,” equity in personal property, the value of any business or personal asset disposed of at less than the market value, and the value of any interest in a trust fund.

<http://www.mass.gov/courts/docs/lawlib/700-799cmr/760cmr49.pdf>

¹⁰¹ 760 CMR §49.03(1)(c) stipulates the asset limit and the assets counted

<http://www.mass.gov/courts/docs/lawlib/700-799cmr/760cmr49.pdf>

¹⁰² Budget line item 7004-9024 stipulates the minimum and maximum tenant share, which effectively sets the range of subsidy (i.e., voucher) value.

http://www.mass.gov/bb/h1/fy18h1/brec_18/act_18/h70049024.htm

¹⁰³ 760 CMR 49.05(8)(a) provides guidance on the annual determination of rent, thus effectively setting the value of the benefit (i.e., the voucher).

¹⁰⁴ Gross Income includes those income sources listed in 760 CMR §6.05(2) and excludes the sources listed in 760 CMR §6.05(3) <http://www.mass.gov/courts/docs/lawlib/700-799cmr/760cmr6.pdf>

¹⁰⁵ 121B MGL 32(c) provides general guidance: Net income shall not exceed 5 times the annual rental to be furnished, including the value of utilities provided to tenants. Also, the

law allows for an exemption from the **net income** of the household for each minor in the household of either \$100 or a portion of the income of that minor. DHCD promulgates regulations to specify the actual income eligibility level.

<https://malegislature.gov/Laws/GeneralLaws/PartI/TitleXVII/Chapter121B/Section32>

¹⁰⁶ Net income is the gross income minus the deductions allowed in 760 CMR §6.05(4)

<http://www.mass.gov/courts/docs/lawlib/700-799cmr/760cmr6.pdf>

¹⁰⁷ 760 CMR §6.05(2)(c) mandates the inclusion of income from real or personal property a percentage of of the value of that property be included in the calculation of gross income. Vehicles are excluded from calculation at 760 CMR §6.05(2)(c). However, sale of investment or real or personal property is excluded from gross income at 760 CMR §6.05(3)(0). **Thus, assets are included in the calculation of gross income.**

¹⁰⁸ 760 CMR §6.05(2)(c) mandates the inclusion of income from real or personal property a percentage of of the value of that property be included in the calculation of gross income. Vehicles are excluded from calculation at 760 CMR §6.05(2)(c). However, sale of investment or real or personal property is excluded from gross income at 760 CMR §6.05(3)(0). **Thus, assets are included in the calculation of gross income.**

¹⁰⁹ Tenant share maximums set at 121B MGL §32. This effectively sets the subsidy by setting a maximum that a tenant can be asked to pay, as a percentage of their income. DHCD sets the actual tenant share by regulation.

¹¹⁰ 760 CMR §6.04(1)(a) and (b) mandates the actual tenant share of rent as a percentage of net income.

¹¹¹ 26 U.S.C. 32(b)(2) provides the earned income amount and an amount for phase-out of the credit. These are mandated to be adjusted for inflation as per 26 U.S.C. 32(j)(1).

<https://www.gpo.gov/fdsys/pkg/USCODE-2015-title26/pdf/USCODE-2015-title26-subtitleA-chap1-subchapA-partIV.pdf>

¹¹² 26 U.S.C. 32(c)(2) defines what counts as “earned income.”

<https://www.gpo.gov/fdsys/pkg/USCODE-2015-title26/pdf/USCODE-2015-title26-subtitleA-chap1-subchapA-partIV.pdf>

¹¹³ 26 C.F.R. §1.32-2(c)(2) https://www.ecfr.gov/cgi-bin/text-idx?SID=76a325006f4ddaa1294dbe281e8449d0&mc=true&node=se26.1.1_132_62&rgn=div8

¹¹⁴ Asset here is called “disqualified income.” It includes things like dividends. See 26 U.S.C. 32(i)(2) for a list of disqualified income.

<https://www.gpo.gov/fdsys/pkg/USCODE-2015-title26/pdf/USCODE-2015-title26-subtitleA-chap1-subchapA-partIV.pdf>

¹¹⁵ 26 U.S.C. 32(i)(1): No credit is granted if the taxpayer has more than \$2,500 in disqualified income, which includes interest in dividends countable in gross income. See 26 U.S.C. 32(i)(2) for a list of disqualified income.

<https://www.gpo.gov/fdsys/pkg/USCODE-2015-title26/pdf/USCODE-2015-title26-subtitleA-chap1-subchapA-partIV.pdf>

¹¹⁶ 26 U.S.C. §32(f)(1): “The amount of the credit allowed by this section shall be determined under tables prescribed by the Secretary.” Thus, determination of the amount of the credit is delegated to the Executive. 26 U.S.C. §32(a)(2) sets a limit on the size of the EITC that is equal to a specified percentage of earned income (e.g., Cannot exceed 34% of earned income for 1 qualifying child). 26 U.S.C. §32(b)(2) sets the credit percentage just mentioned. 26 U.S.C. §32(b)(2) provides the earned income amount and

an amount for phase-out of the credit. These are mandated to be adjusted for inflation as per 26 U.S.C. §32(j)(1). **IRS EITC TABLES:** <https://www.irs.gov/credits-deductions/individuals/earned-income-tax-credit/eitc-income-limits-maximum-credit-amounts>

¹¹⁷ <https://www.irs.gov/credits-deductions/individuals/earned-income-tax-credit/eitc-income-limits-maximum-credit-amounts>

