

support disregard were subtracted. The petitioner appealed that decision.

ORDER

The decision of the Department terminating the VHAP benefits is affirmed.

REASONS

VHAP program eligibility depends upon a countable income that is not in excess of program maximums. See W.A.M. 4001.8. All of the income of persons in the family must be counted unless it is specifically excluded by some other provision. W.A.M. 4001.8. The regulations do exclude most student loans, grants or work study income. W.A.M. 4001.82. However, the petitioner, although given an opportunity to do so, has not shown that any of the money her husband receives can be classified as an education loan or grant. The payment he receives looks like ordinary unemployment compensation which is specifically included as "unearned" income in the regulations. W.A.M. 4001.81(b).

The family is eligible for a \$90 standard employment expense deduction based upon the mother's earnings (W.A.M. 4001.81(f)) and a \$50 disregard from the child support paid

(W.A.M. 4001.82(23)). The countable income for this family is \$2814.10. The applicable maximum income for a family of four under the program is \$2207. P-2420 (B)(16). Even with this income, the petitioner's children should still be eligible for the Dr. Dynasaur program. However, PATH is correct that the petitioner and her husband are not eligible for VHAP because their countable income is more than \$600 over the maximum. The petitioner's husband as a full-time student may be eligible for some health insurance for himself and perhaps for his dependents through his college. He is encouraged to look into this option as soon as possible as there may be a defined enrollment period for obtaining such coverage.

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