Kansas Administrative Regulations

Kansas Department for Children and Families

Article 4.—Public Assistance Program

30-4-112. Income exempt from consideration as income and as a cash asset.

The following income shall be exempt, except as provided in K.A.R. 30-4-110(b): (a) Grants and scholarships provided for educational purposes;

(b) the value of benefits provided under the food stamp program;

(c) the value of the U.S. department of agriculture donated foods;

(d) the value of supplemental food assistance received under the child nutrition act of 1966, as amended, and the special food service program for children under the national school lunch act, as amended;

(e) benefits received under title V, community services employment program, or title VII, nutrition program for the elderly, of the older Americans act of 1965, as amended;

(f) Indian funds distributed or held in trust, including interest and investment income accrued on such funds while held in trust and initial purchases made with such funds;

(g) distributions to natives under the Alaska native claims settlement act;

(h) payments provided to individual volunteers serving as foster grandparents, senior health aides, and senior companions, and to persons serving in the service corps of retired executives and active corps of executives under titles II and III of the domestic service act of 1973;

(i) payments to individual volunteers under title I, sec. 404(g) of Public Law 93-113 when the director of ACTION determines that the value of such payments, adjusted to reflect the number of hours such volunteers are serving, is less than the federal minimum wage;

(j) payments received under the uniform relocation assistance and real property acquisition policies act of 1970;

(k) death benefits from SSA, VA, railroad retirement, or other burial insurance policy when the benefit is used toward the cost of burial;

(l) a one-time payment or a portion of a one-time payment from a cash settlement for repair or replacement of property or for legal services, or medical costs or other required obligations to a third party, if the payment is expended or committed to be expended for the intended purpose within six months of its receipt;

(m) money that VA determines may not be used for subsistence needs held in trust by VA for a child;

(n) retroactive corrective assistance payments in the month received or in the following month;

(o) income directly provided by vocational rehabilitation;

(p) benefits from special government programs at the discretion of the secretary, including energy assistance programs.

(q) cash donations that are based on need, do not exceed $300 in any calendar quarter, and are received from one or more private, nonprofit, charitable organizations;

(r) reimbursements for out-of-pocket expenses in the month received and the following month;

(s) proceeds from any bona fide loan requiring repayment;

(t) payments granted to certain U.S. citizens of Japanese ancestry and resident Japanese aliens under Title I of Public Law 100-383;

(u) payments granted to certain Aleuts under Title II of Public Law 100-383;

(v) agent orange settlement payments;

(w) foster care and adoption support payments;

(x) the amount of any earned income tax credit received. Such credit shall not be regarded as a cash asset in the month of receipt and the following month;

(y) federal major disaster and emergency assistance and comparable disaster assistance provided by state or local government or by disaster assistance organizations in conjunction with a presidentially declared disaster;

(z) payments granted to the Aroostook Band of Micmac Indians under Public Law 102-171;

(aa) payments from the radiation exposure compensation trust fund made by the department of justice; and (bb) special federal allowances paid monthly to children of Vietnam veterans who are born with spina bifida.

This regulation shall take effect on and after October 1, 1997.

(Authorized by K.S.A. 1996 Supp. 39-708c; implementing K.S.A. 1996 Supp. 39-708c and 39-709; effective May 1, 1981; amended, E-82-19, Oct. 21, 1981; amended May 1, 1982; amended May 1, 1983; amended May 1, 1984; amended May 1, 1986; amended May 1, 1987; amended, T-88-14, July 1, 1987; amended May 1, 1988; amended July 1, 1989; amended Oct. 1, 1989; amended Jan. 2, 1990; amended, T-30-7-2-90, July 2, 1990; revoked, T-30-8-14-90, Oct. 1, 1990; amended Oct. 1, 1990; amended May 1, 1991; amended July 1, 1991; amended Jan. 2, 1992; amended Oct. 1, 1992; amended Oct. 1, 1993; amended Dec. 30, 1994; amended Oct. 1, 1997.)

***** Authenticated Kansas Administrative Regulation *****