



ORDER

The decision of the Department is affirmed.

REASONS

Under the VHAP regulations, all earned income is included as countable income for eligibility. W.A.M. 4001.81(c). For employees the only deduction allowed is a \$90 standard deduction. There is no dispute that the petitioner in this matter has countable income in excess of the maximum for eligibility under the VHAP program for a single individual, which is \$1,123 a month. P-2420 B (16). If an applicant has income above this amount, he cannot be found eligible for that program. W.A.M. 4001.83 and 4001.84. As the Department's decision is in accord with its regulation, the Board is bound to uphold the decision. 3 V.S.A. 3091(d), Fair Hearing Rule 17.

The petitioner is probably eligible for the Healthy Vermonters Program, which would help reduce his expenses for prescription medication. At the hearing it was explained to

the petitioner that if his income should decrease, even voluntarily, he can reapply for VHAP.

# # #