¹¹⁸ 62 M.G.L. §6(h) sets the state EITC at 23% of the federal EITC granted to the taxpayer for tax years after 2016, <http://www.mass.gov/dor/individuals/filing-and-payment-information/guide-to-personal-income-tax/credits/earned-income-credit-eic.html#MassRef>;

<https://malegislature.gov/Laws/GeneralLaws/PartI/TitleIX/Chapter62/Section6>

¹¹⁹ **No federal rules regarding financial eligibility for TANF.** See: Falk, G. (2014, July 22). Temporary Assistance for Needy Families (TANF): Eligibility and Benefit Amounts in State TANF Cash Assistance Programs (R43634). Washington, DC: Congressional Research Service. Retrieved from <https://fas.org/sgp/crs/misc/R43634.pdf>; Also see: Falk, G. (2016, November 21). The Temporary Assistance for Needy Families (TANF) Block Grant: A Primer on TANF Financing and Federal Requirements. Congressional Research Service. Retrieved from <https://fas.org/sgp/crs/misc/RL32748.pdf>

¹²⁰ 106 C.M.R. § 204.260(A) specifies the gross monthly income test. The federal government leaves determination of financial eligibility to the states (see Falk, 2016, <https://fas.org/sgp/crs/misc/RL32748.pdf>). Countable Assets: 106 C.M.R. § 204.120; Non-countable assets: 106 C.M.R. § 204.140

¹²¹ 106 C.M.R. § 204.260(B) specifies the net monthly income test. The federal government leaves determination of financial eligibility to the states (see Falk, 2016, <https://fas.org/sgp/crs/misc/RL32748.pdf>). Specific Deductions: Work-related expenses are at 106 C.M.R. §204.270; Dependent care is at 106 C.M.R. §204.275; \$30 and one-third disregard are at 106 C.M.R. §204.280

¹²² Countable Assets: 106 C.M.R. § 204.120; Non-countable assets 106 C.M.R. § 204.140; Inaccessible Assets (not counted): 106 C.M.R. § 204.125

¹²³ Asset Limit (\$2,500): 106 C.M.R. §204.110; Vehicles: 106 CMR 204.120(G)

¹²⁴ 42 U.S.C. §607 outlines when clients are engaged in work and what activities count as work. In particular, see parts (c) and (d) of 42 U.S.C. §607. States have some options (e.g., part b5).

¹²⁵ 45 C.F.R. 261.10(a)(2): The State must define what it means to engage in work for this requirement; its definition may include participation in work activities in accordance with section 407 of the Act. https://www.ecfr.gov/cgi-bin/text-idx?SID=7d42053c043ec6022c1a383be16df18f&mc=true&node=se45.2.261_110&rgn=div8

¹²⁶ The work program is referenced at: 106 CMR §203.400. See <http://www.mass.gov/eohhs/docs/dta/regs/tafdc/203.pdf>

¹²⁷ "...states determine the exact financial eligibility rules and benefit amounts (Falk, 2016, November 21, <https://fas.org/sgp/crs/misc/RL32748.pdf>).” The Commonwealth describes calculation of the “grant amount” (i.e., benefit) at 106 CMR 204.500, See: <http://www.mass.gov/eohhs/docs/dta/regs/tafdc/204.pdf>

¹²⁸ 26 U.S.C. § 24(b)(1) defines what “modified adjusted gross income” means for this section of the law, and the threshold amounts above which the credit phases out are given

at 26 U.S.C. § 24(b)(2). <https://www.gpo.gov/fdsys/pkg/USCODE-2015-title26/pdf/USCODE-2015-title26-subtitleA-chap1-subchapA-partIV.pdf>

¹²⁹ Credit is maxed at \$1,000 per child under 26 U.S.C. § 24(a), but it is reduced by \$50 per \$1,000 of income over certain thresholds under 26 U.S.C. § 24(b)(1).

<https://www.gpo.gov/fdsys/pkg/USCODE-2015-title26/pdf/USCODE-2015-title26-subtitleA-chap1-subchapA-partIV.pdf>

¹³⁰ Social Security Administration (SSA). Compilation of the Social Security Laws. Income. Meaning of income. https://www.ssa.gov/OP_Home/ssact/title16b/1612.htm

¹³¹ What is earned income for SSI: https://www.ssa.gov/OP_Home/cfr20/416/416-1110.htm

¹³² Social Security Administration (SSA). Compilation of the Social Security Laws. Income. Meaning of income. https://www.ssa.gov/OP_Home/ssact/title16b/1612.htm

¹³³ Net earnings from self employment: https://www.ssa.gov/OP_Home/cfr20/404/404-1080.htm

¹³⁴ Social Security Administration (SSA). Compilation of the Social Security Laws. Resources. Exclusion from resources.

https://www.ssa.gov/OP_Home/ssact/title16b/1613.htm

¹³⁵ Resources- General. https://www.ssa.gov/OP_Home/cfr20/416/416-1201.htm

¹³⁶ Social Security Administration (SSA). Compilation of the Social Security Laws. Resources. Exclusion from resources.

https://www.ssa.gov/OP_Home/ssact/title16b/1613.htm

¹³⁷ Limitation on resources. https://www.ssa.gov/OP_Home/cfr20/416/416-1205.htm

¹³⁸ Social Security Administration (SSA). Compilation of the Social Security Laws. Benefits for individuals who perform substantial gainful activity despite severe medical impairment. https://www.ssa.gov/OP_Home/ssact/title16b/1619.htm

¹³⁹ Sub-part D. Amount of benefits. https://www.ssa.gov/OP_Home/cfr20/416/416-0401.htm

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